

TOWNSHIP OF EDGEWATER PARK
REORGANIZATION MEETING MINUTES
JANUARY 3, 2009

The Clerk called the Edgewater Park Township Committee Reorganization Meeting for 2008 to order on January 3, 2009 at 4:00 p.m.at the Municipal Building.

FLAG SALUTE

STATEMENT OF THE MINUTES

STATEMENT OF THE MINUTES

IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT, CHAPTER 231, P.L. 1975 THE CLERK READ THE FOLLOWING 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 on November 12, 2008.
- B. By faxing/e-mailing written notice to the Burlington County Times and the Courier on November 12, 2008.
- C. By filing written notice with the Clerk of the Township on November 12, 2008.

WELCOME PUBLIC –Linda Dougherty, Municipal Clerk/Administrator, on behalf of the Township Committee, welcome those present to the Reorganization Meeting for the Township of Edgewater Park year 2009.

INVOCATION

The invocation was given by Pastor Mark Perkins

ROLL CALL:

Present: Committeeman Elect Darrell Booker, Committeewoman Judith Hall, Committeeman Kevin Johnson, Committeewoman Donna Mount, Committeeman Joseph T. Pullion

Absent: None

Also Present: Ms. Dougherty-Municipal Clerk/Administrator, Mr. Brian–Chief of Police

OATH OF OFFICE TO NEWLY – ELECTED OFFICIALS

Mrs. Dougherty reported to the Committee and to those present that at the General Election held on November 4, 2008, Mr. Darrell Booker was elected to a three-year term for Township Committee, which commences today.

Senator (Congressman Elect) John Adler administered the Oath of Office to Mr. Darrell Booker in the presence of his family.

Mrs. Dougherty reported to the Committee and to those present that at the General Election held on November 4, 2008 Mr. Thomas Pullion was elected to a three-year term for Township Committee, which commences today.

Senator (Congressman Elect) John Adler administered the Oath of Office to Mr. Thomas Pullion in the presence of his family.

TOWNSHIP COMMITTEE, RECALL ROLL

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Ms. Donna Mount, Mr. Joseph T. Pullion.

Absent: None

PROCEDURES

The Clerk/Administrator explained the procedure that will be followed for Nominations and Appointments. If the situation should occur in which there is more than one person or agency nominated for an appointment, upon roll call vote each nomination shall be voted for as an independent motion in the order announced. If the first motion fails to receive a majority vote then a roll call will continue with the next motion until one receives a vote sufficient for election.

NOMINATIONS FOR MAYOR

The Clerk/Administrator requested from Committee nominations of the Office of Mayor of the Township of Edgewater Park for year 2009.

Mr. Johnson nominated Donna Mount for Mayor; Second by Mr. Pullion

Hearing no further nominations Mrs. Dougherty closed nominations.

Upon roll call vote the motion to appoint Donna Mount as Mayor for year 2009 passed with five affirmative votes: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount –yes.

Senator (Congressman Elect) John Adler administered the Oath of Office to Mayor Mount in the presence of her family.

NOMINATIONS FOR DEPUTY MAYOR

Mayor Mount requested from Committee nominations of the Office of Deputy Mayor of the Township of Edgewater Park for year 2009.

Mr. Pullion nominated Kevin Johnson for Deputy Mayor; Second by Mrs. Hall

No further nominations were heard.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Kevin Johnson as Deputy Mayor for year 2009 passed with five affirmative votes: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

Senator (Congressman Elect) John Adler administered the Oath of Office to Deputy Mayor Johnson in the presence of his family.

PROCLAMATIONS/RECOGNITIONS –Appended to the end of the minutes

Proclamations for Lynwood Spencer, Collette Pullion and James Daly were enacted as a single motion needing no discussion. Any item requiring discussion will be removed from the Consent Agenda. All Consent Agenda items will be reflected in full in the official minutes.

Moved by: Mr. Pullion Second: Mr. Booker

Discussion: NONE

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

Sgt. Lynwood Spencer – Recognition and appreciation to Sgt Lynwood Spencer for his 33 Years of Service with the Edgewater Park Police Department and Congratulations on his Retirement.

Ms. Collette Pullion – Recognition of her soccer achievements at Bryn Mawr College.

Recognition of Committeeman James Daly for his years of service

Mayor Mount recognized Committee James Daly for diligently serving on Township Committee in 2000, 2001, 2006, 2007 and 2007 and for also serving as Mayor in 2001.

NOMINATIONS FOR TOWNSHIP SOLICITOR

The Mayor opened nominations for Township Solicitor for the Township of Edgewater Park year 2009.

Mr. Pullion nominated the firm Kearns, Reale, & Kearns as Township Solicitor; Second by Mr. Johnson.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Kearns, Reale & Kearns as Township Solicitor passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR SPECIAL COUNSEL BOND ATTORNEY

The Mayor opened nominations for Special Counsel Bond Attorney for the Township of Edgewater Park year 2009.

Mr. Johnson nominated the firm Gluck, Walrath LLP as Special Counsel Bond Attorney; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Gluck, Walrath LLP as Special Counsel Bond Attorney passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR COAH PLANNING CONSULTANT

The Mayor opened nominations for COAH Planning Consultant for the Township of Edgewater Park year 2009.

Mr. Johnson nominated the firm Clark, Caton Hintz as COAH Planning Consultant; Second by Mr. Pullion.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Clark, Caton Hintz as COAH Planning Consultant passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR COAH COUNSEL

The Mayor opened nominations for COAH Counsel for the Township of Edgewater Park year 2009.

Mr. Johnson nominated the firm Parker, McCay PA as COAH Counsel; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Parker, McCay PA as COAH Counsel passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR TOWNSHIP ENGINEER

The Mayor opened nominations for Township Engineer for the Township of Edgewater Park year 2009.

Mr. Pullion nominated the firm of Environmental Resolutions, Inc as Township Engineer; Second by Mr. Johnson.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Environmental Resolutions, Inc as Township Engineer passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR SPECIAL ENGINEER

The Mayor opened nominations for Special Engineer for the Township of Edgewater Park year 2009.

Mr. Johnson nominated the firm of CMX Engineering as Special Engineer; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of CMX Engineering as Special Engineer passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR SPECIAL ENGINEER

The Mayor opened nominations for Special Engineer for the Township of Edgewater Park year 2009.

Mrs. Hall nominated the firm of Richard A. Alaimo, Association of Engineers as Special Engineer; Second by Mr. Pullion.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Richard A. Alaimo, Association of Engineers as Special Engineer passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR AUDITOR

The Mayor opened nominations for Auditor for the Township of Edgewater Park year 2009.

Mr. Pullion nominated the firm of Holman & Frenia, P.C. as Auditor; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Holman & Frenia, P.C. as Auditor passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR TOWNSHIP MUNICIPAL COURT JUDGE

The Mayor opened nominations for Township Municipal Court Judge for a three year term commencing on January 1, 2009.

Mr. Pullion nominated James M. Vogdes, III as the Township Municipal Court Judge; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint James M. Vogdes, III as the Township Municipal Court Judge passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

NOMINATIONS FOR TOWNSHIP PROSECUTOR

The Mayor opened nominations for Township Prosecutor for the Township of Edgewater Park year 2009.

Mr. Johnson nominated Dean J. Buono as Township Prosecutor; Second by Mr. Booker.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Dean J. Buono as Township Prosecutor passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount

NOMINATIONS FOR ALTERNATE TOWNSHIP PROSECUTOR

The Mayor opened nominations for Alternate Township Prosecutor for the Township of Edgewater Park year 2009.

Mr. Johnson nominated Mark Tarantino as Alternate Township Prosecutor; Second by Mr. Pullion. Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Mark Tarantino as Alternate Township Prosecutor passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount

NOMINATIONS FOR MUNICIPAL COURT PUBLIC DEFENDER

The Mayor opened nominations for Municipal Court Public Defender for the Township of Edgewater Park year 2009.

Mr. Pullion nominated the firm of Siciliano & Associates as Municipal Court Public Defender; Second by Mr. Johnson.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of Siciliano & Associates as Municipal Court Public Defender passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount

NOMINATIONS FOR INSURANCE RISK MANAGEMENT

The Mayor opened nominations for Insurance Risk Management for the Township of Edgewater Park year 2009.

Mr. Hall nominated the firm of T.C. Irons Insurance Agency as Insurance Risk Management; Second by Mr. Johnson.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint the firm of T.C. Irons Insurance Agency as Insurance Risk Management passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Mr. Aubrey Painter as Recycling Coordinator for the year 2009.

Motion By: Mr. Pullion Second by: Mr. Johnson

Roll Call Vote to re- appoint Aubrey Painter as Recycling Coordinator for year 2009:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Linda Dougherty as Secretary to the Chief Financial Officer

Linda Dougherty as Municipal Improvement Search Officer

Linda Dougherty as Public Agency Compliance Officer

Motion By: Mr. Johnson Second by: Mr. Pullion

Roll Call Vote to appoint Linda Dougherty as Secretary to the Chief Financial Officer, Municipal Improvement Search Officer, and Public Agency Compliance Officer for year 2009:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Deborah Cunningham as Certifying Agent pertaining to the PERS and PFRS for the year 2009.

Motion By: Mr. Pullion Second by: Mr. Johnson

Roll Call Vote to appoint Deborah Cunningham as Certifying Agent pertaining to the PERS and PFRS for year 2009:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Tanyika Johns as Tax Search Officer for the year 2009.

Motion By: Mr. Johnson Second by: Mrs. Hall
Roll Call Vote to appoint Tanyika Johns as Tax Search Officer for year 2009:
Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Re-appointment of Stacy Hofbauer as Police Matron for the year 2009; Kate Elliott as Substitute Police Matron.

Motion By: Mr. Pullion Second by: Mrs. Hall
Roll Call Vote to appoint Stacy Hofbauer as Police Matron for year 2009: Kate Elliott as Substitute Police Matron.
Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Re-appointment of Linda Dougherty as Fund Commissioner to the Burlington County Joint Insurance Fund.

Motion By: Mr. Johnson Second by: Mr. Booker
Roll Call Vote to appoint Linda Dougherty as Fund Commissioner to the Burlington County Joint Insurance Fund for year 2009:
Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

APPOINTMENT OF CLASS II SPECIAL POLICE OFFICER

(Recommendation Robert Brian, Chief of Police)

Recommend the Re-Appointment of Paul Navarra as Class II Special Police Officers for a one year term

Motion By: Mrs. Hall Second by: Mr. Johnson
Roll Call Vote to appoint Paul Navarra as a Class II Special Officer for year 2009:
Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

APPOINTMENT OF CROSSING GUARDS

(Recommendation Robert Brian, Chief of Police)

Motion to appoint the following crossing guards for a one-year term:
(As recommended by Robert Brian, Chief of Police)

Crossing Guards

Barbara Albano	Classified
Donald Barnes Sr.	Unclassified
Jeanne Buffarini	Unclassified
Christine Danley	Unclassified
James Marris	Unclassified
Louann Retzko	Unclassified
Maryann Ruff	Unclassified
Jean Ann Wonderlin	Unclassified
Bonnie Yannerella	Classified
Anne Yannerella	Unclassified

Substitute Crossing Guard:

Joseph Figueroa	Unclassified
-----------------	--------------

Motion By: Mr. Johnson Second by: Mrs. Hall
Roll Call Vote to appoint crossing guards for year 2009:
Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

NOMINATION OF REPORTING OFFICER FOR THE BOARD OF HEALTH

The Mayor opened nominations for Reporting Officer for the Board of Health for the Township of Edgewater Park year 2009.

Mr. Johnson nominated Mr. Robert Gogats as Reporting Officer for the Board of Health; Second by Mr. Booker.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Reporting Officer for the Board of Health passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Mr. Johnson moved to set the time and place for the Board of Health Meetings as follows: the first January 20, April 7, July 7, October 6, 2009 at 6:45 PM at the Edgewater Park Municipal Building; additional meetings will be considered on an “as needed” basis. Second by Mrs. Hall.

Roll call vote on setting time and place for the Board of Health Meetings

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

NOMINATION OF MEDICAL OFFICER FOR THE TOWNSHIP OF EDGEWATER PARK

The Mayor opened nominations for Medical Officer for the Township of Edgewater Park year 2009.

Mr. Johnson nominated Work Net Occupational Medicine as Officer for the Township of Edgewater Park; Second by Mrs. Hall.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Work Net Occupational Medicine as Medical Officer passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

Nominations for the Planning Board Class III Member for a One Year Term:

The Mayor opened nominations for Planning Board Class III Member for a one-year term.

Mr. Pullion nominated Kevin Johnson; Second by: Mrs. Hall

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Kevin Johnson to the Planning Board as a Class III Member passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

NOMINATIONS FOR SEWER AUTHORITY

The Mayor opened nominations for Sewer Authority for a five-year term.

Mr. Johnson nominated Lester Holley; Second by: Mr. Pullion

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Lester Holley to the Planning Sewer Authority for a five-year term passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

NOMINATIONS FOR EMERGENCY MANAGEMENT COORDINATOR

The Mayor opened nominations for an Emergency Management Coordinator for January 15, 2009 through January 14, 2012.

Mr. Pullion nominated Michael Reese; Second by: Mr. Booker

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Michael Reese as the Emergency Management Coordinator for January 15, 2009 through January 14, 2012 passed with five affirmative votes:

Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mrs. Mount – yes, Mr. Pullion – yes

NOMINATIONS FOR EXECUTIVE COORDINATOR JOINT EMERGENCY MANAGEMENT COUNCIL

The Mayor opened nominations for an Executive Coordinator Joint Emergency Management Council for January 15, 2009 through January 14, 2012.

Mr. Johnson nominated Al Desjardins; Second by: Mr. Pullion.

Hearing no further nominations Mayor Mount closed nominations.

Upon roll call vote the motion to appoint Al Desjardins as the Executive Coordinator Joint Emergency Management Council for January 15, 2009 through January 14, 2012 passed with five affirmative votes:

Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount-yes

MAYORAL APPOINTMENTS

The Mayor announced the following Mayoral Appointments:

PLANNING BOARD

Class I Member for a One Year Term:	Donna Mount
Class II Member for a One Year Term:	David Levay
Class IV Member - Four Year Term:	Charles Robinson
Class IV Member - Four Year Term:	Jeffrey Westphal

Planning Board Alternate:

Alt No. 1: Unexpired Term (12/31/2009)	Dennis Robbins
Alt No. 2: Two Year Term (12/31/2010)	John McElwee

ENVIRONMENTAL ADVISORY COMMITTEE

Three Year Terms:

One Year Term
Gil Maupin
Sarah Cannon Moyle

HERITAGE TRAIL PROJECT:

Liaison to Heritage Trail Project

One Year Term
Patricia Leaf
Dennis Robbins

RE-DEVELOPMENT ADVISORY COMMITTEE:

One Year Term
John Alexander
Beatrice Holley
Michael Trainor
Toni Chapman
Tamara Lloyd

ROUTE 130 CORRIDOR REPRESENTATIVES:

One Year Term
John Alexander
Beatrice Holley

SENIOR ADVISORY COMMITTEE:

One Year Term

Theresa Atzert
Catherine Graziani

Gil Maupin
Betty Sever
Lloyd Weaver
Frances Wilkins
Geraldine Wing

LIGHT RAIL GARDEN CLUB:

One Year Term
Beatrice Holley
Dave Levay
Ken Kauker
Noel Rainey
Victoria Wozniak

RECREATION ADVISORY COMMITTEE:

One Year Term
Karen Daly
Lisa McAteer-Irwin
Betty Sever
Dawn Franklin
Michelle Atzert

MAYORS ADVISORY COMMITTEE:

One Year Term

Shall be comprised of the Chairpersons of the following Boards; said meetings to be held quarterly):

Environmental Advisory Committee
Board of Education
Board of Fire Commissioners
Planning Board
Redevelopment Committee
Senior Advisory
Sewer Authority
Recreation Committee
Emergency Management Coordinator
Former Mayor

TOWNSHIP COMMITTEE DEPARTMENTAL ASSIGNMENTS

Public Works, Buildings & Grounds – Tom Pullion

Administration, Finance, Public Affairs & Public Safety – Donna Mount, Kevin Johnson

Recreation – Darrell Booker

TOWNSHIP COMMITTEE LIAISONS TO BOARDS AND COMMISSIONS:

Sewer Authority – Darrell Booker
Planning Board – Donna Mount, Kevin Johnson
Environmental Advisory Comm. - Tom Pullion
Redevelopment - Tom Pullion
Mayor Advisory – Donna Mount
Senior Advisory- Judy Hall
School Liaison – Judy Hall
Shared Services – Judy Hall
E P A A – Kevin Johnson, Darrell Booker

RESOLUTION(S):

Resolution No. 2009-1 through No. 2009-26 was enacted as a single motion needing no discussion. Any item requiring discussion will be removed from the Consent Agenda. All Consent Agenda items will be reflected in full in the official minutes.

Motion By: Mr. Johnson Second by: Mr. Pullion

Roll Call: Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mrs. Mount – yes, Mr. Pullion – yes

Resolution No. 2009-1
Resolution Establishing Professional Services

WHEREAS, there exist a need for a Solicitor, Township Engineer, Special Engineer, Auditor, Municipal Court Prosecutor, Municipal Court Public Defender, and Bond Attorney, COAH Consultant; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.S.A.19:44A-20.5 et seq.

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, that the Mayor and/or Clerk are hereby authorized and directed to execute agreements for the following qualified professionals:

SECTION I:

- A. William Kearns, of the firm Kearns, Reale and Kearns, 630 Beverly-Rancocas Road, Willingboro, NJ 08046-3718, is hereby appointed Township Solicitor for the Township of Edgewater Park;
- B. Chris Walrath, of the firm, Gluck Walrath, LLP, 428 River View Plaza, Trenton, NJ 08611, is hereby appointed Special Counsel/Bond Attorney for the Township of Edgewater Park;
- C. Kevin Frenia, of the firm Holman & Frenia, P.C., 1618 Stokes Road, Medford, NJ 08055, is hereby appointed Township Auditor for the Township of Edgewater Park;
- D. Chris Noll, of Environmental Resolutions, Inc, 525 Fellowship Road, Suite 300 Mount Laurel, NJ 08054 is hereby appointed Township Engineer for the Township of Edgewater Park;
- E. Anthony LaRosa, CMX Engineering, 1101 Laurel Oak Road, Voorhees, NJ 08043, is hereby appointed Special Engineer for the Township of Edgewater Park;
- F. Richard A. Alaimo, Association of Engineers as Special Engineer, 200 High Street Mount Holly, NJ 08060, is hereby appointed Special Engineer for the Township of Edgewater Park;
- G. Salvatore Siciliano, Siciliano & Associates, 16 South Haddon Avenue, Haddonfield, NJ 08033, is hereby appointed Public Defender for the Township of Edgewater Park;
- H. Dean J. Buono, Esq., of the firm Law Offices, Dean J. Buono, 1487 Route 39 West, Hainesport, NJ 08036, is hereby appointed Municipal Prosecutor for the Township of Edgewater Park;
- I. Mark Tarantino, Esquire of the firm Mark Tarantino, 37 Grant Street, Mount Holly, NJ and all other duly authorized prosecutors in Burlington County are hereby appointed Alternate Municipal Prosecutor for the Township of Edgewater Park;

- J. Mary Beth Lonergan, of the firm Clark, Caton Hintz, 400 Sullivan Way, Trenton, NJ, is hereby appointed as COAH Planning Consultant for the Township of Edgewater Park.
- K. Ron Morgan and/or Doug McCollister, of the firm Parker, McCay, P.A. Three Greentree Center, 7001 Lincoln Drive West, Marlton, NJ, is hereby appointed as COAH Counsel for the Township of Edgewater Park;
- L. Worknet Occupational Medicine, 9370 N Route 130, Pennsauken, NJ 08110 is hereby appointed for Medical Services for the Township of Edgewater Park.

SECTION II: These contracts are awarded without competitive bidding as “Professional Services”, in accordance with *NJSA 40A: 11-5(1)(a) et seq.* of the Local Public Contract Law, and /or awarded in accordance with *N.J.S.A. 19:44A-20.4 et seq.*, as the above named Professionals are licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1)(a) the following information is set forth:

- A. Duration of Contracts: All terms are for one-year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contracts will be on file and available for public inspection in the Office of the Clerk of the Township of Edgewater Park.

SECTION III: This resolution shall be printed once in the “Burlington County Times” and the “Courier Post” as required by law within ten days of its adoption.

Resolution No. 2009-2

Appointment of Certifying Agent

WHEREAS, it is necessary to facilitate the administration of the Public Employees Retirement System (PERS) and the Police and Firemen’s Retirement Association (PFRS); and

WHEREAS, the Township of Edgewater Park is desirous of designating all documents pertaining to the PERS and PFRS, particularly enrollments, transfer of employees, employee accounts, retirement withdraws and insurance claims.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Edgewater, County of Burlington and State of New Jersey, does hereby designate Deborah Cunningham to be Certifying Agent for the Township of Edgewater Park, 400 Delanco Rd, Edgewater Park, NJ 08010, (609) 877-2050; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Division of Pensions, CN 295, Trenton, NJ 08625, immediately following its adoption.

Resolution No. 2009-3

Appointment of Public Agency Compliance Officer

BE IT RESOLVED that the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, does hereby designate its Clerk, Linda M. Dougherty, to be the Public Agency Compliance Officer for the Township of Edgewater Park, 400 Delanco Rd, Edgewater Park, NJ 08010, (609) 877-2050.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Affirmative Action Office, Department of the Treasury, CN 209, Trenton, NJ 08625.

Resolution No. 2009-4
*Resolution Establishing Interest Rates for Delinquent Taxes and Assessments
within the Township of Edgewater Park*

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that:

SECTION I. In accordance with the Revised Statutes of the State of New Jersey 54:4-67, the rate of interest charged for non-payment of taxes or assessments after the date they would become due (within 10 days grace period) is hereby fixed at 8% annum, except where the total taxes or assessments amount to the sum of \$1,500 or in excess of thereof, the interest shall be 18% per annum on excess of \$1,500, calculated from the date the tax was payable until the date of actual payment.

Resolution No. 2009-5
*Resolution Establishing Interest Rates for Delinquent Taxes and Assessments Over \$10,000
within the Township of Edgewater Park*

WHEREAS, Revised Statute NJSA 54:4-67 provides for an additional penalty to be charged to a taxpayer with a delinquency on taxes or assessment on any installments in excess of \$10,000 who fails to pay the delinquency prior to the end of the calendar year in which the payment was due; and

WHEREAS, the penalty so fixed shall not exceed 6% of the amount of the delinquency.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that a 6% penalty be charged to any taxpayer who fails to pay the delinquency prior to the end of the calendar year.

Resolution No. 2009-6
Resolution Adopting 2009 Temporary Budget
RESOLUTION ADOPTING 2009 TEMPORARY BUDGET

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitments or payments are to be made prior to the adoption of the budget of any fiscal year, temporary budget appropriations may be made for the purposes and amounts required in the manner and time provided; and

WHEREAS, the date of this resolution is prior to January 31, 2009 and

WHEREAS, 26.25 % of the total appropriations in the 2008 budget, exclusive of any appropriations made for debt service and capital improvement fund in said 2008 budget is the sum of \$ 1,393,427.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following temporary appropriations are made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records.

GENERAL GOVERNMENT

Administrative and Executive:	
Salaries and Wages	\$ 39,390.00
Other Expenses	\$ 13,950.00
Township Committee	
Salaries and Wages	\$ 4,200.00
Other Expenses	\$ 1,860.00
Municipal Clerk	
Salaries and Wages	\$ 16,545.00
Other Expenses	\$ 6,282.00
Financial Administration:	
Salaries and Wages	\$ 3,375.00
Other Expenses	\$ 2,600.00
Audit Services:	\$ 7,950.00
Assessment of Taxes:	
Salaries and Wages	\$ 5,013.00
Other Expenses	\$ 2,490.00
Collection of Taxes:	
Salaries and Wages	\$ 13,500.00
Other Expenses	\$ 5,640.00
Legal Services and Costs:	
Other Expenses	\$ 12,000.00
Engineering Services and Costs:	
Other Expenses	\$ 12,000.00
Public Buildings and Grounds:	
Other Expenses	\$ 10,500.00
Economic Development Committee	
Other Expenses	\$ 300.00
Municipal Land Use Law (NJSA 40:55D-1)	
Planning Board:	
Salaries and Wages	\$ 750.00
Other Expenses	\$ 5,910.00
Environmental/Shade Tree Commission:	
Other Expenses	\$ 500.00
Insurance:	
Liability Insurance	\$ 47,670.00
Workers Compensation Insurance	\$ 47,670.00
UCC Insurance	\$ 2,400.00
Employee Group Insurance	\$ 136,000.00
Senior Advisory Committee:	
Other Expenses	\$ 250.00
Police:	
Salaries and Wages	\$ 356,340.00
Other Expenses	\$ 35,700.00
Contribution to First Aid Organization:	\$ 8,100.00
Emergency Management Services:	
Other Expenses	\$ 1,260.00

Municipal Prosecutor:
Other Expenses \$ 3,300.00

STREETS AND ROADS

Road Repairs and Maintenance:
Salaries and Wages \$ 102,850.00
Other Expenses \$ 19,500.00
Field maintenance and Repair:
Other Expenses \$ 6,090.00
Garbage and Trash Removal:
Salaries and Wages \$ 1,350.00
Contractual \$ 115,000.00
Storm Water Sewer:
Other Expenses \$ 2,000.00

Board of Health:
Salaries and Wages \$ 1,200.00
Other Expenses \$ 600.00

RECREATION AND EDUCATION

Recreation Parks and Playgrounds
Salaries and Wages \$ 3,000.00
Other Expenses \$ 7,971.00

UTILITIES:

Electricity \$ 10,500.00
Street Lighting \$ 21,000.00
Telephone \$ 5,850.00
Water \$ 1,200.00
Fuel Oil/Natural Gas \$ 5,400.00
Telecommunications \$ 5,550.00
Gasoline/Diesel \$ 15,000.00

Senior Citizens Transportation:
Other Expenses \$ 500.00

Newsletter: \$ 3,500.00

Uniform Construction Code- Appropriations Offset by Dedicated Revenues (NJAC 5:23-4.17)

Inspection of Buildings:
Salaries and Wages \$ 26,000.00
Other Expenses \$ 4,920.00

Plumbing Inspector:
Salaries and Wages \$ 1,750.00

Electrical Inspector:
Salaries and Wages \$ 1,750.00

Fire Protection Official:
Salaries and Wages \$ 1,750.00

Municipal Court:

Salaries and Wages	\$ 27,500.00
Other Expenses	\$ 6,000.00

Total Operations within CAPS	\$ 1,201,176.00

Deferred Charges and Statutory Expenditures-Municipal Within CAPS	
Deferred Charges:	
Statutory Expenditures:	
Contribution to:	
Police & Firemen's Retirement System	\$ 43,075.50
Public Employees' Retirement System	43,075.50
Contribution to Social Security System	\$ 47,100.00

Total Deferred Charges and Statutory Expenditures – Municipal within CAPS	\$ 133,251.00

Total General Appropriations for Municipal Purposes Within CAPS	\$1,334,427.00

<u>OPERATIONS EXCLUDED FROM CAP</u>	
Public Defender	
Other Expenses	\$ 0.00
Condominium Reimbursements:	\$ 52,000.00
Affordable Housing	
Other Expenses	\$ 7,500.00
State and Federal Grants:	
COPS More	

Total Operations Excluded from CAP	\$ 59,000.00

Public and Private Programs Offset by Revenues	
Drainage Improvements:	\$ 0.00

Total Capital Improvements Excluded from CAPS	\$ 0.00

Municipal Debt Service – Excluded from CAPS	0.00

Total Municipal Debt Service-Excluded from CAPS	0.00

Deferred Charges	
Deferred Charges to Future Taxation – Funded:	

Special Emergency Authorizations	0.00
<hr/>	
Total Deferred Charges – Municipal –Excluded from CAPS	0.00
<hr/>	
Total General Appropriations for Municipal Purposes Excluded from CAPS	0.00
<hr/>	
Subtotal General Appropriations	\$
Reserve for Uncollected Taxes	0.00
<hr/>	
Total General Appropriations:	\$ 1,393,427.00

Resolution No. 2009-7
Resolution Establishing Depositories

WHEREAS, Revised Statute NJSA 40:3-25 provides that moneys held in any separate fund, i.e., General Account, Capital Fund, Trust Account and all Escrow Accounts, shall be treated as moneys held in trust and shall not be diverted to any other purpose;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the Beneficial Bank, Delanco Federal Savings Bank, Commerce Bank, Corner Stone Bank, Roebling Bank, and Sovereign Bank, and that the custodian shall be Frank N. Van Gelder, Chief Financial Officer. All disbursements for these accounts shall be made by checks signed by:

Donna Mount, Mayor or
Kevin Johnson, Deputy Mayor, or
Frank N. Van Gelder, Chief Financial Officer, or
Margaret Peak, Assistant Treasurer or
Linda M. Dougherty, Municipal Clerk/Administrator, Secretary to the CFO, or
Tanyika L. Johns, Tax Collector/Deputy Clerk

In the event that the Municipal Clerk signs said checks in the capacity of Secretary to the Chief Financial Officer, then the Deputy Clerk or Assistant Treasurer shall be required to sign on behalf of the Clerk.

BE IT RESOLVED that all disbursements from the payroll account shall be made by checks signed by:

Linda Dougherty, Municipal Clerk/Administrator or
Tanyika L. Johns, Tax Collector or
Margaret Peak, Assistant Treasurer or
Frank N. Van Gelder, Chief Financial Officer

BE IT FURTHER RESOLVED that all disbursements from the Construction Code Official account shall be made by checks signed by:

Linda M. Dougherty, Municipal Clerk/Administrator or
Sheri Hannah, Clerk Typist or
James Scott, Construction Code Official or

Tanyika Johns, Tax Collector or
Margaret Peak, Assistant Treasurer or
Frank N. Van Gelder, Chief Financial Officer

BE IT FURTHER RESOLVED that all disbursements from the Rental and Resale Inspection account shall be made by checks signed by:

Linda M. Dougherty, Municipal Clerk/Administrator or
Sheri Hannah, Clerk Typist or
James Scott, Construction Code Official or
Tanyika Johns, Tax Collector or
Margaret Peak, Assistant Treasurer or
Frank N. Van Gelder, Chief Financial Officer

BE IT FURTHER RESOLVED that all disbursements from the Edgewater Park Court Account and Bail Account shall be made by checks signed by:

Ann DiMarco, Court Administrator or
Terri Harper, Deputy Court Administrator

BE IT FURTHER RESOLVED that all disbursements from the Recreation Account shall be made by checks signed by:

Sheri Hannah, Clerk Typist or
Tanyika Johns, Tax Collector or
Margaret Peak, Assistant Treasurer or
Linda M. Dougherty, Municipal Clerk/Administrator or
Frank Van Gelder, CFO

BE IT FURTHER RESOLVED that all disbursements from the Municipal Clerk's Account shall be made by checks signed by:

Linda M. Dougherty, Municipal Clerk/Administrator or
Tanyika L. Johns, Tax Collector or
Margaret Peak, Assistant Treasurer or
Frank Van Gelder, Chief Financial Officer

BE IT FURTHER RESOLVED that all disbursements from the Tax Collector's Account and the Tax Collector's Lien Redemption Account shall be made by checks signed by:

Tanyika Johns, Tax Collector or
Sheri Hannah, Clerk Typist or
Linda M. Dougherty, Municipal Clerk/Administrator or
Margaret Peak, Assistant Treasurer or
Frank Van Gelder, Chief Financial Officer

Resolution No. 2009-8
Resolution to Appoint Planning Board Class III Member

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that Kevin Johnson be appointed to the Edgewater Park Planning Board as a Class III Member; for a one year term.

Resolution No. 2009-9
Resolution Establishing Risk Management Consultant
Burlington County Municipal Joint Insurance Fund

WHEREAS, the Governing Body of Edgewater Park Township has resolved to join Burlington County Municipal Joint Insurance Fund, a self insurance pooling fund, following a detailed analysis; and

WHEREAS, the Bylaws of said Fund permit each municipality to appoint a RISK MANAGEMENT CONSULANT to perform various professional services as detailed in the Bylaws; and

WHEREAS, the Bylaws indicate a fee not to exceed five percent (5%) of the Municipal Assessment which expenditure represents reasonable compensation for the services required and was included in the cost considered by the Governing Body; and

WHEREAS, NJSA 40A: 11-5 (1) (m), specifically exempts the hiring of insurance consultants from competitive bidding as an extraordinary unspecifiable service; and

WHEREAS, the experience, knowledge of public insurance and risk management issues and judgmental nature required of a Risk Management Consultant's are clearly an extraordinary unspecifiable service which therefore render competitive bidding impractical;

NOW THEREFORE BE IT RESOLVED that the governing body of Edgewater Park Township does hereby appoint T C Irons Insurance Agency as its Risk Management Consultant in accordance with 40A:11-5; and

BE IT FURTHER RESOLVED that the governing body is hereby authorized and directed to execute the Consultant's Agreement and to cause a notice of this decision to be published according to NJSA 40A:11-5 (1), (a), (I).

Resolution No. 2009-10
Resolution Establishing Open Public Meetings Act

WHEREAS, the "Open Public Meetings Act" requires that advance written notice of all meetings of the Township Committee be posted in one public place designated by the Township Committee and mailed, e-mailed, telephoned, faxed or hand delivered to two newspapers designated by resolution and mailed to all persons requesting a copy of same;

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

SECTION I. All advanced written notices of the Township Committee meetings shall be posted by the Township Clerk on the Official Bulletin Board located in the Municipal Building.

SECTION II. All advanced written notices of the Township Committee meetings shall be given to the following newspapers: "The Burlington County Times" and the "Courier Post".

SECTION III. All advanced written notices of the Township Committee Meetings throughout the year shall be mailed to all persons requesting copy of same after payment by person of a fee of \$5.00. News media shall be exempt from such fee.

SECTION IV. The schedule of regular meetings and work sessions of the Township Committee for the period from this reorganization meeting until the reorganization meeting for 2010, shall be in accordance with the notices annexed hereto designating the dates, times, and places of such meetings.

Resolution No. 2009-11
Resolution Designating Official Newspaper for Local Publication
for the Township of Edgewater Park

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that;

SECTION I. “The Burlington County Times” a legal Newspaper published in the Township of Willingboro, County of Burlington and “The Courier Post” a legal newspaper published in the Township of Cherry Hill, County of Camden and State of New Jersey, and circulating in the Township of Edgewater Park, be and is hereby designated as the official newspaper for publication of legal notices, ordinances, resolutions, audits, or notices of any kind.

Resolution No. 2009-12
Resolution Establishing the Meeting Dates of the Township Committee

BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that during the year 2009, the Regular Monthly Meetings of the Township Committee shall be held commencing at 7:00 PM for public session with closed session following public session; upon conclusion of closed session official action by Township Committee may be taken upon re-entry to public session. Meetings shall be held at the Municipal Building, 400 Delanco Road, Edgewater Park, NJ on the first and third Tuesday of each month, respectively, unless otherwise indicated below by *.

Committee Work Session

Tuesday, February 3, 2009
Tuesday, March 3, 2009
Tuesday, April 7, 2009
Tuesday, May 5, 2009
Tuesday, June 2, 2009
Tuesday, July 7, 2009
Tuesday, August 4, 2009
Tuesday, September 8, 2009
Tuesday, October 6, 2009
*Tuesday, November 10, 2009
Tuesday, December 1, 2009

Committee Regular Session

Tuesday, January 20, 2009
Tuesday, February 17, 2009
Tuesday, March 17, 2009
Tuesday, April 21, 2009
Tuesday, May 19, 2009
Tuesday, June 16, 2009
Tuesday, July 21, 2009
Tuesday, August 18, 2009
Tuesday, September 22, 2009
Tuesday, October 20, 2009

BE IT FURTHER RESOLVED that official action may be taken by Township Committee at any and all scheduled meetings.

Resolution No. 2009-13
Appointment to the Edgewater Park Sewerage Authority

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that Lester Holley be appointed to the Edgewater Park Sewerage Authority for a term of five (5) years commencing February 1, 2009.

BE IT FURTHER RESOLVED, that the Sewer Authority members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Sewer Authority; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant.

Resolution No. 2009-14
Resolution to Cancel Debits and Credits of \$10.00 or less

WHEREAS N.J.S.A. 54:5-20 provides the governing body of a municipality to designate a municipal employee to cancel without further action on the part of the governing body any debits or credits in the amount of \$10.00 or less.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that Tanyika Johns, Tax Collector, for the Township of Edgewater Park be designated as the municipal employee for the cancellation of the debits and credits in the amounts of \$10.00 or less for the tax year of 2008.

Resolution No. 2009-15
Municipal Joint Insurance Fund Resolution Establishing Fund Commissioner

WHEREAS, Edgewater Park Township is a member of the **Burlington County Municipal Joint Insurance Fund**, hereinafter referred to as the FUND; and

WHEREAS, the Bylaws of the FUND require that each Municipality appoint a member of the governing body or a municipal employee to serve as Fund Commissioner; and

WHEREAS, the Edgewater Park Township recommends the appointment of Linda M. Dougherty, Municipal Clerk/Administrator, to serve as Fund Commissioner in accordance with the FUND Bylaws;

NOW, THEREFORE, BE IT RESOLVED by the Edgewater Park Township Committee that it does hereby appoint, Linda M. Dougherty, Municipal Clerk/Administrator as Fund Commissioner to Burlington County Municipal Joint Insurance Fund.

Resolution No. 2009-16
*Resolution Naming Contact Person(s) for the Employment Practices Liability Attorney
Consultation Service Burlington County Municipal Joint Insurance Fund*

WHEREAS, the Governing Body of Township of Edgewater Park hereinafter referred to as “MUNICIPALITY”, is a member of the Burlington County Municipal Joint Insurance Fund, hereinafter to as “FUND”; and

WHEREAS, the FUND has adopted a policy authorizing the Employment Practices Liability Attorney Consultation Service; and

WHEREAS, the FUND has budgeted \$200.00 per member for EPL consulting services in 2004 and;

WHEREAS, the FUND requires the MUNICIPALITY to designate specific managerial or supervisory individuals who will have telephone access to the EPL Hotline.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 1st day of January 2009 does hereby appoint Linda Dougherty, RMC, Municipal Clerk/Administrator as its Contact Person.

BE IT FURTHER RESOLVED, that the governing body does hereby appoint Robert Brian, Chief of Police and the William Kearns, Township Solicitor as additional Contact Persons.

Resolution No. 2009-17
Resolution Establishing Public Officials Bonds for Year 2009

WHEREAS, N.J.S.A. 40A:5-34 requires every officer or employee who by virtue of his office or position is entrusted with the receipt, custody, or expenditure of money of funds of the Local unit be bonded prior to entering upon the duties of the office, and

WHEREAS, the governing body shall be given the responsibility of determining such form and such sum and with such surety as the governing body of the local unit shall, by resolution direct.

BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that the bonds of the following officials be in effect for the year 2009:

Township Collector of Taxes	\$ 125,000.00
Chief Financial Officer	\$ 175,000.00
Municipal Court Judge	\$ 35,000.00
Blanket Bond	\$ 1,000,000.00
(covering all Township employees except those specifically named above)	

Resolution No. 2009-18
Establishing Senior Advisory Committee

WHEREAS, the governing Body of the TOWNSHIP OF EDGEWATER PARK wishes to encourage the participation of seniors in local government; and to enhance the quality of life for seniors residing in Edgewater Park;

WHEREAS, the Township Committee wishes to create a senior citizen advisory committee to guide the Township Committee in advancing the interest of Seniors in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create a Senior Advisory Committee to assist the Mayor and Township Committee in advancing the interest of Seniors in municipal affairs;

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Senior Advisory Committee” and shall consist of a maximum of nine (9) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park.

BE IT FURTHER RESOLVED, that the members are appointed for a one-year term, expiring December 31, 2009.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Senior Advisory Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

Resolution No. 2009-19
Establishing Redevelopment Advisory Committee

WHEREAS, the Governing Body of the TOWNSHIP OF EDGEWATER PARK wishes to broaden participation by the public in local government;

WHEREAS, the Township Committee wishes to create an Edgewater Park Redevelopment Advisory Committee to guide the mayor and committee in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create a redevelopment advisory committee to assist the Mayor and Township Committee with its governing of municipal affairs.

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Edgewater Park Redevelopment Advisory Committee” and shall consist of a maximum of ten (10) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park.

BE IT FURTHER RESOLVED, that the members are appointed for a one-year term, expiring December 31, 2009.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the township during their

terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. Or the committee members shall be a business owner or hold title to property within the township and shall remain as such during their terms. A member, who, subsequent to his appointment, shall maintain a business address or property title that is not located within the Township of Edgewater Park, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

Resolution No. 2009-20
Establishment of Environmental Advisory Committee

WHEREAS, the Township Committee of the TOWNSHIP OF EDGEWATER PARK wishes to broaden participation by the public in local government; and

WHEREAS, the Township Committee wishes to create an Edgewater Park Environmental Advisory Committee to guide the Township Committee in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create an Environmental Advisory Committee to assist the Township Committee with its governing of municipal affairs.

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Environmental Advisory Committee” and shall have the following intent and purpose:

1. Membership, appointment, terms and vacancies.
 - a. The Environmental Advisory Committee shall consist of five members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park.
 - b. Appointments shall be made to staggered three (3) year terms. Any vacancy occurring during the term of the appointment shall be filled for the unexpired term only. The mayor shall designate one member of the environmental committee as chairman and presiding officer of the committee.
 - c. The Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made the post shall be deemed vacant. The

committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

2. The Environmental Advisory Committee is created for the protection, development and use of the natural land, air and water resources located within the township and shall have the following duties:
 - a. To conduct research into the use and possible use of the open land areas of the township;
 - b. To coordinate the activities of the unofficial bodies organized for similar purposes;
 - c. To advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its purposes;
 - d. To keep an index of all open areas, publicly and privately owned, including open marshlands, swamps and other wetlands, and to obtain information on the proper use of such areas;
 - e. To recommend, from time to time, to the planning board, plans and programs for inclusion in the master plan of the township, for development and use of the township's natural resources;
 - f. To study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna;
 - g. To review and submit recommendations concerning those actions and policies of the municipal planning board, recreation advisory committee, sewage authority and board of health as they affect the quality of life and natural resources of the township;
 - h. To perform such other acts as are reasonably related to and designed to carry out the purposes and objectives of the committee;
 - i. To keep records of the meetings and activities of the committee and to make an annual report to the township committee of the township of Edgewater Park.
 - j. The regulation, planting, care and control of shade and ornamental trees and shrubbery upon and along the streets, highways, public places, parks and parkways of the township, except county parks or parkways, shall be subject to recommends made by the Environmental Advisory Committee upon consultation with the Superintendent of Public Works.

Resolution No. 2009-21
Establishing Light Rail Garden Club

WHEREAS, the governing Body of the TOWNSHIP OF EDGEWATER PARK wishes to encourage the participation of residents in local government; and to enhance the area around the NJ Transit Light Rail Station in Edgewater Park;

WHEREAS, the Township Committee wishes to create a Light Rail Garden Club to guide the Township Committee in advancing aesthetic improvements around the Light Rail;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create a Light Rail Garden Club to assist the Mayor and Township Committee in advancing improvements around the Light Rail Station;

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Light Rail Garden Club” and shall consist of a maximum of ten (10) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park.

BE IT FURTHER RESOLVED, that the members are appointed for a one-year term, expiring December 31, 2009.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Light Rail Garden Club at any time. The committee members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

Resolution No. 2009-22
Establishing Mayor’s Advisory Committee

WHEREAS, the Governing Body of the TOWNSHIP OF EDGEWATER PARK wishes to broaden participation by the public in local government;

WHEREAS, the Township Committee wishes to create an advisory committee to guide the mayor and committee in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create an advisory committee to assist the Mayor and township Committee with its the governing of municipal affairs.

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Mayor’s Advisory Committee” and shall consist of eleven (11) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park and shall consist of a representative of the following:

- Mayor, Township Committee
- Board of Education - President

Board of Fire Commissioners – Chairperson
Emergency Management Coordinator
Environmental Advisory Committee - Chairperson
Planning Board - Chairperson
Redevelopment Advisory Committee – Chairperson
Senior Advisory Committee – Chairperson
Sewer Authority – President
Recreation Advisory Committee - Representative
Former Mayor

BE IT FURTHER RESOLVED, that the members are appointed for a one-year term, expiring December 31, 2009.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

Resolution No. 2009-23
Establishing Recreation Advisory Committee

WHEREAS, the Township Committee of the TOWNSHIP OF EDGEWATER PARK wishes to broaden participation by the public in local government;

WHEREAS, the Township Committee wishes to create an Edgewater Park Recreation Advisory Committee to guide the mayor and committee in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create a Recreation Advisory Committee to assist the Mayor and Township Committee with its governing of municipal affairs.

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the “Edgewater Park Recreation Advisory Committee” and shall consist of ten (10) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park.

BE IT FURTHER RESOLVED, that the members are appointed for a one-year term, expiring December 31, 2009.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Recreation Advisory Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the

township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

Resolution No. 2009-24
Appointing James M. Vogdes, III as Municipal Court Judge

WHEREAS, a vacancy exists for the position of Municipal Court Judge; and

WHEREAS, NJSA 2B:12-1 et seq establishes that the municipal court judge shall serve for a three-year term from the date of appointment and until a successor is appointed and qualified; appointment shall be by the governing body.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington, New Jersey, that James M. Vogdes, III shall continue his employment and be re-appointed to the position of Municipal Court Judge effective January 1, 2009, for a term expiring December 31, 2011 or upon successor.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township of Edgewater Park, in the County of Burlington, and State of New Jersey, that the Mayor and Clerk/Administrator of the Township of Edgewater Park are hereby authorized and directed to execute the agreement.

Resolution No. 2009-25
Resolution Authorizing Appointment of Emergency Management Coordinator and Executive Coordinator Joint Emergency Management Council

WHEREAS, a vacancy exists for the position of Municipal Court Judge; and

WHEREAS, NJSA 2B:12-1 et seq establishes that the municipal court judge shall serve for a three-year term from the date of appointment and until a successor is appointed and qualified; appointment shall be by the governing body.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington, New Jersey, that James M. Vogdes, III shall continue his employment and be re-appointed to the position of Municipal Court Judge effective January 1, 2009, for a term expiring December 31, 2011 or upon successor.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township of Edgewater Park, in the County of Burlington, and State of New Jersey, that the Mayor and Clerk/Administrator of the Township of Edgewater Park are hereby authorized and directed to execute the agreement.

Resolution No. 2009-26
Resolution Authorizing the Transfer of Funds from Certain Budget Appropriations Reserves of the Township of Edgewater Park

WHEREAS, there are certain 2008 Budget Appropriations that have unexpected balances;
and

WHEREAS, there are certain 2008 Budget Appropriations that are insufficient to cover
operating expenses for the year.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of
Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are
hereby made between the following 2008 Budget Appropriations:

FROM:

Public Works Salary & Wages (8-01-26-290-011) \$ 3,600.00

TO:

Social Security System (8-01-36-472-101) \$ 3,600.00

ORDINANCE

Ordinance No. 2009-1

**An Ordinance of the Township of Edgewater Park Providing For and Determining the Rates of
Compensation for Employees**

(First Reading)

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of
Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2.20.010 The annual rates of compensation of officers and employees whose
compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY RANGE
Administrator	\$25,000 - \$30,000
Municipal Clerk	\$56,000 - \$69,500
Deputy Township Clerk	\$15,000 - \$40,000
Second Deputy Township Clerk	\$ 1,000 - \$ 1,200
Recycling Coordinator	\$ 4,200 - \$5,500
Principal Clerk Typist	\$38,000 - \$45,500
Senior Clerk Typist	\$35,000 – \$43,000
Clerk Typist	\$24,000 – \$38,500
Part-time Clerk Typist	\$10.00 - \$15.00 (per hour)

Registrar-Vital Statistics	\$1,000 - \$1,800
Deputy Registrar-Vital Statistics	\$ 750 - \$1,500
Police Records Clerk	\$24,800 - \$39,900
Senior Police Records Clerk	\$35,600 - \$43,000
Principal Police Records Clerk	\$38,000 - \$45,500
Secretary, Board of Health	\$ 750 - \$ 1,500
Chief Financial Officer	\$10,000 – \$22,000
Assistant Treasurer	\$2,500 - \$ 5,500
Tax Collector	\$45,000 – \$52,500
Tax Assessor	\$ 12,000 - \$22,000
Recreation Coordinator	\$ 4,000 - \$15,500
Municipal Court Judge	\$ 7,000 – \$22,000
Court Administrator	\$36,500 – \$55,500
Deputy Court Administrator	\$24,700 – \$44,500
Court Recorder	\$50 - \$125 per session
Court Attendant	\$75 - \$125 per session
Construction Official (Over Base Hours)	\$10,000 - \$15,000 \$25 - \$30 per hour
Building Inspector & Sub Code Official (Over Base Hours)	\$10,000 - \$15,000 \$25 - \$30 per hour
Property Maintenance/Rental Licensing Insp.	\$10,000 - \$45,000
Property Maintenance/Rental Lic Insp (Hourly)	\$10 - \$18 per hour
Zoning Officer	\$3,000 - \$10,000 \$12 - \$18 per hour
Plumbing Inspector	\$23 -\$30 per hour
Electrical Inspector	\$23 -\$30 per hour

Fire Sub Code Official	\$23 -\$30 per hour
Streets Superintendent	\$65,000 - \$75,500
Streets Repairer/Laborer	\$38,600 - \$60,000
Streets Repairer/Laborer (Hourly)	\$ 10 - \$ 17 per hour
Part-time Public Works Grounds Keeper/Driver/Snow Plow Operator	\$10 - \$15 (Per Hour)
Chief of Police	\$89,000 - \$105,500
Captain	\$74,000 - \$88,500
Lieutenant	\$65,000 - \$86,100
Sergeant	\$62,000 - \$82,000.
Police Officer	\$41,000 - \$76,500
Special Police Officer	\$10 - \$20 (Per Hour)
Crossing Guards Substitute	\$14.00 – \$18.50 per post
Classified/Unclassified	\$ 14.00 – \$28.50 per post

SECTION 2:2-2. The annual rates of compensation of officers and employees whose compensation shall be paid quarterly shall be as follows:

Township Mayor	\$ 3,700 - \$4,800
Township Committee	\$ 2,950 - \$ 3,900
Police Matron (includes all call-outs)	\$ 5,500 - \$10,000
Court Administrator/Deputy Court Administrator (includes all call-outs)	\$7,000 - \$10,000

SECTION 2:2-3. The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Member, Board of Health	\$50
-------------------------	------

SECTION 2:2-4. The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approval by respective Chairperson:

Secretary, Planning Board	\$ 150 (per meeting)
---------------------------	----------------------

For each special meeting called by the Chairman for a developer, said developer is responsible for the reimbursement of the meeting fee.

SECTION 2:2-5. The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time.

SECTION 2:2-6. Longevity payments shall be in accordance with respective contracts.

SECTION 2:2-7. The rates of compensation for professionals appointed by Township Committee at its reorganization meeting are as follows:

Solicitor - \$32,000 per year (Base Amount); (support services based on fee schedule)
Special Counsel/Bond Counsel - support services based on fee schedule
Labor Counsel - support services based on fee schedule
COAH Planner - support services based on fee schedule
COAH Counsel - support services based on fee schedule
Engineer - support services based on fee schedule
Special Engineer - support services based on fee schedule
Auditor - \$29,500 (Base Amount) (support services based on fee schedule)
Prosecutor – \$15,000 (Base Amount); (support services based on fee schedule)
Public Defender - \$375.00 (per session); (support services based on fee schedule)
Risk Manager - support services based on fee schedule

SECTION 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of January 1, 2008 through December 31, 2009 for employees and shall apply only to those persons in employment at the date of adoption of this ordinance; all other service compensation provided herein shall be effective January 1, 2009. This ordinance is intended to repeal all prior ordinances other than stipulated above and will stay in effect until amended or repealed.

(Second Reading, public hearing and consideration of final passage to be held at the Edgewater Park Township Municipal Building, 400 Delanco Road, on January 20, 2009 at 7:00 P.M. 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 the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same.)

Moved by: Mr. Pullion; Second by: Mr. Johnson
Roll Call: Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes.

OATH OF OFFICE

The clerk/administrator administered the oath of office to those who were appointed and present.

OPEN TO THE PUBLIC

The Mayor opened the meeting to the public.

Hearing no residents wishing to speak, the mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS.

CLOSING REMARKS.

Committeeman Darrell Booker: Mr. Booker thanked the residents for their confidence in electing him to office and thanked everyone for their help during the election. Mr. Booker discussed that he is ready to work very hard for the community. In conclusion, Mr. Booker thanked Congressman Adler and his staff, Mr. Mobley, elected officials of various communities, Mr. Pullion, his coworkers and his family.

Committeeman Tom Pullion: Mr. Pullion thanked everyone for their help this year. Mr. Pullion expressed his gratitude to Senator Adler, Assemblymen Connors and Conaway for their previous and continued assistance with reaching the goals for our community. Mr. Pullion expressed his gratitude to Darren Atzert and Jim Daly for their pass and continued aid within the Township. Mr. Pullion further expressed his appreciation for the excellent job Mr. Johnson, Mayor Mount and former Mayor Hall have done in learning what is important to the community. Lastly, Mr. Pullion thanked his family for their sacrifices and support.

Committeewoman Judy Hall: Mrs. Hall thanked all the residents who volunteered over the years. She further thanked the professionals for their years of service.

Committeeman Kevin Johnson: Mr. Johnson thanked Township Committee for this opportunity to serve as Deputy Mayor. Mr. Johnson expressed his gratitude to his mother, his wife Marion and Senator John Adler for all their support. Mr. Johnson expressed that is he ready to move forward and tackle the 2009 economic challenges with the communities help.

Mayor Donna Mount: Mrs. Mount recognized and acknowledged many distinguished guests in attendance. She further thanked everyone for coming this evening. She expressed that she is pleased and honored to serve as Mayor for the community. Mrs. Mount further expressed her desire to do her best for the community. Finally, Mrs. Mount expressed how proud she is to be a resident in such a diverse community in which she grew up, looking forward to raising a family and work.

ADJOURN.

Moved by: Mr. Pullion; Second by: Mr. Johnson Time 5:00 PM.

Roll Call: Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion – yes, Mayor Mount – yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
JANUARY 20, 2009
MINUTES**

Mayor Mount called the meeting to order at 7:01 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

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

DISCUSSION(S)/PRESENTATION(S):

Ordinance: Background Checks for Volunteers Utilizing Public Facilities

Township Committee discussed and reviewed the draft ordinance.

Mr. Brian discussed through "The Check Them Out Foundation" the township will receive a grant to pay 100% of the back ground checks for coaches and volunteers associated with the EPAA the first year of the background check program. Mr. Brian stated the background checks costs \$26.50 and there are approximately 45 coaches.

Township Committee authorized Mr. Kearns and Mrs. Dougherty to proceed with finalizing the ordinance for background checks for coaches and other volunteers.

REPORTS

Report From The Solicitor is appended hereto.

Report From The Engineer is appended hereto.

TEA-21 Project

Committee reviewed and discussed that status of the project; there a few lights that need to be addressed on Cooper Street; one across from Memorial Field on Hess and one at Hendrickson Avenue.

Projects in General:

Committee requested that in the future the Township Engineer submit before and after pictures of the all projects.

Report from Municipal Clerk/Administrator is appended hereto.

Revaluation Order:

Township Committee authorized Mrs. Dougherty and Mr. Midure to move forward with the revaluation process.

Park Improvements:

Township Committee reviewed the quote submitted by CMX Engineering to study and research lighting and solar lighting at Weimann and Memorial Fields; they also requested a quote from ERI engineering.

School Elections

Mrs. Dougherty discussed that a poll worker requested consideration to move the location of the school elections; she further discussed the activities that the school holds during the evening of the elections. Upon discussion Township Committee authorized Mrs. Dougherty to reach out to the Superintendent of Schools, Scott Streckenbein to address the poll workers concerns and report back to them at the next meeting.

Lincoln Avenue Project – Access Trees

Upon discussion Township Committee authorized Mrs. Dougherty to take the option of \$300.00 credit per tree from SJA Contractors for trees not planted and receive a \$3,000.00 credit on the project.

Donation: Boys and Girls State

Upon discussion Township Committee advised that due to budgetary constraints the donation of \$395.00 cannot be made at this time.

Animal Control Officer

Upon discussion Township Committee authorized Mrs. Dougherty to proceed with an agreement with Wes Goodfellow as an alternate Animal Control Service for a per call fee of \$40 weekdays 8 am – 5 pm, \$45 weekdays 5 pm – 8 am and \$50.00 Saturday, Sunday and holidays.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

PROCLAMATIONS:

National Wear Red Day for Women, February 6, 2009

Moved by: Mr. Pullion

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Function Permit:

Edgewater Park Women's Club; Use of Weimann Field House , Monthly Meeting 1st and 2nd Monday of the month from 6:30 PM till 10:30PM. Requesting waiver of fees (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Steve Bruneau on behalf of EPAA; Use of Weimann Field for Flag Football; Monday through Friday 3/1/09 – 6/30/09, 6pm to 9pm (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mrs. Hall

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Steve Bruneau on behalf of EPAA; Use of Memorial Field for baseball, soccer, football and softball ; 3/1/09 – 7/31/09, Monday through Friday, 6pm to 9pm and Saturday 9 am to 9 pm and Sunday 12pm till 6pm. (Certificate of Insurance on File)

Moved by: Mrs. Hall Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Steve Bruneau on behalf of EPAA; Use of Weimann Fields for baseball; Monday through Friday 4/1/09 – 7/31/09 6pm to 11pm and Saturday 9 am to 11 pm and Sunday 12pm till 9pm. (Certificate of Insurance on File)

Moved by: Mrs. Hall Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Steve Bruneau on behalf of EPAA; Use of Kite Fields for baseball and flag football; 3/1/09 – 7/31/09, Monday through Friday, 6pm to 9pm and Saturday 9 am to 9 pm and Sunday 12pm till 6pm. (Certificate of Insurance on File)

Moved by: Mrs. Hall Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Solicitors Permit:

McKinley Faulcon – Authorization to Solicit donations on behalf of the American Heart Association (letter of permission from owner submitted) from June 4, 2009 through June 11, 2009; request fee waiver. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mr. Booker

Discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Karen Reed, Edgewater Park Girl Scouts; Cookie solicitation at Pathmark and WaWa from January 22 to February 28 every Monday through Sunday from 8am till 9pm Requesting

waiver of fees (Certificate of Insurance on File) Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mrs. Hall

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes,

Mayor Mount -yes

REPORT OF OFFICIALS

Mr. Johnson discussed that Neighborhood Watch had their first meeting on January 15, 2009. Their next meeting will be on February 26th.

Mr. Pullion thanked everyone for their help with the Economic Redevelopment. He further discussed that he has reached out to individuals involved with our current project to see what type of assistance the township can provide to help move the projects forward.

Mr. Booker discussed the Sewer Authority is moving forward with Govtel credit card system.

Mr. Dougherty discussed the Township has met with the Govtel and has a meeting with Beneficial Bank.

RESOLUTION

Motion to Approve Resolution No. 2009-27 through 2009-38 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: Mr. Johnson Second: Mrs. Hall

Mrs. Mount abstained from Resolution 2009-35.

Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes,

Mayor Mount -yes

RESOLUTION NO. 2009-27

Award Of Contract To South Jersey Sanitation In The Sum Of \$208,259.66 For 'Historic Riverfront Neighborhood Solid Waste Collection Program'

WHEREAS, The Township Committee Of The Township Of Edgewater Park Previously Requested That Bids Be Submitted For 'Historic Riverfront Neighborhood Solid Waste Collection Program' Consisting of the Township Of Edgewater Park, Delanco Township and the City of Beverly; And

WHEREAS, bids were received, opened and read in public on Friday, September 17, 2004 at the Township of Edgewater Park, 400 Delanco Road, Edgewater Park, NJ; and

WHEREAS, by Resolution No.128-2004 Township Committee awarded a three year contract for solid waste collection and disposal services for a period of 3 years, that commenced on December 1, 2004 and end on November 30, 2007, with two (2) one (1) year options, to in accordance with the terms of the Bid Specifications and N.J.A.C.7:26H-6 et seq.; and

WHEREAS, by Resolution No.143-2007 Township Committee approved the 4th year option, to in accordance with the terms of the Bid Specifications and N.J.A.C.7:26H-6 et seq.; and

WHEREAS, the Township of Edgewater Park shall has the option to extend said contract on an annual basis at an estimated base cost of \$208,259.66 for the fifth year, and;

WHEREAS, it is in the best interest of the Township to exercise the 5th year option with South Jersey Sanitation, located at 9th & Egg Harbor Road in Hammonton, New Jersey, 08037, for solid waste collection and disposal contract on an annual basis of \$208,259.66 (base amount) for the fifth year, and;

WHEREAS, funds are available for this purpose as indicated by the attached Assistant Treasurer's Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 20 day of January, 2009, that the contract be renewed and the extension exercised with South Jersey Sanitation, located at 9th & Egg Harbor Road in Hammonton, New Jersey, 08037, for solid waste collection and disposal contract on an annual basis of \$208,259.66 from December 1, 2008 through November 30, 2009.

RESOLUTION NO. 2009-28

Resolution Establishing Signors With Sovereign Bank

MUNICIPAL CORPORATION AUTHORIZATION

**Sovereign Bank
1130 Berkshire Blvd
Wyomissing, PA 19610**

**By: TOWNSHIP OF EDGEWATER PARK
400 DELANCO ROAD
EDGEWATER PARK, NJ 08010**

A. I, Linda M. Dougherty, certify that I am the Clerk of the above named municipal corporation organized under the laws of **NEW JERSEY**, Federal Employer I.D. Number ****_*******, engaged in business under the trade name of **EDGEWATER PARK TOWNSHIP**, and that the following is a correct copy of the resolution adopted at a meeting of the Edgewater Park Township Committee and properly called and held on January **20, 2009**. This resolution appears in the minutes of this meeting and has not been rescinded or modified.

B. BE IT RESOLVED THAT,

- (1) The Financial Institution named above is designated as a depository for the funds of this municipal corporation.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by this Financial Institution.
- (3) All transactions, if any, with respect to any deposits, withdraws, rediscounts and borrowings by or on behalf of this municipal corporation with this Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (4) Any of the persons named below, so long as they act in a representative capacity as agents of this corporation, are authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated below, from time to time with this Financial Institution, concerning funds deposits in this Financial Institution, moneys borrowed from this Financial Institution or any other business

transacted by and between this corporation and this Financial Institution subject to any restrictions stated below.

- (5) Any and all prior resolutions adopted by the Edgewater Park Township Committee and certified to this Financial Institution as governing the operation of this corporation's account(s), are in full force and effect, unless supplemented or modified by this authorization.
- (6) This corporation agrees to the terms and conditions of any account agreement, property opened by any authorized representative(s) of this corporation, and authorizes the Financial Institution named above, at any time, to charge this corporation for all checks, drafts, or other orders, for the payment of money, that are drawn on this Financial Institution, regardless of by whom or by what means the facsimile signature(s) may have been affixed so long as they resemble the facsimile signature specimens in section C. (or the facsimile signature specimens that this corporation files with this Financial Institution from time to time) and contain the required number of signatures for this purpose.

C. If indicated, any person listed below (subject to any expressed restrictions) is authorized to:

Name and Title

- (A) Margaret Peak, Asst Treasurer
- (B) Linda M. Dougherty, Clerk/Admin
- (C) Tanyika Johns, Tax Coll/Deputy Clerk

Indicate A, B, and/or C

A, B, C (1) Exercise all of the powers listed in (2) through (6).

A, B, C (2) Open any deposit or checking account(s) in the name of this corporation.

A, B, C (3) Endorse checks and orders for the payments of money and withdraw funds on deposit with this Financial Institution,

Number of authorized signatures required for this purpose 2 (Two).

A, B, C (4) Borrow money on behalf and in the name of this corporation, sign, execute and deliver promissory notes or other evidences of indebtedness.

Number of authorized signatures required for this purpose 2 (Two).

A, B, C (5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by this corporation as security for sums borrowed, and to discount the same, unconditional guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.

Number of authorized signatures required for this purpose 2 (Two).

A, B, C (6) Enter into written lease for the purpose of renting and maintaining a Safe Deposit Box in this Financial Institution.

Number of authorized signatures required for this purpose 2 (Two).

D. I further certify that the Township Committee has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the foregoing resolutions and to confer the power granted to the persons named who have full power and lawful authority to exercise the same.

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of the Township of Edgewater Park this 20th day of January, 2009.

RESOLUTION NO. 2009-29
Special Counsel Professionals

WHEREAS, there exist a need for Special Counsel; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Quests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.S.A.19:44A-20.5 et seq.

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, that the Mayor and/or Clerk are hereby authorized and directed to execute agreements for the following qualified professionals:

SECTION I:

- A. Thomas Coleman, of the firm Raymond & Coleman, LLP, 325 New Albany Road, Moorestown, NJ 08057, is hereby appointed Special Counsel Attorney for the Township of Edgewater Park;

SECTION II:

These contracts are awarded without competitive bidding as “Professional Services”, in accordance with *NJSA 40A: 11-5(1)(a) et seq.* of the Local Public Contract Law, and /or awarded in accordance with *N.J.S.A. 19:44A-20.4 et seq.*, as the above named Professionals are licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1) (a) the following information is set forth:

- A. Duration of Contract: One-year term
B. Amount of Contracts: All specified per contract and budget appropriation.
C. 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.

SECTION III: This resolution shall be printed once in the “Burlington County Times” and the “Courier Post” as required by law within ten days of its adoption.

RESOLUTION NO. 2009-30
*Resolution Authorizing The Transfer Funds From Certain Budget Appropriation
Reserves Of The Township Of Edgewater Park*

WHEREAS, there are certain 2008 Budget Appropriations that have unexpected balances;
and

WHEREAS, there are certain 2008 Budget Appropriations that are insufficient to cover operating expenses for the year.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are hereby made between the following 2008 Budget Appropriations:

FROM:

Public Works Salary & Wages	(8-01-26-290-011)	\$ 50.00
Public Works Salary & Wages	(8-01-26-290-011)	\$ 10,000.00
Police Department Salary & Wages	(8-01-25-240-011)	\$ 5,000.00

TO:

Social Security System	(8-01-36-472-101)	\$ 50.00
Affordable Housing	(8-01-21-190-101)	\$ 15,000.00

RESOLUTION NO. 2009-31

*Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Contract with Mr. Bob Janitorial Services
as our Cleaning Provider*

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous awarding a contract for cleaning; and

WHEREAS, in order to make this determination it is was deemed necessary to go out on competitive quote, and this contractor was low bid in the base amount of \$11,710.00; and

WHEREAS, funds are available for this purpose; and

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

BE IT RESOLVED, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract to Mr. Bob Janitorial Services, 1128 Cooper Street, Edgewater Park, NJ 08010 effective January 1, 2009 and

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

RESOLUTION NO. 2009-32

*Authorizing Execution Of A Maintenance Contract
Between Unlimited Comfort By Steve Heating And Cooling And The Township Of Edgewater Park*

WHEREAS, the Township of Edgewater Park is desirous of awarding a contract for the maintenance and support of the HVAC units in the Municipal Building; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11, any local contracting unit may enter into a contract for the procurement of specialized goods and services that are hard to specify; 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; and

BE IT RESOLVED, that, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract, for a one-year period, for the Edgewater Park Municipal HVAC system and Support Agreement to Unlimited Comfort by Steve Heating and Cooling, in the amount of \$600.00 per year; and

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

RESOLUTION NO. 2009-33

Authorizing Change Order No. 4 Net Decrease of Work for Curb Con Inc in regards to the Cooper Street Revitalization Project (Federal Project No. STP-500S (560) Con)

WHEREAS, the Township solicited bids for the Copper Street Revitalization Project; and

WHEREAS, Curb Con, located at 514 Route 9, Barnegat, NJ 08005 was awarded with a bid base price and alternate bids in the amount of \$321,204.00 on March 4, 2008 by Resolution No. 2008-57; and

WHEREAS, Township Committee adopted Changer Order No. 1 in the amount of \$6,200 on June 17, 2008 by Resolution No. 2008-118 authorizing the adjusted contract price to \$327,404; and

WHEREAS, Township Committee adopted Changer Order No. 2 in the amount of \$12,629.97 on October 21, 2008 by Resolution No. 2008-169 authorizing the adjusted contract price to \$340,063.97; and

WHEREAS, Township Committee adopted Changer Order No. 3 in the amount of \$6,881.14 on December 2, 2009 by Resolution No. 2008-185 authorizing the adjusted contract price to \$346,945.11; and

WHEREAS, there is a need to decrease the contract price due to the elimination of inlet and under drains and to adjust the quantities of curb, gutter and edging; and

WHEREAS, there is a need to perform additional site improvements such as signage, trees, and traffic striping; and

WHEREAS, the Township Engineer recommended Change Order No. 4, dated January 14, 2009, a net decrease of \$1,491.00 from the previous contract amount of \$346,945.11 adjusting the contract price to \$345,454.11.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, that the request for net decrease of \$1,491.00 for the project is approved.

RESOLUTION NO. 2009-34

Resolution Amending Established Meeting Dates of the Township Committee

BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey, that during the year 2009, the Regular Monthly Meetings of the Township Committee shall be held commencing at 7:00 PM for public session with closed session following public session; upon conclusion of closed session official action by Township Committee may be taken upon re-entry to public session. Meetings shall be held at the Municipal Building, 400 Delanco Road, Edgewater Park, NJ on the first and third Tuesday of each month, respectively, unless otherwise indicated below by *.

Committee Work Session
Tuesday, September 1, 2009

Committee Regular Session
Tuesday, September 15, 2009

Be it further resolved that official action may be taken by Township Committee at any and all scheduled meetings.

RESOLUTION NO. 2009-35

Authorizing Change Order No.2 Additional Work for Marandino Concrete Company in regards to the Lincoln/Roosevelt Avenue Project

WHEREAS, the Township solicited bids for the Lincoln/Roosevelt Avenue Reconstruction Project; and

WHEREAS, Marandino Concrete Co, located at 1820 Vine Road, Deptford, NJ was awarded with a bid base price and alternate bid contract in the amount of 297,146.25 on March 18, 2008 by Resolution No. 2008-70; and

WHEREAS, Township Committee adopted Change Order No. 1 in the amount of \$15,561.97 August 5, 2008 by Resolution 2008-136 authorizing the adjusted contract price to \$312,708.22; and

WHEREAS, there is a need to perform additional removal and replacement of one street tree and repairs to a sink hole that formed at the intersection of Stevenson Avenue and Lincoln Avenue; and

WHEREAS, by Change Order No. 2 dated December 18, 2008 cost of \$2,859.00 was submitted for the additional work adjusting contract price to \$315,567.22; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, that the request for an additional \$2,859.00 for overall extended improvements for the project is approved.

RESOLUTION NO. 2009-36

Refund of Trust Account- 4307 Route 130 South

WHEREAS, there are certain moneys in the Trust Account of the Township of Edgewater Park; and

WHEREAS, there has been a request by the resident for a refund of the escrow account balance; and

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

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

4307 Real Estate LLC
1 Clearbrook Ct.
Matawan NJ 07747-9678
Amount: \$ 1,946.61
Escrow No. 513

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

RESOLUTION NO. 2009-37

Resolution Authorizing the Release of Maintenance Guarantee for Gundaker Commercial Group and Establish an Irrevocable Standby Letter of Credit with RAB Group NE- Auto Zone

WHEREAS, Resolution No. 37-2006 established a Performance Bond the amount of \$259,347.00 for required improvements by Ray Renner, Gundaker Commercial Group, 10 Chesterfield Business Parkway, Suite 300, Chesterfield Missouri, 63005 for Block 1202, Lot 10, aka Auto Zone; and

WHEREAS, Resolution No. 2008-77, dated April 17, 2008, authorized the release of the performance guarantee and established a two-year maintenance bond in the amount of fifteen percent (15%) of the original construction costs of \$216,122.50 or \$32,418.38; and

WHEREAS, by letter dated December 17, 2008, Giordano, Halleran & Ciesla, Attorneys at Law, advised the Township of Edgewater Park, that Gunna Development a/k/a Gundaker Commercial Group no longer owns the property and therefore wishes to replace the posted Maintenance Guarantee, Hartford Bond # 84BCCSE0318; and

WHEREAS, RAB Group NE, LLC, 112 North Poplar Street, Aberdeen, NC 28315 posted a replacement Irrevocable Standby Letter of Credit # SM233373W, Wachovia Bank, National Association, 401 Linden Street, Mail Code NC6034, Winston Salem, North Carolina 27101, in the amount of \$32,418.38; and

WHEREAS, the Township Solicitor has reviewed said Irrevocable Standby Letter of Credit and has found it to be in compliance.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the Irrevocable Standby Letter of Credit # SM233373W, be posted by Wachovia Bank, National Association, 401 Linden Street, Mail Code NC6034, Winston Salem, North Carolina 27101, in the amount of \$32,418.38 and shall establish a two-year maintenance guarantee until April 16, 2010.

RESOLUTION NO. 2009-38

Authorizing Change Order No.1 Additional Work for SJA Construction, Inc. in regards to the North/South Arthur Drive Project

WHEREAS, the Township of Edgewater Park solicited bids for improvements to North and South Arthur Drive; and

WHEREAS, SJA Construction Inc located at 8004A Greentree Commons, Marlton, NJ 08096, by way of Resolution No. 2008-80, dated April 15, 2008 was awarded the contract in the amount of \$\$369,270.00 for the Improvements to North and South Arthur Project.; and

WHEREAS, there were additional costs due to tree removal, sidewalk, curb, driveway aprons, and storm inlets; and

WHEREAS, by Change Order No. 1 dated January 7, 2009 Environmental Resolutions, Inc submitted the Change Order adjusting contract price to \$441,044.75; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, that the request for an additional \$71,774.75 for overall extended improvements for the project is approved.

ORDINANCE(S):

Ordinance No. 2009-1: Second Reading and Public Hearing

An Ordinance of the Township of Edgewater Park Providing For and Determining the Rates of Compensation for Employees for the Year 2009

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, as follows:

Section 2.20.010 The annual rates of compensation of officers and employees whose compensation shall be payable bi-weekly shall be as follows:

POSITION	SALARY RANGE
Administrator	\$25,000 - \$30,000
Municipal Clerk	\$56,000 - \$69,500
Deputy Township Clerk	\$15,000 - \$40,000
Second Deputy Township Clerk	\$ 1,000 - \$ 1,200
Recycling Coordinator	\$ 4,200 - \$5,500
Principal Clerk Typist	\$38,000 - \$45,500
Senior Clerk Typist	\$35,000 – \$43,000
Clerk Typist	\$24,000 – \$38,500
Part-time Clerk Typist	\$10.00 - \$15.00 (per hour)
Registrar-Vital Statistics	\$1,000 - \$1,800

Deputy Registrar-Vital Statistics	\$ 750 - \$1,500
Police Records Clerk	\$24,800 - \$39,900
Senior Police Records Clerk	\$35,600 - \$43,000
Principal Police Records Clerk	\$38,000 - \$45,500
Secretary, Board of Health	\$ 750 - \$ 1,500
Chief Financial Officer	\$10,000 – \$22,000
Assistant Treasurer	\$2,500 - \$ 5,500
Tax Collector	\$45,000 – \$52,500
Tax Assessor	\$ 12,000 - \$22,000
Recreation Coordinator	\$ 4,000 - \$15,500
Municipal Court Judge	\$ 7,000 – \$22,000
Court Administrator	\$36,500 – \$55,500
Deputy Court Administrator	\$24,700 – \$44,500
Court Recorder	\$50 - \$125 per session
Court Attendant	\$75 - \$125 per session
Construction Official (Over Base Hours)	\$10,000 - \$15,000 \$25 - \$30 per hour
Building Inspector & Sub Code Official (Over Base Hours)	\$10,000 - \$15,000 \$25 - \$30 per hour
Property Maintenance/Rental Licensing Insp.	\$10,000 - \$45,000
Property Maintenance/Rental Lic Insp (Hourly)	\$10 - \$18 per hour
Zoning Officer	\$3,000 - \$10,000 \$12 - \$18 per hour
Plumbing Inspector	\$23 -\$30 per hour
Electrical Inspector	\$23 -\$30 per hour
Fire Sub Code Official	\$23 -\$30 per hour
Streets Superintendent	\$65,000 - \$75,500

Streets Repairer/Laborer	\$38,600 - \$60,000
Streets Repairer/Laborer (Hourly)	\$ 10 - \$ 17 per hour
Part-time Public Works Grounds Keeper/Driver/Snow Plow Operator	\$10 - \$15 (Per Hour)
Chief of Police	\$89,000 - \$105,500
Captain	\$74,000 - \$88,500
Lieutenant	\$65,000 - \$86,100
Sergeant	\$62,000 - \$82,000.
Police Officer	\$41,000 - \$76,500
Special Police Officer	\$10 - \$20 (Per Hour)
Crossing Guards Substitute Classified/Unclassified	\$14.00 – \$18.50 per post \$ 14.00 – \$28.50 per post

SECTION 2:2-2. The annual rates of compensation of officers and employees whose compensation shall be paid quarterly shall be as follows:

Township Mayor	\$ 3,700 - \$4,800
Township Committee	\$2,950 - \$3,900
Police Matron (includes all call-outs)	\$ 5,500 - \$10,000
Court Administrator/Deputy Court Administrator (includes all call-outs)	\$7,000 - \$10,000

SECTION 2:2-3. The annual rates of compensation of officers and employees whose compensation shall be payable annually shall be as follows:

Member, Board of Health	\$50
-------------------------	------

SECTION 2:2-4. The compensation of officers and employees whose compensation shall be payable upon completion of said duty and approval by respective Chairperson:

Secretary, Planning Board	\$ 150 (per meeting)
---------------------------	----------------------

For each special meeting called by the Chairman for a developer, said developer is responsible for the reimbursement of the meeting fee.

SECTION 2:2-5. The rates of compensation of employees whose compensation falls within a variable range shall be fixed by resolution from time to time.

SECTION 2:2-6. Longevity payments shall be in accordance with respective contracts.

SECTION 2:2-7. The rates of compensation for professionals appointed by Township Committee at its reorganization meeting are as follows:

Solicitor - \$32,000 per year (Base Amount); (support services based on fee schedule)
Special Counsel/Bond Counsel - support services based on fee schedule
Labor Counsel - support services based on fee schedule
COAH Planner - support services based on fee schedule
COAH Counsel - support services based on fee schedule
Engineer - support services based on fee schedule
Special Engineer - support services based on fee schedule
Auditor - \$29,500 (Base Amount) (support services based on fee schedule)
Prosecutor – \$15,000 (Base Amount); (support services based on fee schedule)
Public Defender - \$375.00 (per session); (support services based on fee schedule)
Risk Manager - support services based on fee schedule

SECTION 2:2-8. This ordinance shall take effect immediately upon its final passage and publication according to law, but the terms of compensation provided herein shall be effective as of January 1, 2008 through December 31, 2009 for employees and shall apply only to those persons in employment at the date of adoption of this ordinance; all other service compensation provided herein shall be effective January 1, 2009. This ordinance is intended to repeal all prior ordinances other than stipulated above and will stay in effect until amended or repealed.

Moved by: Mayor Mount Second: Mr. Booker

Discussion:

The Mayor opened to the public for comment on Ordinance No. 2009-1 only

Hearing no residents wishing to speak on Ordinance No. 2009-1, the mayor closed this portion of the meeting to the public.

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Ordinance No. 2009-2: First Reading

An Ordinance of the Township of Edgewater Park Amending the Code of the Township of Edgewater Park to provide for action by the Health Officer to Declare a Property as Unfit

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on January 20, 2009. This ordinance will be consider for adoption of final reading and public hearing to be held on February 3, 2009 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: Mr. Pullion Second: Mr. Johnson

Discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

APPROVAL OF BILLS

Confirmation of Bills for December 2, 2008 thru December 31, 2008

Moved by: Mr. Johnson Second: Mr. Pullion

Discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

Approval of Bills for January 1, 2009 thru January 16, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

APPROVAL OF MINUTES:

November 11, 2008 public session, December 2, 2008 public session.

Moved by: Second:

Discussion: Mrs. Hall noted a correction to the public comment from Fran Wilkins which reads "Fire Election" should be "School Election" on the November 11, 2008 minutes.

Roll Call vote on minutes as amended: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount -yes

OPEN TO THE PUBLIC: 7:51 PM

CLOSE: 8:28 PM

The Mayor opened the meeting to the public.

Mr. Steve Brunuea, 8 Quail Drive, EPAA President, submitted a report (appended). Request Township Committee to ride in the parade on opening day, which is on Saturday, April 18, 2009. Mr. Pullion informed Mr. Bruneau that Gloucester Township submitted letters to the Camden Riversharks, Trenton Thunder, and the Philadelphia Phillies for equipment and received generous donations from all three organizations.

Mr. Dennis Robbins, 9 Crystal Drive, President of Silver Park West homeowners Association discussed he has a problem with speeding on Crystal and Forrestal Drive.

Mr. Kearns discussed that the township has no enforcement power unless the builder turns over the traffic jurisdiction to the township.

Upon discussion Committee authorized Mrs. Dougherty and Mr. Kearns to review with Tom Coleman, Special Counsel.

Mr. Robbins further discussed that the builder never submitted offering statements concerning the pond.

Mr. Noel Rainey, 7 Spring Lane, discussed that if the Sewer Authority is raising their rate then Township Committee should make sure they are using the money to build new sewers.

Mr. Rainey discussed water rates are also increasing by fifteen percent.

Mr. Robbins, 9 Crystal Drive, discussed he met with a solar power company and received valuable information on grants.

Fran Wilkins, 96 N. Garden Blvd wanted to compliment Aubrey Painter and the Public Works Department. Mrs. Wilkins stated property maintenance is doing a poor job in her area. Mrs. Wilkins wanted Township Committee to address the speeding at the stop sign at Blossom. Mrs. Wilkins enjoyed the Neighborhood Watch Meeting and spoke very highly of Detective Harris who was one of the speakers. Mrs. Wilkins questioned whether negotiations were complete and if the township is considering layoffs.

**TOWNSHIP OF EDGEWATER PARK
MINUTES
FEBRUARY 3, 2009**

Mayor Mount called the meeting to order at 7:00 PM

Flag Salute

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Joseph Pullion, Mayor Donna Mount
(Committee Members)

Absent: Mr. Kevin Johnson (Committeeman)

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

DISCUSSION(S)/PRESENTATION(S):

Consideration of Closure of Walkway Between E Franklin and Stevenson Avenue

Mrs. Dougherty discussed that residents who abut and live around the walkway were notified that Committee was holding a public hearing to ascertain their sentiment about the possible closure of the walkway; request to close was made by a resident.

Mrs. Dougherty further explained the Township applied to the state for a grant through safe routes to school program to install lighting and improvements to the area but was denied. She further discussed that she received seven letters in opposition of vacating the walkway by email and regular mail and one letter in support of vacating the walkway.

Open to the Public for Discussion on Walkway Vacation Only: 7:08 PM Close 8:02 PM

Mr. David White, 116 E Franklin Ave. is in opposition of the vacation of the walkway. Mr. White suggested installing motion sensor lighting in adjacent homes to make it safer.

Mr. Gerald Gares, 30 Quail Drive, Representing Edgewater Park Board of Education, discussed the Board of Education is in opposition of the vacation because it is a safe route to school and it is also an escape route from Magowan and Jacques to a safe area. The Board of Education would like the walkway to be maintained for the safety of the children.

Mr. Mark Zarzeczny, 203 Stevenson Ave, discussed one of the reasons he moved to Stevenson Avenue was because of the walkway access to the school. Mr. Zarzeczny is in opposition of the vacation of the walkway.

Mr. Duane Grantham, 127 E. Franklin Ave. discussed his property is always being vandalized and his has to pay for the repairs and they are costly. Mr. Grantham would like the walkway to be vacated.

Chief Robert Brian reported since the year 2000 there have been police incidents which occurred near or at the walkway: There was a trespassing complaint in 2004 on Stevenson Avenue which was unrelated to the walkway, several incidents of vehicles being broken into on E Franklin Avenue incident and a property located on E. Franklin abutting the walkway had five vandalism incidents: in 2001 furniture was thrown into their pool, in 2003 there was an act of vandalism in which two juveniles apprehended, in 2004 the rear of house was egged, in 2006 their sliding glass door was broken and in 2007 the diving board stolen from their pool; all incidents occurred at night.

Mrs. Karla Hoffman, 209 Stevenson Ave., suggested planting of trees and a secure fence might help the Grantham's property to make it look less desirable for mischief. Mrs. Hoffman is in opposition of the vacation of the walkway.

Mr. Paul Vannocker, 115 E. Franklin Ave. believes it is an enforcement issue because the Township would not close a sidewalk in front of their house, so why should they be able to close one on the side of their house? Mr. Vannocker questioned whether there are any other compelling reasons to vacate the sidewalk other than vandalism at the adjoining properties.

Mrs. Mary Kay Howard-Gibson, 114 E. Franklin Ave. questioned whether the Township Committee has researched other options. Mrs. Gibson requested if the walkway is going to be vacated, to please notify the same residents before the vacation.

Mr. Noel Rainey, 7 Spring Lane, suggested the Township should enclose the walkway with the help of the Board of Education.

Mr. Greg Fera, 124 Stevenson Ave who lives on one of the adjoining properties is concerned about the level of vandalism and theft in recent years. Mr. Fera expressed his wish to enclose the walkway with fencing; lighting may not work. Over the years there has been an increase in pedestrian traffic.

Chavonne Dowdy, 303 Hendrickson Ave., questioned what will happen when the walkway is vacated.

Caroline Gartska, 123 Stevenson Ave. is in opposition of closing the walkway and suggested fencing like the one on Otto Ave.

Mr. David White 116 E. Franklin Ave. does not believe the installing of 20' fence by the township would help with the vandalism and visually it would be an eyesore. His property backs up to the school and they have to pick up trash and debris.

Mr. Christopher VanBrunt, representing the School Board questioned why the one family was being targeted. Mr. VanBrunt questioned why the Township applied for a \$400,000 grant on Cooper Street for school safety and is now considering closing the walkway that is part of the school safety program. Mr. VanBrunt suggested a traffic study because the safe routes study showed 190 people used the walkway daily.

Mrs. Karla Hofmann suggested Mr. Grantham could put up a five foot fence. Mrs. Hofmann also submitted a sketch of what the property would look like with a more secure fence and/or trees.

Mr. Greg Fera suggested an overhead fence enclosure by installed by the township; fencing with a high arch would be a lot of money for individual residents.

Ms. Mary Masters, 211 Stevenson Ave., suggested a six or seven foot stockade fence around the walkway.

Mr. Craig Cleveland, 209 Stevenson Ave, is encouraged there is a discussion about the walkway closing. Mr. Cleveland is in opposition of vacating the walkway.

Mr. David White, 116 Stevenson Ave, questioned what type of vegetation could be planted.

Mrs. Hoffman suggested plantings are not going to solve the problems with vandalism they will just cause more trash and debris.

Upon discussion, the Township Committee decided to take all public comment into consideration and before a decision is made the residents will be notified.

Hearing no other residents wishing to speak on the closure of the walkway on E. Franklin and Cherrix Avenues., the Mayor closed this portion of the meeting to the public.

Introduction of visiting Police Officers from Holland

Patrolman Mark Herkoperec introduced Jacoline Bolle and Adriana Johanna Maria van Noord two police officers visiting from Holland. Patrolman Herkoperec provided the officers with tours of Philadelphia Homicide and other neighboring towns police stations.

Patrolman Herkoperec discussed that this is a continuation of the international program that he has been involved with since year 2007. In 2007 two Dutch officers, Maarten Van Loon and Richard Martens visited us and he also provided them with a tour of various facilities. In 2008

PTL Herkoperec met Andrzej Matejuk, the sponsor of the International Program while visiting in Poland; Mr. Matejuk is the General who is in charge of the National Police of Poland. In the beginning of 2009 Officer Carolien Harijgens came here for Holland and participated in shift patrols.

Chief Brain praised Patrolman Herkoperec for his hard work in forging relationship with other countries. This is an initiative that he sponsors on his own time.

REPORTS

Report from The Engineer is appended hereto.

Projects

Mr. Darji discussed projects are essentially completed. Money for the projects are forth coming once funding reimbursement are approved.

Report from Municipal Clerk/Administrator is appended hereto.

Winzinger

A meeting was held for all interested parties. The meeting concluded with a request for Delanco and Edgewater Park to request the Burlington County Health Department to inspect the Winzinger site on a regular basis. Winzinger will be issued a limited Class B permit for six months as of 1/29/09. They will be required to submit for permanent status after the six months.

Budget Meetings

The Township Committee needs to discuss dates for Budget Meetings; please get back to her with dates. The Governor has extended the budget deadline to March 17, 2009.

School Election

Upon discussion of a residents request to move the school elections Committee authorized Mrs. Dougherty to reach out to the School Superintendent to better control the activities of the children during the elections.

Weinmann Field Improvements

Mr. Painter and Mr. Darji will do an onsite inspection of Weinmann Field so the quote is as accurate as possible compared to CMX Engineering. CMX did an onsite inspection of Wienmann Field.

Credit Card Services

Administrative Department Heads met with GovTel and Beneficial Bank. Ms. Dougherty has concerns with Govtel and the 48 hour clearing house issue and audit/document submissions. She further discussed concerns with Beneficial Bank and that the internet service would have to be in house and there is no one in the administrative office with that expertise.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

REPORT ACCEPTANCE

Moved by: Mr. Pullion Second: Mrs. Hall
Hearing no discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

APPOINTMENTS/RESIGNATIONS:

Resignation: Sheri Hannah as Recreation Coordinator effective 1/19/2009
Moved by: Mr. Booker Second: Mayor Mount
Hearing no discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- abstain Mr. Pullion-yes Mayor Mount -yes

FUNCTION APPLICATIONS:

Public Function Permit:

Steve Bruneau on behalf of EPAA; requesting use of Memorial Fields for Baseball/Softball Opening Day; Saturday, April 18, 2009 Rain date Sunday, April 19, 2009. 8 am – 9 pm (Certificate of Insurance on File)

Moved by: Mr. Pullion Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

REPORT OF OFFICIALS

Mrs. Hall reported Senior Advisory would like to start a defensive driving course. *Mrs. Hall* further reported the senior computer classes were a success.

Mr. Booker reported he had a brain storming session with the Recreation Committee and discussed having Recreation Committee combined with Neighborhood Watch in an effort to get more volunteer participation.

Mr. Pullion reported for Redevelopment that there is a potential developer that is interested developing the Greater American/Fox Run Development and they would like to discuss it with the Township Committee on the 17th of February.

Mayor Mount reported she met with Senator Adler on Saturday in reference to the funding on the federal level and he indicated whatever the Township’s needs are should be sent to his office.

Mayor Mount also thanked Mr. Maupin for his diligence and the pictures of the picnic tables and benches at Roosevelt Park.

RESOLUTION

Motion to Approve Resolution No. 2009-40 through 2009-41 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. Hall Second: Mr. Pullion
Hearing no discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- yes, Mr. Pullion-yes, Mayor Mount -yes

RESOLUTION NO. 2009-40

*Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Contract with Wes Goodfellow as an Alternate Animal Control
Officer*

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous awarding a contract for an alternate animal control officer; and

WHEREAS, funds are available for this purpose; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11, any local contracting unit may enter into a contract for the procurement of specialized goods and services that are hard to specify; 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; and

BE IT RESOLVED, that, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract, for a one-year period, effective January 1, 2009, as an alternate animal control service provider, to Wes Goodfellow, 948 Woodlane Road, Mt. Holly, New Jersey, 08060 per conditions set forward in the appended contract.

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

**AGREEMENT FOR THE
PROVISION OF ALTERNATE
ANIMAL CONTROL SERVICES**

This Agreement made this 3rd day of February, 2009, by and between Wes Goodfellow, 948 Woodlane Road, Mt. Holly, New Jersey, 08060, hereinafter called Mr. Goodfellow, and the Township of Edgewater Park, a Municipal Corporation with principal office at 400 Delanco Road, Edgewater Park, Burlington County, New Jersey, hereinafter called "The Township," for alternate animal control services.

That Mr. Goodfellow does hereby agree to perform animal control services for Edgewater Park; Mr. Goodfellow will be the alternate service provider. The Township is also contracted with Willingboro Township under a shared services agreement and is the primary provider for animal control services.

This Agreement shall be for a one (1) year term commencing on January 1, 2009, and ending December 31, 2009. This Agreement shall be automatically extended for additional terms of one (1) year each (January 1 to December 31) upon the same terms and conditions provided that either party may give notice of termination of the agreement on or before

November 1st preceding the contract year.

Both parties shall have the right to terminate this Agreement by giving to the other party sixty (60) days written notice of their election to do so. Any notice from Edgewater Park to Mr. Goodfellow under or in regard to this Agreement may be served by mailing a copy thereof to Mr. Goodfellow at 948 Woodlane Road, Mt. Holly, New Jersey, 08060, or at such other place as Mr. Goodfellow from time to time in writing may appoint.

Definitions:

An animal for the purpose of this Agreement is defined as a domestic dog or cat, or, in the case of a request to remove a dead animal from either public right-of-way or private property, an animal shall be defined as domestic dog or cat.

A call is defined as a request by the municipality, and or its designee, to pick-up a roaming dog or cat on public or private property, or to remove a dead animal. A call is also defined as a request to include animal cruelty investigations, transportation of birds or domestic animals for testing of West Nile Virus, as well as transportation of quarantined animals in cases involving bites.

Edgewater Park shall pay a fee for the animal control service of \$40.00 for weekdays 8 am to 5 pm, \$45.00 weekdays 5 pm to 8 am and \$50.00 Saturday, Sunday and Holidays on a as per call basis authorized by the Township Administrator, Edgewater Park Police Department or other designee. No other calls for services shall be paid.

The Alternate Animal Control Officer will issue summonses and testify in court for alleged violations of the Edgewater Park ordinances, and will assist in all Animal Cruelty cases when requested.

In the event Mr. Goodfellow shall be away for a period of vacation, Mr. Goodfellow shall shall notify the Township that he is not available and shall attempt to replace said animal control service with another qualified person, but, in the event that Mr. Goodfellow is ill for a short period, there shall be no obligation on the part of Mr. Goodfellow to substitute for said service or notify the Township.

Animals picked up by Mr. Goodfellow shall be delivered to the Burlington County Animal Shelter. Edgewater Park shall be responsible for any and all fees associated with the services of the Burlington County Animal Shelter. In the event that a sick or injured animal is picked up within Edgewater Park, the cost of required veterinarian care shall be the responsibility of Edgewater Park.

It is hereby agreed that Mr. Goodfellow shall make every attempt to response within 30 minutes after a call is transmitted by the dispatcher to the Alternate Animal Control Officer. Responses shall be in the order that calls were received without regard to where it originates, except that any call involving a report of an animal that has attacked a person shall receive a higher priority than other calls.

Mr. Goodfellow hereby assumes all responsibility for its employees and agrees to protect,

indemnify, and save harmless Edgewater Park, its successors and assigns, from and against any and all loss, damage or injury, together with costs and expenses incident thereto, for claims, for loss, damage, injury or judgments, together with costs and expenses incidents thereto, arising in any manner, either directly or out of the services contracted for under the terms of this contract, which are performed by or on behalf of Mr. Goodfellow, whether such loss, damage or injury shall be to property or to persons, and Mr. Goodfellow shall upon notice assume the defense and cost of any action thereto.

Mr. Goodfellow represents that it has secured adequate insurance for liability and other risks, which may result from the actions undertaken by the terms of this said contract.

RESOLUTION NO. 2009-41

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

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 to the following accounts for the so mentioned reasons:

Block 403 Lot 6.09
Make check payable to:
Ricardo & Kitty Brown
2 Ellis Alley
\$250.00
Veteran Deduction

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

ORDINANCE(S):

ORDINANCE NO. 2009-2

An Ordinance of the Township of Edgewater Park Amending the Code of the Township of Edgewater Park to provide for action by the Health Officer to Declare a Property as Unfit

Second Reading and Public Hearing

WHEREAS, the Township Committee of the Township of Edgewater Park, acting as the Board of Health, has determined that there is a need to provide for the public safety by providing the Health Officer with the ability to declare a property as unfit for human habitation

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, acting as the Board of Health for the Township of Edgewater Park that the Code of the Township be and is hereby amended as follows:

Section 1.: The Code of the Township of Edgewater Park is hereby amended by amending §8.28.040 to read as follows:

Whenever the Health Officer finds that an emergency exists which requires immediate action to protect the public health or safety, he may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he deems necessary to meet the emergency. Notwithstanding any other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Health Officer shall be afforded a hearing as soon as reasonably possible. After such hearing, depending upon his findings as to whether the provisions of this chapter and of the rules and regulations adopted pursuant thereto have been complied with, the Health Officer shall continue such order in effect, modify it or revoke it.

Section 2. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 3. 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.

Section 4. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

Moved by: Mr. Booker Second: Mayor. Mount
The Mayor opened the meeting to the public for comment on Ordinance No. 2009-2 only
Hearing no public wishing to comment the mayor closed the meeting to the public for Ordinance No. 2009-2 only.
Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

ORDINANCE 2009-3

AN ORDINANCE SUPPLEMENTING THE GENERAL ORDINANCES OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, CHAPTER 12, STREETS, SIDEWALKS AND PUBLIC PLACES BY ADDING A REQUIREMENT FOR CRIMINAL HISTORY BACKGROUND CHECKS FOR RECREATION EMPLOYEES & VOLUNTEERS

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to ensure that the Township is providing the safest possible recreation programs for its youth; and

WHEREAS, *N.J.S.A.* 15A:3A-1 permits non-profit youth-serving organizations to request the State Police to perform a criminal background check on current and prospective employees or volunteers, in order to check the criminal histories of those employees or volunteers who have direct contact with minors, in order to eliminate those with convictions for certain crimes and

disqualify prospective employees and volunteers who have been convicted of certain offenses; and,

WHEREAS, the Edgewater Park Township Committee has recommended that all employees and volunteers of programs sponsored by Edgewater Park Township, or co-sponsored by Edgewater Park Township in connection with the Recreation Department, the Edgewater Park Athletic Association or any other organization serving youth organizations, who have regular, supervised or unsupervised access to minors involved in such programs, be required to submit to criminal history background checks at their own expense; and

WHEREAS, the Township would like all youth programs using township facilities, and all programs that are funded or supported by the Township, in whole or in part (including but not limited to baseball, softball, soccer, football, basketball, etc.) be required to perform criminal background checks as a condition of using township facilities.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, as follows:

§ 12 Streets, Sidewalks and Public Places Revised General Ordinances of the Township of Edgewater Park, is supplemented as follows:

§ 12.40 Criminal History Background Checks of Employees and Volunteers Involved in Recreation Programs.

§ 12.40.010 Definition

As used in this chapter, the following terms shall have the meanings indicated:

“Criminal History Record Background Check” - A determination of whether a person has a criminal record by cross-referencing that person's name and fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and/or the NJ State Bureau of Identification in the Division of State Police.

“Non-Sponsored Youth Programs” – Any youth programs not sponsored by the Township of Edgewater Park, but that utilize municipal facilities or have affiliation with a Township Sponsored Youth Program and having contact with persons under the age of 18 years.

“Township-Sponsored Youth Programs” - Any programs sponsored by the Township of Edgewater Park, including any township employees, volunteer organizations created by the township, and all leagues, boards, committees and commissions falling within the purview of or acting for or on behalf of the Township of Edgewater Park and having contact with persons under the age of 18 years.

“Youth Programs” – Any programs that allow for participation in activities by those persons under 18 years of age. Activities may include, but are not limited to, sporting activities, passive recreation groups, clubs or camps and trips or other activities whereby some control and

responsibility for children is assigned to some person acting for or on behalf of the Township other than a parent or caregiver.

§ 12.40.020 Non-Sponsored Youth Programs - Criminal background checks - Required for use of Edgewater Park Township facilities.

Prior to any club or organization, not defined as a Township-sponsored youth program, being authorized to use Township-owned facilities for functions participated in by children, all adults, those persons 18 years of age or older, in any way assisting in the function, including but not limited to coaches, assistant coaches, or similar positions, must provide the Edgewater Park Chief of Police or designee with findings of a criminal background check obtained from the State Bureau of Identification in the New Jersey State Police.

The submission of background check findings must be based upon a check performed within three (3) years of the start of use of the Township owned facility. In the case of coaches performing duties as employees of a school district, the policy of background checks adopted by the individual school district shall be used to establish eligibility for use of Township owned facilities. In all cases the background check must comply with the provisions of any applicable laws regarding same, but not less detailed than those performed by the Township for individuals involved in administering Township Sponsored Youth Programs. The Township of Edgewater Park recognizes the Edgewater Park Athletic Association (EPAA) as the largest non-sponsored youth program within the Township of Edgewater; therefore the cost of the initial background checks due for individuals associated with and recognized by the EPAA shall be borne by the Township of Edgewater Park within the first year of the effective date of the Ordinance. Thereafter all fees for individuals not administering a Township-Sponsored program shall be borne by the individual or program with which they are participating.

§ 12.40.030 Township Sponsored Youth Programs - Background checks.

A. All adults, those persons 18 years of age or older, including but not limited to coaches, assistant coaches, or similar positions involved in educating, directing or supervising youth, and in any way assisting in a Edgewater Park Township sponsored function participated in by children, shall submit sufficient information on forms supplied by the Edgewater Park Township Police Department from the New Jersey State Police, for the purpose of obtaining a criminal history background check with the State Bureau of Identification in the New Jersey State Police. Applications for background checks shall be processed by the Edgewater Park Township Chief of Police or designee.

Based upon the Memorandum of Understanding executed between the Township of Edgewater Park and the New Jersey State Police, the individual applying for the background check shall authorize the Edgewater Park Township Chief of Police to be the recipient of the affirmative or negative response from the State Police based upon the findings of the background check. Individuals involved in a Edgewater Park Township sponsored youth function, and who are required to undergo background checks based upon this chapter, shall not be responsible for the costs involved with obtaining the criminal background check. The Township of Edgewater Park shall bear the costs for the background checks for individuals qualified under this section.

B. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms supplied by the Township of Edgewater Park and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing.

§ 12.40.040 Qualification.

A. Individuals engaged in providing recreation opportunities for, or on behalf of, the Township of Edgewater Park shall be issued identification cards with appropriate expirations based upon the date of their individual background check. Individuals issued identification cards are required to display their card while in performance of their duty involving youth programs.

§ 12.40.050 Disqualification.

A. Upon receipt of a completed background check conducted by the State Bureau of Identification in the New Jersey State Police and/or the Federal Bureau of Investigation, Identification Division, the Edgewater Park Township Chief of Police or designee shall notify the applicant and the President or leader of the recreation program of affirmative or negative results. The determination of the Edgewater Park Township Chief of Police is based upon section 12.40.050 B.1 of this chapter. Details in the background check that result in a negative determination by the State Police are not afforded to the Chief of Police and are only available to the applicant upon making a formal request to the State Bureau of Investigation.

B. In the event the criminal background check reveals any prior convictions for crimes or offenses which negatively impact the health, safety and welfare of children, said person shall not be qualified to participate in any official capacity in any function for persons under the age of 18 years held at any Township-owned facilities. Such offenses shall include, but not be limited to:

1. In New Jersey, any crime or disorderly persons offense:

(a) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S. 2C:11-1 et seq., N.J.S. 2C:12-1 et seq., N.J.S. 2C:13-1 et seq., N.J.S. 2C:14-1 et seq. or N.J.S. 2C:15-1 et seq.;

(b) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S. 2C:24-1 et seq.;

(c) involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;

(d) involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S. 2C:35-10.

(e) any 4th degree offense or higher.

2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection B 1. of this section.

C. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth-related activities as indicated herein.

D. Refusal by individuals required to submit to background checks will result in an immediate dismissal of the individual from any Township-sponsored activities requiring background checks. In addition, refusal to comply with this chapter by any individual falling within the scope of requirements for Non-Sponsored Youth Programs will forfeit that individuals ability to participate with the respective program. Refusal of a Non-Township Sponsored Youth Program to subscribe to the requirements of this chapter shall forfeit that programs ability to use municipal facilities.

§ 12.40.060 Frequency of background checks.

A. All Non-Sponsored Youth Programs that have individuals subject to this chapter shall supply background checks for all of its participants prior to the individual being able to participate at any function at a Township-owned facility to the extent covered by this chapter. Thereafter, every three (3) years a new background check shall be submitted to the Chief of Police or designee.

B. 1. All Township Sponsored Youth Programs that have individuals subject to this chapter shall direct those individuals to the Chief of Police for background checks prior to the individual being able to participate at any function sponsored by the Township of Edgewater Park. Thereafter, every three (3) years a new background check shall be submitted to the Chief of Police.

2. Individuals involved in Township Sponsored Youth Programs who are required to undergo background checks shall be given an interim approval for participation only after submission to the Division of State Police for a background check. Interim approvals shall only be valid for the period of time that it takes to receive background checks results. Such interim approval shall not be valid for a period of time exceeding 45 days. Only one interim approval may be granted per individual.

§ 12.40.070 Privacy

Any and all criminal background checks supplied to the Chief of Police or designee shall be filed and maintained in a secure and locked cabinet or room and shall not be available to the public. The Chief of Police shall take appropriate steps to safeguard such records. The records shall be exempt from public disclosure under the common law or the New Jersey Right to Know

Law. The records shall only be retained for such period of time as is necessary to serve their intended and authorized purpose.

§ 12.40.080 Appeals

A. Any person whose criminal history background check disqualifies that person from employment or from volunteering, may appeal his or her disqualification.

1. A person may challenge the accuracy of the criminal history record;
2. A person may claim to be rehabilitated;
3. No person may appeal a disqualification on the grounds of rehabilitation, if convicted of a 4th Degree Offense or Higher, if the person has been rejected because that person has been convicted, adjudicated delinquent or acquitted by reason of insanity of aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping pursuant to paragraph (2) of subsection c. of *N.J.S.A. 2C:13-1*; endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to subsection a. of *N.J.S.A. 2C:24-4*; endangering the welfare of a child pursuant to paragraph (4) of subsection b. of *N.J.S.A. 2C:24-4*; luring or enticing pursuant to section 1 of P.L.1993, c.291 (*N.J.S.A. 2C:13-6*); criminal sexual contact pursuant to *N.J.S.A. 2C:14-3b*. if the victim is a minor; kidnapping pursuant to *N.J.S.A. 2C:13-2*, or false imprisonment pursuant to *N.J.S.A. 2C:13-3* if the victim is a minor and the offender is not the parent of the victim; knowingly promoting prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of *N.J.S.A. 2C:34-1*; or an attempt to commit any of these enumerated offenses

B. A challenge to the accuracy of the report shall be filed with the Edgewater Park Township Chief of Police, who shall coordinate the challenge with the New Jersey State Police.

C. An appeal based on rehabilitation shall be made to an Appeals Committee, which shall consist of the Edgewater Park Township Chief of Police, Township Administrator and Township Solicitor. Any such appeal must be made within thirty (30) days of receipt of the notice of disqualification.

D. In determining whether a person has affirmatively demonstrated rehabilitation, the Appeals Committee shall consider the following factors:

1. The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;

2. The nature and seriousness of the offense;

3. The circumstances under which the offense occurred;

4. The date of the offense;

5. The age of the person when the offense was committed;

6. Whether the offense was an isolated or repeated incident;

7. Any social conditions which may have contributed to the offense; and,

8. Any other evidence of rehabilitation, including good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the person under their supervision.

E. If the Appeals Committee determines that the disqualified person has been successfully rehabilitated, it shall enter that person's name on the list of qualified employees and volunteers maintained by the Chief of Police or designee.

§ 12.40.090 Penalties

A. Failure to comply with this Ordinance may result in the township withholding funding for the non-profit youth-serving organization, prohibiting the use of facilities, or withholding funding for facility maintenance.

B. Any individual who has been advised, verbally or in writing of his/her disqualification to participate and continues to participate upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:

1. A fine of not less than two hundred fifty dollars (\$250.00) and not more than one two thousand five hundred dollars (\$2,500.00);

2. Each continuing violation of this chapter shall constitute a separate offense.

C. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable there from and shall not be affected.

§ 12.40.100 Effective Date

This ordinance shall take effect immediately upon the approval and publication of notice of adoption as provided by law.

§ 12.40.110 Ordinance Provisions Repealed

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

§ 12.40.120 Severability

If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

NOTICE

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on February 3, 2009. This ordinance will be consider for adoption of final reading and public hearing to be held on February 17, 2009 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.

Motioned by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

APPROVAL OF BILLS

Approval of Bills for January 17, 2009 thru February 2, 2009

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

OPEN TO THE PUBLIC: 8:43 PM CLOSE: 8:48 PM

The Mayor opened the meeting to the public.

Mr. Noel Rainey, 7 Spring Lane, requested the Township Committee take over the streets because it has been 15 years since the development started.

Mr. Rainey also reminded the Township Committee he recently told them about a development opportunity with gambling vending machines.

Mr. Rainey further stated Silver Park West received three bids for the solar energy panels at the clubhouse.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

Resolution No. 2009-42

Closed Session

Where it is necessary to discuss matters concerning the sale of public property. Where it is necessary to discuss matters concerning the development of public property. 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 concerning contractual obligations and personnel 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: Mr. Booker Second: Mr. Pullion Time: 8:48 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Pullion Second: Mr. Booker Time: 11:25 PM
Hearing no discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

ANY OTHER BUSINESS

ADJOURN

Moved by: Mrs. Hall Second: Mayor Mount
Discussion:
Roll Call: Mr. Booker-yes, Mrs. Hall- yes Mr. Pullion-yes Mayor Mount -yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

Mr. Johnson reported the Neighborhood Watch meeting went well last month and they are trying to combine with the Recreation Committee. They are planning several fundraisers.

Mrs. Hall reported for shared services they are reaching out to two townships.

Mayor Mount reminded everyone to vote at the Fire Election being held on February 21, 2009 at the municipal building.

RESOLUTIONS

Motion to Approve Resolution No. 2009-43 through 2009-49 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: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-43

RESOLUTION AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY SHARED SERVICES FORUM

WHEREAS, the forty municipalities within Burlington County are interested in providing cost effective and efficient delivery of governmental services to their citizens; and

WHEREAS, it is believed that jointly sharing services provided by various municipalities and school districts will be cost effective and efficient; and

WHEREAS, there is a need to facilitate shared services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Edgewater Park that the Township of Edgewater Park does actively support discussing and researching possible new and enhanced Shared Services between one or more municipalities, Burlington County and/or local school districts; and

BE IT FURTHER RESOLVED that the following two representatives of the Township of Edgewater Park, Judith Hall, Mayor and Linda Dougherty, Clerk/Administrator are hereby authorized and encouraged to participate in all meetings of the Burlington County Shared Services Forum and/or its subcommittees for the purpose of reaching a consensus on the best opportunities for Shared Services among these governmental agencies; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the Burlington County Board of Chosen Freeholders and the Burlington County Bridge Commission.

RESOLUTION NO. 2009-44

Approving the Township of Edgewater Park's Application for New Jersey

Department of State Division of Archives and Records Management, Public Archives and
Records Infrastructure Support (PARIS) Grant Program Funding

WHEREAS, the Township of Edgewater Park has agreed to apply for a PARIS grant as part of Burlington County's shared services element of its application; and,

WHEREAS, the Township of Edgewater Park acknowledges and accepts the responsibility of participating in this grant; and,

WHEREAS, the State of New Jersey has made PARIS grants available to assist county and municipal governments in their records management, preservation and storage efforts; and,

WHEREAS, the purpose of this shared services grant is to assist in the local records purging process and development of a policies and procedures manual for archiving documents;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that this committee does hereby authorize participation in the PARIS grant program for the purposes cited above.

RESOLUTION 2009-45

*A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
EDGEWATER PARK SUPPORTING THE ENACTMENT OF ASSEMBLY BILL NO.
2725 PROVIDING FOR A SPECIALIZED LICENSE PLATE FOR GOLD STAR
MOTHERS AND URGING THE LEGISLATURE TO DELETE THE
REQUIREMENT FOR A \$25.00 FEE FOR THE ISSUANCE OF THE PLATE*

WHEREAS, the Township Committee of the Township of Edgewater Park has become aware of Assembly Bill No. 2725 providing for a specialized license plate for Gold Star mothers, and

WHEREAS, Assembly Bill No. 2725 has been approved by the Assembly Military and Veterans' Affairs Committee and has been referred to the Transportation, Public Works and Independent Authorities Committee for further consideration,

WHEREAS, the legislation provides for a fee in the amount of \$25.00 to be charged to those requesting the specialized plate, and

WHEREAS, the sacrifice made by Gold Star Mothers is unique and deserves special recognition,

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the General Assembly and the Senate should act promptly to approve Assembly Bill No. 2725, but that the requirement for the \$25.00 fee should be deleted in recognition of the unique sacrifice already made by the Gold Star Mothers, and

BE IT FURTHER RESOLVED that copies of this Resolution shall be sent to the sponsors of Assembly Bill 2725; to the members of the General Assembly and the Senate from

Burlington County and to the members of the Assembly Transportation, Public Works and Independent Authorities Committee.

RESOLUTION NO: 2009-46

*RESOLUTION AUTHORIZING THE FUNDING OF
THE TOWNSHIP OF EDGEWATER PARK'S SHARE OF THE
MACCS CONTRACT WITH WASTE MANAGEMENT OF NEW JERSEY, INC.
FOR SOLID WASTE COLLECTION SERVICES*

WHEREAS the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey agreed to participate in a Joint Purchasing Program for the provision and performance of goods and services, more specifically, for the collection of disposal of solid waste from apartments and condominiums within the municipality; and

WHEREAS, the Township of Edgewater Park entered into a Joint Purchasing Agreement with the program known as "Municipal Apartment and Condominium Collection Services" ("MACCS") which agreement designates Maple Shade Township as the Lead agency for the program; and

WHEREAS Waste Management of New Jersey, Inc. is to be awarded the contract to provide solid waste collection services beginning April 1, 2009 which contract provides for a three year term in an amount not to exceed \$3,168,052.68 for basic service and \$355,577.60 for bulk service and which contract provides for two one-year renewal periods; and

WHEREAS, the cost of the contract allocated to the Township of Edgewater Park for the three year term is \$243,383.92 for basic service and \$12,620.66 for bulk service; and

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 *et seq.* and the regulations promulgated there under, more specifically, N.J.A.C. 5:34-7.14, prior to the award of contract, each member of a joint purchasing system must issue a purchase order and certification of funds for its share of the contract amount; and

WHEREAS, it appears that it is in the best interest of the Township of Edgewater Park to fund its 2009 portion of the of the contract with Waste Management of New Jersey Inc., in an amount not to exceed \$62,059.18, subject to the availability of funds; and

WHEREAS, the Township of Edgewater Park certifies that there are sufficient funds in the 2009 budget to provide for this purpose for the period from April 1, 2009 through December 31, 2009 in the amount of \$62,059.18 as indicated in the attached Certification of Funds;

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

1. The share of the solid waste collection contract for the MACCS program allocated to the Township for the contract with Waste Management of New Jersey, Inc. is hereby accepted;

2. The Chief Financial Officer is hereby authorized to issue the purchase order funding the 2009 portion of the contract.

Resolution No. 2009-47
*Authorizing the Release of Performance
Bond and Establishment of Maintenance Bond # LPM8936197
for Burlington Coat Factory Warehouse Corp.*

WHEREAS, Engineer, Environmental Resolutions, Inc. were asked to inspect and report on the required improvements by Burlington Coat Factory Warehouse Corp, 4287 Route 130 South, Edgewater Park, NJ 08010 for purposes of establishing a Maintenance Bond for Block 502, Lot 13 and 13.01; and

WHEREAS, the Planning Board Engineer, Environmental Resolutions, Inc. established the original performance bond requirements in the amount of \$177,078.00 with Resolution No. 157-2006; and

WHEREAS, the Township Engineer was asked to inspect and report on the bond release and establishment of a maintenance guarantee for Burlington Coat Factory Warehouse Corp, and

WHEREAS, the Township Engineer, Environmental Resolutions Inc., inspected and recommended the release of the Performance Guarantee and the establishment of the Maintenance Bond in the amount of fifteen percent (15%) of the construction costs or \$22,134.75 (see Bond Release Site Inspection letter dated December 17, 2008); and

WHEREAS, the Township Solicitor has reviewed said Maintenance Bond # LPM8936197 and has found it to be in compliance.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Performance Surety Bond # LPM758645600 be released and the Maintenance Bond # *LPM8936197*, be posted for a two year period effective February 17, 2009.

Resolution No. 2009-48
*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. 2009-49

*Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Contract with Flagg's Pest Control as our Pest Control Provider*

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous to award a contract for Initial Pest Control Services and preventative maintenance by means of an annual contract; and

WHEREAS, the cost for said contract is in the amount of \$1,320.00 in 12 monthly installments of \$110.00; and

WHEREAS, the in 2008 Township found evidence of active termite activity and awarded a contract for termite treatment and maintenance; and

WHEREAS, the Township is desirous of continuing the annual termite treatment and warranty in the amount of \$175.00; and

WHEREAS, said contract will be effective from February 28, 2009 through February 27, 2010; and

WHEREAS, funds are available for this purpose; 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, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract to Flagg's Pest Control, 111 Elm St, Edgewater Park, New Jersey 08010 effective as of February 28, 2009.

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

ORDINANCE(S):

Ordinance No. 2009-3: Second Reading and Public Hearing

An Ordinance Supplementing The General Ordinances Of The Township Of Edgewater Park, County Of Burlington, Chapter 12, Streets, Sidewalks And Public Places By Adding A Requirement For Criminal History Background.

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to ensure that the Township is providing the safest possible recreation programs for its youth; and

WHEREAS, N.J.S.A. 15A:3A-1 permits non-profit youth-serving organizations to request the State Police to perform a criminal background check on current and prospective employees or volunteers, in order to check the criminal histories of those employees or volunteers who have direct contact with minors, in order to eliminate those with convictions for certain crimes and disqualify prospective employees and volunteers who have been convicted of certain offenses; and,

WHEREAS, the Edgewater Park Township Committee has recommended that all employees and volunteers of programs sponsored by Edgewater Park Township, or co-sponsored by Edgewater Park Township in connection with the Recreation Department, the Edgewater Park Athletic Association or any other organization serving youth organizations, who have regular, supervised or unsupervised access to minors involved in such programs, be required to submit to criminal history background checks at their own expense; and

WHEREAS, the Township would like all youth programs using township facilities, and all programs that are funded or supported by the Township, in whole or in part (including but not limited to baseball, softball, soccer, football, basketball, etc.) be required to perform criminal background checks as a condition of using township facilities.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, as follows:

- § 12 Streets, Sidewalks and Public Places Revised General Ordinances of the Township of Edgewater Park, is supplemented as follows:**
- § 12.40 Criminal History Background Checks of Employees and Volunteers Involved in Recreation Programs.**
- § 12.40.010 Definition**

As used in this chapter, the following terms shall have the meanings indicated:

“Criminal History Record Background Check” - A determination of whether a person has a criminal record by cross-referencing that person's name and fingerprints with those on file with the Federal Bureau of Investigation, Identification Division and/or the NJ State Bureau of Identification in the Division of State Police.

“Non-Sponsored Youth Programs” – Any youth programs not sponsored by the Township of Edgewater Park, but that utilize municipal facilities or have affiliation with a Township Sponsored Youth Program and having contact with persons under the age of 18 years.

“Township-Sponsored Youth Programs” - Any programs sponsored by the Township of Edgewater Park, including any township employees, volunteer organizations created by the township, and all leagues, boards, committees and commissions falling within the purview of or acting for or on behalf of the Township of Edgewater Park and having contact with persons under the age of 18 years.

“Youth Programs” – Any programs that allow for participation in activities by those persons under 18 years of age. Activities may include, but are not limited to, sporting activities, passive recreation groups, clubs or camps and trips or other activities whereby some control and responsibility for children is assigned to some person acting for or on behalf of the Township other than a parent or caregiver.

§ 12.40.020 Non-Sponsored Youth Programs - Criminal background checks - Required for use of Edgewater Park Township facilities.

Prior to any club or organization, not defined as a Township-sponsored youth program, being authorized to use Township-owned facilities for functions participated in by children, all adults, those persons 18 years of age or older, in any way assisting in the function, including but not limited to coaches, assistant coaches, or similar positions, must provide the Edgewater Park Chief of Police or designee with findings of a criminal background check obtained from the State Bureau of Identification in the New Jersey State Police.

The submission of background check findings must be based upon a check performed within three (3) years of the start of use of the Township owned facility. In the case of coaches performing duties as employees of a school district, the policy of background checks adopted by the individual school district shall be used to establish eligibility for use of Township owned facilities. In all cases the background check must comply with the provisions of any applicable laws regarding same, but not less detailed than those performed by the Township for individuals involved in administering Township Sponsored Youth Programs. The Township of Edgewater Park recognizes the Edgewater Park Athletic Association (EPAA) as the largest non-sponsored youth program within the Township of Edgewater; therefore the cost of the initial background checks due for individuals associated with and recognized by the EPAA shall be borne by the Township of Edgewater Park within the first year of the effective date of the Ordinance. Thereafter all fees for individuals not administering a Township-Sponsored program shall be borne by the individual or program with which they are participating.

§ 12.40.030 Township Sponsored Youth Programs - Background checks.

A. All adults, those persons 18 years of age or older, including but not limited to coaches, assistant coaches, or similar positions involved in educating, directing or supervising youth, and in any way assisting in a Edgewater Park Township sponsored function participated in by children, shall submit sufficient information on forms supplied by the Edgewater Park Township Police Department from the New Jersey State Police, for the purpose of obtaining a criminal history background check with the State Bureau of Identification in the New Jersey State Police. Applications for background checks shall be processed by the Edgewater Park Township Chief of Police or designee.

Based upon the Memorandum of Understanding executed between the Township of Edgewater Park and the New Jersey State Police, the individual applying for the background check shall authorize the Edgewater Park Township Chief of Police to be the recipient of the affirmative or negative response from the State Police based upon the findings of the background check. Individuals involved in a Edgewater Park Township sponsored youth function, and who are required to undergo background checks based upon this chapter, shall not be responsible for the costs involved with obtaining the criminal background check. The Township of Edgewater Park shall bear the costs for the background checks for individuals qualified under this section.

B. All league officers and/or those individuals in charge of each recreation program are required to ensure compliance with this chapter for that league or program. The President or leader of each recreation program shall file an annual roster of individuals that are required to participate in the background check procedures of this chapter. The roster shall be on forms supplied by the Township of Edgewater Park and shall contain a certification as to the accuracy and completeness of the roster and individual names. Any person who knowingly certifies a background check roster that excludes an individual required to be checked shall be in violation of this chapter and laws regarding false swearing.

§ 12.40.040 Qualification.

A. Individuals engaged in providing recreation opportunities for, or on behalf of, the Township of Edgewater Park shall be issued identification cards with appropriate expirations based upon the date of their individual background check. Individuals issued identification cards are required to display their card while in performance of their duty involving youth programs.

§ 12.40.050 Disqualification.

A. Upon receipt of a completed background check conducted by the State Bureau of Identification in the New Jersey State Police and/or the Federal Bureau of Investigation, Identification Division, the Edgewater Park Township Chief of Police or designee shall notify the applicant and the President or leader of the recreation program of affirmative or negative results. The determination of the Edgewater Park Township Chief of Police is based upon section 12.40.050 B.1 of this chapter. Details in the background check that result in a negative determination by the State Police are not afforded to the Chief of Police and are only available to the applicant upon making a formal request to the State Bureau of Investigation.

B. In the event the criminal background check reveals any prior convictions for crimes or offenses which negatively impact the health, safety and welfare of children, said person shall not

be qualified to participate in any official capacity in any function for persons under the age of 18 years held at any Township-owned facilities. Such offenses shall include, but not be limited to:

1. In New Jersey, any crime or disorderly persons offense:

(a) involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S. 2C:11-1 et seq., N.J.S. 2C:12-1 et seq., N.J.S. 2C:13-1 et seq., N.J.S. 2C:14-1 et seq. or N.J.S. 2C:15-1 et seq.;

(b) against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S. 2C:24-1 et seq.;

(c) involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes;

(d) involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection a. of N.J.S. 2C:35-10.

(e) any 4th degree offense or higher.

2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons offenses described in subsection B 1. of this section.

C. The list of crimes and violations contained in this section is for illustrative purposes only and shall not be construed as a limitation on those criminal activities or violations that would be grounds to disqualify a person from assisting with youth-related activities as indicated herein.

D. Refusal by individuals required to submit to background checks will result in an immediate dismissal of the individual from any Township-sponsored activities requiring background checks. In addition, refusal to comply with this chapter by any individual falling within the scope of requirements for Non-Sponsored Youth Programs will forfeit that individual's ability to participate with the respective program. Refusal of a Non-Township Sponsored Youth Program to subscribe to the requirements of this chapter shall forfeit that program's ability to use municipal facilities.

§ 12.40.060 Frequency of background checks.

A. All Non-Sponsored Youth Programs that have individuals subject to this chapter shall supply background checks for all of its participants prior to the individual being able to participate at any function at a Township-owned facility to the extent covered by this chapter. Thereafter, every three (3) years a new background check shall be submitted to the Chief of Police or designee.

B. 1. All Township Sponsored Youth Programs that have individuals subject to this chapter shall direct those individuals to the Chief of Police for background checks prior to the individual being able to participate at any function sponsored by the Township of Edgewater Park.

Thereafter, every three (3) years a new background check shall be submitted to the Chief of Police.

2. Individuals involved in Township Sponsored Youth Programs who are required to undergo background checks shall be given an interim approval for participation only after submission to the Division of State Police for a background check. Interim approvals shall only be valid for the period of time that it takes to receive background checks results. Such interim approval shall not be valid for a period of time exceeding 45 days. Only one interim approval may be granted per individual.

§ 12.40.070 Privacy

Any and all criminal background checks supplied to the Chief of Police or designee shall be filed and maintained in a secure and locked cabinet or room and shall not be available to the public. The Chief of Police shall take appropriate steps to safeguard such records. The records shall be exempt from public disclosure under the common law or the New Jersey Right to Know Law. The records shall only be retained for such period of time as is necessary to serve their intended and authorized purpose.

§ 12.40.080 Appeals

A. Any person whose criminal history background check disqualifies that person from employment or from volunteering, may appeal his or her disqualification.

1. A person may challenge the accuracy of the criminal history record;
2. A person may claim to be rehabilitated;
3. No person may appeal a disqualification on the grounds of rehabilitation, if convicted of a 4th Degree Offense or Higher, if the person has been rejected because that person has been convicted, adjudicated delinquent or acquitted by reason of insanity of aggravated sexual assault; sexual assault; aggravated criminal sexual contact; kidnapping pursuant to paragraph (2) of subsection c. of *N.J.S.A. 2C:13-1*; endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to subsection a. of *N.J.S.A. 2C:24-4*; endangering the welfare of a child pursuant to paragraph (4) of subsection b. of *N.J.S.A. 2C:24-4*; luring or enticing pursuant to section 1 of P.L.1993, c.291 (*N.J.S.A. 2C:13-6*); criminal sexual contact pursuant to *N.J.S.A. 2C:14-3b*. if the victim is a minor; kidnapping pursuant to *N.J.S.A. 2C:13-2*, or false imprisonment pursuant to *N.J.S.A. 2C:13-3* if the victim is a minor and the offender is not the parent of the victim; knowingly promoting prostitution of a child pursuant to paragraph (3) or paragraph (4) of subsection b. of *N.J.S.A. 2C:34-1*; or an attempt to commit any of these enumerated offenses

B. A challenge to the accuracy of the report shall be filed with the Edgewater Park Township Chief of Police, who shall coordinate the challenge with the New Jersey State Police.

C. An appeal based on rehabilitation shall be made to an Appeals Committee, which shall consist of the Edgewater Park Township Chief of Police, Township Administrator and Township Solicitor. Any such appeal must be made within thirty (30) days of receipt of the notice of disqualification.

D. In determining whether a person has affirmatively demonstrated rehabilitation, the Appeals Committee shall consider the following factors:

1. The nature and responsibility of the position which the convicted person would hold or has held, as the case may be;

2. The nature and seriousness of the offense;

3. The circumstances under which the offense occurred;

4. The date of the offense;

5. The age of the person when the offense was committed;

6. Whether the offense was an isolated or repeated incident;

7. Any social conditions which may have contributed to the offense; and,

8. Any other evidence of rehabilitation, including good conduct in prison or the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs, or the recommendation of those who have had the person under their supervision.

E. If the Appeals Committee determines that the disqualified person has been successfully rehabilitated, it shall enter that person's name on the list of qualified employees and volunteers maintained by the Chief of Police or designee.

§ 12.40.090 Penalties

A. Failure to comply with this Ordinance may result in the township withholding funding for the non-profit youth-serving organization, prohibiting the use of facilities, or withholding funding for facility maintenance.

B. Any individual who has been advised, verbally or in writing of his/her disqualification to participate and continues to participate upon conviction thereof in a proceeding before a court of competent jurisdiction be subject to the following fines:

1. A fine of not less than two hundred fifty dollars (\$250.00) and not more than one two thousand five hundred dollars (\$2,500.00);

Each continuing violation of this chapter shall constitute a separate offense.

C. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable there from and shall not be affected.

§ 12.40.100 Effective Date

This ordinance shall take effect immediately upon the approval and publication of notice of adoption as provided by law.

§ 12.40.110 Ordinance Provisions Repealed

Any ordinance provisions inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

§ 12.40.120 Severability

If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Moved by: Mr. Johnson

Second: Mr. Pullion

Hearing no discussion:

The Mayor opened to the Public for Comment on Ordinance No. 2009-3 only:

Hearing no residents wishing to speak the Mayor Closed the meeting to public comment

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF BILLS

Approval of Bills for February 3, 2009 thru February 13, 2009

Moved by: Mr. Johnson

Second: Mrs. Hall

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF MINUTES

November 11, 2008 (closed), December 3, 2008 (closed) and December 18, 2008 (public)

Moved by: Mr. Pullion

Second: Mr. Johnson

Discussion: Mrs. Hall noted the minutes from all of 2008 are approved.

Roll Call: Mr. Booker-abstain Mrs. Hall- yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 7:09 PM

CLOSE: 7:27 PM

The Mayor opened the meeting to the public.

Mr. Dennis Robbins, 9 Crystal Drive gave the dates of May 9th and May 16th for a tentative yard sale date to be held with EPAA.

Mr. Robbins questioned whether we will be receiving the trees or the money for Roosevelt Park. Mr. Rakesh Darji, Township Engineer will be reporting on the status of the trees at the March 3, 2009 meeting.

Mr. Robbins questioned whether the township has proceeded with enforcing the speed at Silver Park West.

Mr. Noel Rainey, 7 Spring Lane, inquired when can we expect to send the information out on the Re-Evaluation.

Mr. Rainey questioned whether a sign could be put up to sell the Greater American Project. Mr. Rainey also questioned whether the Township is applying for the grant PSEG will be using for solar energy for the light poles.

Mr. Rainey further questioned whether anyone has contacted Sonic Restaurant. Township Committee stated Sonic was contacted in reference to the Cardinale Development but they could not work out an agreement.

Mr. Rainey asked the Township Committee to look into the decision to not participate in the Recycling Bank in July to see if the decision not to participate is the right one.

Michelle Jankowski., 302 Monroe Avenue asked the Township Committee to reconsider participating in the Recycling Bank.

Steve Bruneau, President EPAA, 8 Quail Drive reported on the activities of the Edgewater Park Athletic Association which is appended hereto.

Hearing no other residents wishing to speak, the mayor closed this portion of the meeting to the public.

OTHER BUSINESS

Recycling

Mayor Mount stated half the Township has received recycling buckets and financially the Township cannot move forward because of budgets with the Township and Burlington County Recycling.

Mr. Painter stated he would have a report for possibly the March 17 meeting or the first meeting in April.

Closed Session Resolution No. 2009-50: Where it is necessary to discuss matters concerning the sale of public property. Where it is necessary to discuss matters concerning the development of public property. 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 concerning contractual obligations. Where it is necessary to discuss matters concerning contractual obligations and personnel 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.

Moved by: Mrs. Hall Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS.

RE-ENTER PUBLIC SESSION

Moved by: Mr. Pullion Second: Mrs. Hall

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mr. Pullion

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Tanyika Johns, Deputy Clerk

**TOWNSHIP OF EDGEWATER PARK
MINUTES
MARCH 3, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Absent: None (Committee Members)

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

DISCUSSION(S)/PRESENTATION(S):

Burlington City High School Project Graduation Donation Request

Upon discussion of the Township Committee it was agreed to bring this discussion back after the 2009 Budget has been adopted.

REPORTS

Report From The Solicitor is for closed session only.

Report From The Engineer is appended hereto.

Parks:

Mr. Darji reported that if the plantings of trees are done by the contractor they will be guaranteed for up to two years.

Tea 21 Project:

Upon discussion Township Committee moved to approve additional handicap ramps at the intersections of Copper and Green Streets, Cooper Street and Hendrickson Avenue for a total of four handicap ramps.

Moved by: Mr. Pullion

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Tree Management:

Upon discussion, Township Committee moved to approve the submittal of Phase II of the Tree Management Plan (\$3,000 grant); plan preparation by Environmental Resolutions, Inc.

Moved by: Mayor Mount Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Report from Municipal Clerk/Administrator is appended hereto.

Sustainable Energy Jersey Program:

Upon discussion, Township Committee directed Mrs. Dougherty to move forward with the Energy Audit through Eastern Energy Services, Inc.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

PROCLAMATIONS: NONE

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Function Permit:

Edgewater Park Women's Club; Craft Project Tuesday, March 11, 2009 from 6:30 PM till 10:00PM. Requesting waiver of fees (Certificate of Insurance on File)

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Steve Bruneau on behalf of EPAA; requesting use of Weinmann Field House Friday, Monthly Meetings 2nd Tuesday of Every Month, Rutgers's Coaches Training Course February 27, 2009 6 pm -9 pm, March 23, 2009 Softball from 6pm-9 pm March 26, 2009 Softball from 6pm-9 pm. Requesting a waiver of fees. (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit:

Disabled American Veterans; Collection Dates April 15th through April 30th; Pathmark and Cramps Liquor Store (Letters of Authorization from businesses filed) Request waiver of Solicitor's fee.

Moved by: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Tom Pullion, liaison to the Redevelopment Committee reported he, Mr. Darji (ER) and Mrs. Dougherty held an informal meeting with potential purchasers of the RV Dealership on Route 130.

Mr. Kevin Johnson, liaison to Neighborhood Watch reported Neighborhood Watch will have a presentation on Identity Theft at its March 26th meeting at 6:30 PM.

Mrs. Judy Hall, liaison to the Senior Advisory, reported the senior driving program is scheduled for May 20 at Weimann Field House.

Mr. Darrel Booker, liaison to the Recreation Committee, thanked Mr. Johnson for his assistance with the Recreation Committee. Mr. Booker reported Breakfast with the Bunny is scheduled for March 28, 2009 at 9:00 am with the egg hunt starting at 10:15 AM.

Mayor Donna Mount, liaison to the Mayor's Advisory, reported the 1st Mayor's Advisory meeting will be held on March 10, 2009.

RESOLUTION

Motion to Approve Resolution No. 2009-51 through 2009-54 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: Mr. Johnson

Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-51

Refund of Irrevocable Deposit Letter No. 2005-1 Fresh Look Painting-Municipal Improvements

WHEREAS, the Township Committee awarded the painting contract to Fresh Look Painting, 20 Moreland Drive, Delran, NJ 08075 with Resolution 2008-30 for the base amount of \$9,890.00; and

WHEREAS, Fresh Look Painting, 20 Moreland Drive, Delran, NJ 08075 submitted an Irrevocable Letter of Credit NO. 2005-1 in the amount of \$989.00 on February 6, 2008; and

WHEREAS, the Irrevocable Letter of Credit NO. 2005-1 expired on February 6, 2009; and

WHEREAS, these moneys were deposited in the Trust Account of the Township of Edgewater Park; and

WHEREAS, there has been a request by David Curzie, owner of Fresh Look Painting for a refund of the escrow account balance; and

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

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

Fresh Look Painting
20 MORELAND DRIVE
Delran NJ 08075
Amount: \$ 989.00
Escrow No. 510

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

RESOLUTION NO. 2009-52

*Resolution Supporting Participation
In the Sustainable Jersey Municipal Certification Program*

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Edgewater Park strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the Township of Edgewater Park hereby acknowledges that the residents of the Township of Edgewater Park desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the Township of Edgewater Park wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the Township of Edgewater Park is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the Township of Edgewater Park we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within the Township of Edgewater Park on matters of sustainability, the Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Edgewater Park that we do hereby authorize Linda M. Dougherty, Clerk/Administrator to serve as the Township of Edgewater Park agent for the Sustainable Jersey Municipal Certification process and authorize the her to complete the Municipal Registration on behalf the Township of Edgewater Park.

RESOLUTION NO. 2009-53

*RESOLUTION AUTHORIZING THE TRANSFER FUNDS FROM
CERTAIN BUDGET APPROPRIATION RESERVES
OF THE TOWNSHIP OF EDGEWATER PARK*

WHEREAS, there are certain 2008 Budget Appropriations that have unexpected balances; and

WHEREAS, there are certain 2008 Budget Appropriations that are insufficient to cover operating expenses for the year.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are hereby made between the following 2008 Budget Appropriations:

FROM:

Administrative Main Equipment	(8-01- 20-100-026)	\$ 2,000.00
-------------------------------	--------------------	-------------

TO:

Affordable Housing	(8-01- 21-190-101)	\$ 200.00
Street Lighting	(8-01-31-435-101)	\$ 1,800.00

RESOLUTION NO. 2009-54

*RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATIVE
PRICING SYSTEM, ' HISTORIC RIVERFRONT NEIGHBORHOOD
SOLID WASTE COLLECTION PROGRAM'*

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreements for its administration relating to the collection of disposal of solid waste within the municipality; and

WHEREAS, the Township of Edgewater Park, herein after referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, the Township of Edgewater Park, Delanco Township and City of Beverly have offered voluntary participation Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on March 3, 2009 the governing body of the Township of Edgewater Park, County of Burlington, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services as follows:

TITLE

This RESOLUTION shall be known any may be cited as the Cooperative Pricing Resolution of the *Historic Riverfront Neighborhood Solid Waste Collection Program*.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor and/or Clerk is hereby authorized to enter into a Cooperative Pricing Agreement.

CONTRACTING UNIT

The lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

WHEREAS, AVR Resource Group, Inc., is the current Contract Administrator for HISTORIC RIVERFRONT NEIGHBORHOOD SOLID WASTE COLLECTION PROGRAM'; and

WHEREAS, it appears that it is in the best interest of the Township of Edgewater Park to fund its portion of the renewal of the contract with AVR Resource Group, Inc. in an amount not to exceed one thousand five hundred dollars (\$1,500.00); and

WHEREAS, there are sufficient funds to provide for this purpose in the 2009 budget in an amount not to exceed \$1,500.00 as indicated in the attached Certification of Funds; and

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

1. The share of contract amount allocated to the Township for the contract with AVR Resource Group, Inc. is hereby accepted;

The Chief Financial Officer or the Assistant Treasurer is hereby authorized to issue the purchase order funding the 2009 portion of the AVR contract.

ORDINANCE(S):

First Reading

Ordinance No. 2009-4: AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP OF EDGEWATER PARK'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.

BE IT ORDAINED by the Township Committee of Township of Edgewater Park in the County of Burlington and State of New Jersey that the following amendments be made to Title 2 creating Chapter 2.06, Titled Municipal Housing Liaison of Township of Edgewater Park:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of Township of Edgewater Park's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Township of Edgewater Park

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for Township of Edgewater Park to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for Township of Edgewater Park.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Township Committee and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Township of Edgewater Park, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
 - (1) Serving as Township of Edgewater Park's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
 - (2) Monitoring the status of all restricted units in Township of Edgewater Park's Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Township of Edgewater Park as described in F. below.
- D. Subject to approval by COAH, Township of Edgewater Park may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of Township of Edgewater Park, except for those responsibilities which may not be contracted out pursuant to subsection C above. If Township of Edgewater Park contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.

- F. Administrative powers and duties assigned to the Administrative Agent.
- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Township of Edgewater Park and the provisions of N.J.A.C. 5:80-26.15; and
 - (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 - (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (f) Employing the random selection process as provided in the Affirmative Marketing Plan of *Edgewater Park Township* when referring households for certification to affordable units.
 - (3) Affordability Controls
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;
 - (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
 - (4) Resale and rental
 - (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.

- (5) Processing request from unit owners
 - (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
 - (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (g) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

This ordinance will be consider for adoption of final reading and public hearing to be held on March 17, 2009 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: Mr. Booker

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

First Reading

Ordinance No. 2009-5 ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EDGEWATER PARK AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE PLACEMENT OF CLOTHING BINS WITHIN THE TOWNSHIP

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

Section 1. The Revised General Ordinances of the Township of Edgewater Park shall be amended by the inclusion of new Chapter 8.72 to be entitled "Clothing Bins" and which shall read in its entirety as follows:

CHAPTER 8.72

CLOTHING BINS

Sections:

- | | |
|----------|---------------------------------------|
| § 8.72-1 | Permit required. |
| § 8.72.2 | Issuance of a permit. |
| § 8.72-3 | Permit renewal. |
| § 8.72-4 | Display of information on bin. |
| § 8.72-5 | Complaints. |
| § 8.72.6 | Penalties. |
| § 8.72-1 | Permit required. |

Notwithstanding any other provision to the contrary, no person shall place, use or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

- A. The donation clothing bin is owned by a charitable organization registered with the Attorney General of the State of New Jersey pursuant to P.L. 1994, c. 16; and

- B. The registered charitable organization has obtained a permit for a period of one year, issued by the Municipal Clerk upon the approval of the Township Committee.

c

§ 8.72-2 Issuance of a permit.

- A. An application for a permit shall include the following information:
- 1) The location where the bin would be situated, as precisely as possible;
 - 2) The manner in which the charitable organization anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
 - 3) The name and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin;
 - 4) The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pick-up; and
 - 5) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property; and
 - 6) Proof of registration with the Attorney General as a charitable organization.
- B. The Committee shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in parking spaces, in any area that interferes with pedestrian or vehicular traffic, or any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.
- C. The fee for such application for the permit shall be \$25.00.

§ 8.72-3 Permit renewal.

An expiring permit for a donation clothing bin may be renewed by a charitable organization on an annual basis upon payment of the \$25.00. The application shall include the following information:

- A. The location where the bin is situated, as precisely as possible, and, if applicant intends to move it, the new location where the bin would be situated after the renewal is granted;
- B. The manner in which the entity has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the entity anticipates it may make in these processes during the period covered by the renewal;
- C. The name, and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal;
- D. The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pick-up;

- E. Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property; and
- F. Proof of charitable registration with the Attorney General as a charitable organization.

§ 8.72-4 Display of information on bin.

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

- A. The permit number and expiration date;
- B. The information required to be displayed on the bin in N.J.S.A. 40:48-2.61.

§ 8.72-5 Complaints.

- A. The Township Committee shall receive and investigate, within thirty (30) days, any complaints from the public about a clothing bin.
- B. Whenever it appears to the Township Committee that a person or entity has engaged in, or is engaging in any act or practice in violation of this ordinance, the entity who placed the bin shall be issued a warning, stating that if the violation is not rectified or if a hearing before the Township Committee is not requested within forty-five (45) days, the clothing bin will be seized or removed at the expense of the entity who placed the bin, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person or entity who placed the bin, such warning shall be affixed to the exterior of the bin itself. In the event that the entity who placed the bin does not rectify the violation or request a hearing within forty-five (45) days of the posting of the warning, the Township Committee may order the bin seized, remove it, or have it removed at the expense of the entity who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer of the Township.

§ 8.72-6 Penalties.

In addition to any other penalties or remedies authorized by law, any person or entity who violates any provision of this ordinance shall be a) subject to a penalty of up to twenty thousand dollars (\$20,000.00) for each violation pursuant to N.J.S.A. 40:48-2.60 et seq. The Township may bring this action in the Municipal Court or the Superior Court as a summary proceeding under the Penalty Enforcement Law of 1999. Any penalty moneys collected there from shall be paid to the Chief Financial Officer of the Township. An entity violating this Chapter shall be deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to N.J.S.A. 40:48-2.61 et seq. An entity disqualified from placing, using, or employing a donation clothing bin by violating the provisions of N.J.S.A. 40:48-2.60 et seq. may apply to the Township Committee to have eligibility restored. The Township Committee may restore the eligibility of an entity who a) acts within the public interest; and b) demonstrates that they have made a good faith effort to comply with the provisions of N.J.S.A. 40:48-2.60 et seq. and all other applicable laws and regulations and has no fraudulent intentions.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

This ordinance will be consider for adoption of final reading and public hearing to be held on March 17, 2009 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: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF BILLS

Approval of Bills for February 16, 2009 thru March 2, 2009

Moved by: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF MINUTES

Approval of Minutes for January 3, 2009 (Public Session), January 20, 2009 (Public and Closed Session)

Moved by: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 8:10 PM

CLOSE: 8:25 PM

The Mayor opened the meeting to the public.

Mr. Dennis Robbins, 9 Crystal Drive, reported the yard sale with EPAA and the Environmental Committee is scheduled for May 9th on the tennis courts at Memorial Field; \$20 per space.

Mr. Robbins noted he received six continuing education credits from Drew University for the topic "Tools, Rules, Tricks to Advocacy: Knowing Who, How, Why and When" on March 7, 2009 to be used towards the Tree Management Plan requirements.

Mr. Robbins requested the ordinances regarding retention and detention basins be changed to require commercial entities to drain into a basin owned by Edgewater Park Township and to charge a fee to empty into the basin.

Mr. Noel Rainey, 7 Spring Lane, informed Township Committee of a \$3000 Tree City Program grant that will help the Township have its own nursery and training program.

Mr. Rainey further informed Township Committee about a PSE&G grant with funding being allocated 40% from the Federal Government, 40% from PSE&G and 20% from general applications.

Hearing no other residents wishing to speak, the mayor closed this portion of the meeting to the public.

Resolution No. 2009-55

Closed Session

Where it is necessary to discuss matters concerning the sale of public property. Where it is necessary to discuss matters concerning the development of public property. 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 concerning contractual obligations. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 8:25 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

TIME: 10:40 PM

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ANY OTHER BUSINESS

ADJOURN

TIME: 10:40 PM

Moved by: Mrs. Hall

Second: Mayor Mount

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
MARCH 17, 2009**

Mayor Mount called the meeting to order at 7:00 PM

Flag Salute

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Absent: None (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Tanyika Johns, Deputy Clerk (Public).

DISCUSSIONS

Live Where You Work

Mr. Ed Collins, Housing and Mortgage Finance Company, from the Live Where You Work Program provided information about the program.

Live Where You Work Program is a special home mortgage incentive program that provides low-interest mortgage loans to homebuyers who work in Edgewater Park and who are looking to purchase a home in Edgewater Park.

The goal of the program is to:

- (1) strengthen our neighborhoods and increase community involvement through homeownership;
- (2) attract individuals who work in Edgewater Park to also live in our Township; and
- (3) develop positive relationships between Edgewater Park and members of the local business and residential communities.

As a result, homebuyers who both work and want to live in Edgewater Park will be able to take advantage of the Live Where You Work program incentives.

The primary benefits of Live Where You Work Program include:

- Low interest mortgages for first time homebuyers thru FHA for owner occupied houses.
- Downpayment and closing cost assistance of up to 5% of the mortgage amount of a home located within a Smart Growth Area. This assistance does not need to be paid back if you live in the house for more than 7 years.
- More flexible underwriting criteria for the loan qualification process. This is based on an anticipated reduction in monthly commuting costs that can then be applied to a mortgage payment.
- 100% financing.

The income limits are as follows:

MAXIMUM INCOME LIMITS - STATEWIDE AREA			
COUNTIES	1-2 FAMILY HOUSEHOLD	3+ HOUSEHOLD	Effective
Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hudson, & Salem	\$81,800	\$94,070	4/14/08

MAXIMUM PURCHASE PRICE LIMITS - STATEWIDE AREA						
COUNTIES	NEW 1 - FAMILY	EXISTING 1 - FAMILY	EXISTING 2 - FAMILY	EXISTING 3 - FAMILY	EXISTING 4 - FAMILY	Effective
Burlington	\$346,600	\$346,600	\$390,382	\$474,296	\$547,265	3/31/08

MAXIMUM INCOME LIMITS - TARGET AREA			
COUNTIES	1-2 FAMILY HOUSEHOLD	3+ HOUSEHOLD	Effective
Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Hudson & Salem	\$98,160	\$114,520	04/14/08

MAXIMUM PURCHASE PRICE LIMITS - TARGET AREA							
COUNTIES	NEW 1 - FAMILY	NEW 2 - FAMILY	EXISTING 1 - FAMILY	EXISTING 2 - FAMILY	EXISTING 3 - FAMILY	EXISTING 4 - FAMILY	Effective
Burlington	\$423,623	\$477,133	\$423,623	\$477,123	\$579,695	\$668,879	03/31/08

The program takes approximately ninety days to enact. The Township will need to commit to three years. The cost to the Township is minimal. The cost includes brochures and whatever publicity that is needed to promote the Live Where You Work Program to the community. Five thousand brochures cost approximately.

Open to the Public for LWYW Program Only: 7:31 PM Closed: 7:36 PM

Kathy Murphy, 218 Dogwood Avenue, Riverside questioned if the homeowner receives the mortgage can they refinance for a lower rate.

Mr. Collins stated essentially they could not refinance because the Live Where You Work Program must be the first mortgage.

REPORTS

Report from the Municipal Clerk/Administrator is appended hereto.

Elections- Voting Machines

The Legislator and the Governor suspended the requirement to the current law that by January 1, 2009 voting machines had to produce an individual permanent paper record for each vote cast.

Vacation of Walkway between East Franklin Avenue and Stevenson

Upon discussion committee agreed to not move forward with the vacation of the walkway and to notify the neighbors in the area of their decision.

COAH

The Development Fee Ordinance was approved by COAH on March 11, 2009.

Recovery Act Edward Bryne Memorial Justice Assistance (JAG) Grant Program

Upon discussion Committee agreed to move forward with the grant application for \$11,945.00 due on May 18, 2009.

Pension

Governor Corzine signed the Pension Payment Deferral Option legislation, S-21/A-3868. The new law requires the Treasurer to prepare new bills, reflecting the option to pay only 50%, subject to approval by the Local Finance Board.

Report from the Streets Superintendent

Mr. Painter discussed he would be able to plant trees at the end of March after the baseball and softball fields were completed for spring activities.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit:

Hawks Baseball Field Usage for games and practice, March through May from 3 to 6 pm Monday through Friday; schedule attached; Requesting a Waiver of fees; (certificate of Insurance on file)

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit: NONE

RAFFLES:

Willingboro Fort Dix McGuire Kappa Foundation, 50/50 raffle held at Kove Catering.

Moved by: Mrs. Hall

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Darrell Booker, liaison to the Recreation Committee, reported they are working hard organizing the Breakfast with the Bunny scheduled for March 28, 2009.

Mr. Tom Pullion, liaison to the Redevelopment Committee, reported that he has reached out to Mr. Mark Remsa, County Planner with development along the Route 130 corridor in Edgewater Park. He further advised that Mr. Remsa will be attending the April 9th Redevelopment Meeting. Members of the Planning Board and Sewer Authority were extended an invitation to attend; the meeting is also open to the public.

Mrs. Judy Hall, liaison to the Senior Advisory Committee, reported the Senior Advisory Committee will be stuffing eggs for the Breakfast with the Bunny at their next meeting on March 18, 2009.

Mrs. Judy Hall reported that she spoke with the county about changing Bridgeboro Road and Green Street to a four way stop. In speaking with Mr. Christopher VanBrunt of the County Engineers Office, he indicated the retention basin located at the intersection would need to be changed to a passive recreation area in order to facilitate the change without submitting documentation to the State.

Upon discussion Committee directed Mrs. Dougherty to contact Mr. VanBrunt with the County Engineers Department for further discussion and for Mr. Kearns to look into the passive recreation guidelines.

Mr. Kevin Johnson, liaison to Neighborhood Watch reported that he would be going to Willingboro's Neighborhood Watch meeting for ideas since they have been in continual existence for many years.

Mr. Kevin Johnson read the Edgewater Park Athletic Association's monthly report which is appended hereto.

Mayor Donna Mount reported that she went with Chief Brian on patrol which entailed a shift change, three arrests and patrols at businesses, parks and neighborhoods. Mrs. Mount recommended all of Township Committee go on patrol with Chief Brain to gain insight on how the Police Department works.

Mayor Donna Mount, Liaison to Mayor's Advisory reported she had her first Mayor's Advisory Committee meeting and everyone was in attendance. The meetings will be held quarterly and they are thinking about having a community day in June.

ORDINANCE(S):

ORDINANCE NO. 2009-4

(Second Reading and Public Hearing)

**AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON
FOR THE PURPOSE OF ADMINISTERING
THE TOWNSHIP OF EDGEWATER PARK'S AFFORDABLE HOUSING PROGRAM
PURSUANT TO THE FAIR HOUSING ACT.**

BE IT ORDAINED by the Township Committee of Township of Edgewater Park in the County of Burlington and State of New Jersey that the following amendments be made to Title 2 creating Chapter 2.06, Titled Municipal Housing Liaison of Township of Edgewater Park:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of Township of Edgewater Park's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Township of Edgewater Park

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for Township of Edgewater Park to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for Township of Edgewater Park.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Township Committee and may be a full or part time municipal employee.
- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Township of Edgewater Park, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
 - (1) Serving as Township of Edgewater Park's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
 - (2) Monitoring the status of all restricted units in Township of Edgewater Park's Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Township of Edgewater Park as described in F. below.

- D. Subject to approval by COAH, Township of Edgewater Park may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of Township of Edgewater Park, except for those responsibilities which may not be contracted out pursuant to subsection C above. If Township of Edgewater Park contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Administrative Agent.
- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative Marketing Plan of Township of Edgewater Park and the provisions of N.J.A.C. 5:80-26.15; and
 - (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
 - (2) Household Certification
 - (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
 - (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
 - (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
 - (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
 - (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
 - (f) Employing the random selection process as provided in the Affirmative Marketing Plan of *Edgewater Park Township* when referring households for certification to affordable units.
 - (3) Affordability Controls
 - (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
 - (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
 - (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the appropriate county's register of deeds or county

- clerk's office after the termination of the affordability controls for each restricted unit;
- (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing request from unit owners
- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
- (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
 - (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;

- (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (g) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Moved by: Mr. Johnson

Second: Mrs. Hall

Hearing no discussion:

Open to the Public for Comment on Ordinance No. 2009-4 only: 8:04 PM Close: 8:05 PM

Mrs. Fran Wilkins, 96 North Garden Blvd. questioned whether this was another position and if it was a salaried position. Mrs. Dougherty stated she is in the position currently and there is not an additional stipend or pay.

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ORDINANCE 2009-5

ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EDGEWATER PARK AND PROVIDING FOR THE ISSUANCE OF PERMITS FOR THE PLACEMENT OF CLOTHING BINS WITHIN THE TOWNSHIP

(Second Reading and Public Hearing)

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

Section 1. The Revised General Ordinances of the Township of Edgewater Park shall be amended by the inclusion of new Chapter 8.72 to be entitled “Clothing Bins“ and which shall read in its entirety as follows:

CHAPTER 8.72

CLOTHING BINS

Sections:

- § 8.72-1 **Permit required.**
- § 8.72.2 **Issuance of a permit.**
- § 8.72-3 **Permit renewal.**
- § 8.72-4 **Display of information on bin.**

§ 8.72-5 Complaints.

§ 8.72.6 Penalties.

§ 8.72-1 Permit required.

Notwithstanding any other provision to the contrary, no person shall place, use or employ a donation clothing bin, for solicitation purposes, unless all of the following requirements are met:

A. The donation clothing bin is owned by a charitable organization registered with the Attorney General of the State of New Jersey pursuant to P.L. 1994, c. 16; and

B. The registered charitable organization has obtained a permit for a period of one year, issued by the Municipal Clerk upon the approval of the Township Committee.

c

§ 8.72-2 Issuance of a permit.

A. An application for a permit shall include the following information:

- 1) The location where the bin would be situated, as precisely as possible;
- 2) The manner in which the charitable organization anticipates any clothing or other donations collected via the bin would be used, sold or dispersed, and the method by which the proceeds of collected donations would be allocated or spent;
- 3) The name and telephone number of the bona fide office of the applicant and of any entity which may share or profit from any clothing or other donations collected via the bin;
- 4) The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the scheduled date of pick-up; and
- 5) Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property; and
- 6) Proof of registration with the Attorney General as a charitable organization.

B. The Committee shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but are not limited to, the placement of a donation clothing bin in parking spaces, in any area that interferes with pedestrian or vehicular traffic, or any place which stores large amounts of, or sells, fuel or other flammable liquids or gases.

C. The fee for such application for the permit shall be \$25.00.

§ 8.72-3 Permit renewal.

An expiring permit for a donation clothing bin may be renewed by a charitable organization on an annual basis upon payment of the \$25.00. The application shall include the following information:

A. The location where the bin is situated, as precisely as possible, and, if applicant intends to move it, the new location where the bin would be situated after the renewal is granted;

- B. The manner in which the entity has used, sold or dispersed any clothing or other donations collected via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the entity anticipates it may make in these processes during the period covered by the renewal;
- C. The name, and telephone number of the bona fide office of the applicant and any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal;
- D. The schedule of pick-ups removing the articles from the bins, which can be no less often than once per week, and the name and telephone number of the person to be notified if the bin is overflowing prior to the date of pick-up;
- E. Written consent from the property owner, or the owner's authorized representative, to place the bin on his/her property; and
- F. Proof of charitable registration with the Attorney General as a charitable organization.

§ 8.72-4 Display of information on bin.

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

- A. The permit number and expiration date;
- B. The information required to be displayed on the bin in N.J.S.A. 40:48-2.61.

§ 8.72-5 Complaints.

- A. The Township Committee shall receive and investigate, within thirty (30) days, any complaints from the public about a clothing bin.
- B. Whenever it appears to the Township Committee that a person or entity has engaged in, or is engaging in any act or practice in violation of this ordinance, the entity who placed the bin shall be issued a warning, stating that if the violation is not rectified or if a hearing before the Township Committee is not requested within forty-five (45) days, the clothing bin will be seized or removed at the expense of the entity who placed the bin, and any clothing or other donations collected via the bin will be sold at public auction or otherwise disposed of. In addition to any other means used to notify the person or entity who placed the bin, such warning shall be affixed to the exterior of the bin itself. In the event that the entity who placed the bin does not rectify the violation or request a hearing within forty-five (45) days of the posting of the warning, the Township Committee may order the bin seized, remove it, or have it removed at the expense of the entity who placed the bin, and sell it at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer of the Township.

§ 8.72-6 Penalties.

In addition to any other penalties or remedies authorized by law, any person or entity who violates any provision of this ordinance shall be a) subject to a penalty of up to twenty thousand dollars (\$20,000.00) for each violation pursuant to N.J.S.A. 40:48-2.60 et seq. The Township may bring this action in the Municipal Court or the Superior Court as a summary proceeding under the Penalty Enforcement Law of 1999. Any penalty moneys collected there from shall be paid to the Chief Financial Officer of the Township. An entity violating this Chapter shall be deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to N.J.S.A. 40:48-2.61 et seq. An entity disqualified from placing, using, or employing a donation clothing bin by violating the provisions of N.J.S.A. 40:48-2.60 et seq. may apply to the Township Committee to have eligibility restored. The Township Committee may restore the eligibility of an entity who a) acts within the public interest; and b) demonstrates that they have made a good faith effort to comply with the provisions of N.J.S.A. 40:48-2.60 et seq. and all other applicable laws and regulations and has no fraudulent intentions.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Moved by: Mr. Johnson

Second: Mr. Booker

Open to the Public for Comment on Ordinance No. 2009-5 only: 8:10 PM Close: 8:11 PM

Mrs. Fran Wilkins, 96 North Garden Blvd. asked for an explanation of the Ordinance.

Township Committee explained that the ordinance establishes registration and enforcement guidelines for placement of donation clothing bin within the community.

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION

Motion to Approve Resolution No. 2009-56 through 2009-59 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: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009 -56

RESOLUTION TO CREATE TEMPORARY EMERGENCY APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2009 to the date of adoption of the 2009 budget,

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, is desirous of making such Emergency Temporary Appropriations, and

WHEREAS, said Temporary Appropriations shall be included in the 2009 Budget as finally adopted under the correct appropriation titles in said 2009 Budget.

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

<u>OPERATIONS INSIDE CAP</u>	<u>2009</u>
GENERAL GOVERNMENT	
Administrative and Executive:	
Salaries and Wages	\$ 39,390.00
Township Committee	
Salaries and Wages	\$ 4,200.00
Municipal Clerk	
Salaries and Wages	\$ 16,545.00
Financial Administration:	
Salaries and Wages	\$ 3,375.00
Assessment of Taxes:	
Salaries and Wages	\$ 5,013.00
Collection of Taxes:	
Salaries and Wages	\$ 13,500.00
Legal Services and Costs:	
Other Expenses	\$ 12,000.00
Municipal Land Use Law (NJSA 40:55D-1)	
Planning Board:	
Salaries and Wages	\$ 750.00
Police:	
Salaries and Wages	\$ 356,340.00
Contribution to First Aid Organization:	\$ 8,100.00
Municipal Prosecutor:	
Other Expenses	\$ 3,300.00
STREETS AND ROADS	
Road Repairs and Maintenance:	
Salaries and Wages	\$ 102,850.00
Garbage and Trash Removal:	
Salaries and Wages	\$ 1,350.00
Contractual	\$ 115,000.00
Board of Health:	
Salaries and Wages	\$ 1,200.00
UCC INSURANCE	\$ 2,400.00
UTILITIES:	
Electricity	\$ 10,500.00
Street Lighting	\$ 21,000.00
Telephone	\$ 5,850.00

Water	\$ 1,200.00
Fuel Oil/Natural Gas	\$ 5,400.00
Telecommunications	\$ 5,550.00
Gasoline/Diesel	\$ 15,000.00

Uniform Construction Code-
Appropriations Offset by Dedicated Revenues (NJAC 5:23-4.17)

Inspection of Buildings:	
Salaries and Wages	\$ 26,000.00
Plumbing Inspector:	
Salaries and Wages	\$ 1,750.00
Electrical Inspector:	
Salaries and Wages	\$ 1,750.00
Fire Protection Official:	
Salaries and Wages	\$ 1,750.00

Total Operations within CAPS	\$ 781,063.00

Deferred Charges and Statutory Expenditures-Municipal Within CAPS

Deferred Charges:

Statutory Expenditures:

Contribution to:

Contribution to Social Security System	\$ 47,100.00

Total Deferred Charges and Statutory Expenditures – Municipal within CAPS	\$ 47,100.00

Total General Appropriations for Municipal Purposes Within CAPS	\$ 828,163.00

OPERATIONS excluded from CAP

Municipal Court:	
Salaries and Wages	\$ 27,500.00
Public Defender	
Other Expenses	\$ 0.00
Community Services Act:	\$ 63,000.00
Affordable Housing	
Other Expenses	\$ 7,500.00
State and Federal Grants:	
COPS More	

Total Operations Excluded from CAP	\$ 118,000.00

Public and Private Programs Offset by Revenues

Capital Improvement Fund	0.00

Total Capital Improvements Excluded from CAPS	0.00

Municipal Debt Service – Excluded from CAPS	0.00

Total Municipal Debt Service-Excluded from CAPS	0.00

Deferred Charges	
Deferred Charges to Future Taxation – Funded:	
Special Emergency Authorizations	0.00

Total Deferred Charges – Municipal –Excluded from CAPS	0.00

Total General Appropriations for Municipal Purposes Excluded from CAPS	\$ 0.00
Subtotal General Appropriations	\$ 946,163.00
Reserve for Uncollected Taxes	0.00

Total General Appropriations:	\$ 946,163.00

RESOLUTION NO. 2009-57

*A RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE TOWNSHIP OF
EDGEWATER PARK AND THE NEW JERSEY HOUSING AND MORTGAGE FINANCE
AGENCY FOR THE LIVE WHERE YOU WORK PROGRAM*

WHEREAS, the Township of Edgewater Park and the New Jersey Housing and Mortgage Finance. Agency (the "HMFA") desire to enter into an Agreement for the "Live Where You Work Program" ("LWYW") to undertake shared responsibilities in administering such program; and

WHEREAS, the HMFA created the LWYW program to increase home ownership and enhance housing affordability opportunities within partner municipalities by offering home buying incentives to persons employed within participating municipalities and encouraging the use of public transit and other forms of non-auto transportation for commuting to work, in furtherance of smart growth planning principles; and

WHEREAS, the LWYW is a partnership between HMFA and participating municipalities wherein the HMFA is responsible for providing enhanced financing benefits to eligible home buyers and participating municipalities are responsible for marketing the LWYW to persons employed within their municipal boundaries; and

WHEREAS, the Township Committee of the Township of Edgewater Park desires to enter into such Agreement with the HFMA as being in the public interest by: (I) creating

enhanced homeownership opportunities within the Township; (2) furthering the use of public transportation, which provides an economic benefit by reduction of fuel use; (3) the reduction of traffic congestion; and (4) the reduction of air and noise pollution within the Township of Edgewater Park, all of which are to the benefit of the health, safety and welfare of the citizens of the Township of Edgewater Park, County of Burlington and State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, being the governing body thereof, that the Agreement between the Township of Edgewater Park and the New Jersey Housing and Mortgage Finance Agency for the "Live Where You Work Program" setting forth the shared responsibilities to administer such program be and is hereby authorized for a term of three (3) years from the execution of such Agreement by both parties; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute and the Township Clerk to witness such Agreement with the New Jersey Housing and Mortgage Finance Agency for the "Live Where You Work Program" in a form to be approved by the Township Attorney; and

BE IT FURTHER RESOLVED, that a copy of such Live Where You Work Program Agreement shall be on file in the Township Clerk's Office.

**AGREEMENT BETWEEN
NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY
AND THE TOWNSHIP OF EDGEWATER PARK FOR
THE LIVE WHERE YOU WORK PROGRAM**

This Agreement is made on this 17th day of March, by and between The Township of Edgewater Park ("municipality") and the New Jersey Housing and Mortgage Finance Agency ("HMFA"), a body corporate and politic and an instrumentality exercising public and essential governmental functions of the State of New Jersey, created pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended, N.J.S.A. 55:14K-1 et seq. (the "Act"), having with a place of business at 637 South Clinton Avenue, Trenton, New Jersey.

Purpose

The purpose of this Agreement is to create an understanding by and between HMFA and the municipality regarding the shared responsibilities in administering HMFA's Live Where You Work (LWYW) Program.

Background

HMFA created the LWYW program in order to increase homeownership and enhance housing affordability opportunities within partner municipalities. The LWYW program offers homebuying incentives to persons employed within participating municipalities. Additionally, LWYW encourages the use of public transit and other forms of non-auto transportation for commuting to work, in furtherance of smart growth planning principles.

LWYW is a partnership between HMFA and participating municipalities. HMFA is responsible for providing enhanced financing benefits to eligible homebuyers as defined in the LWYW Fact Sheet, (see Attachment A) which the Agency may amend. Municipalities are responsible for marketing LWYW to persons employed within their municipal boundaries.

The financing benefits from HMFA include: (1) down payment and closing cost assistance under the Agency's Smart Start Program to eligible borrowers as defined in the LWYW Program Guidelines; and (2) expanded housing and debt ratios for homebuyers in underwriting the mortgage loan to factor in the reduction in travel expenses realized as a result of the homebuyer living close to their place of employment.

Understanding

1. RESPONSIBILITIES OF THE MUNICIPALITY.

- a. The municipality shall create an Outreach and Distribution Plan ("The Plan"). The Plan will, at a minimum, identify the top ten employment centers in the municipality and schedule outreach meetings with executive and human resource managers to market the program. The Plan shall provide a strategy for approaching the local media network (radio or television) through which the municipality can make public service announcements about the Program.
- b. The municipality shall approve the final marketing brochure prior to public release. The municipality shall provide program brochures for distribution to employers and distribute them to all municipal employees.
- c. The municipality shall contribute up to half the cost of printing and reproducing the brochure (up to approximately \$3000).
- d. The municipality shall describe the LWYW program on their municipal website. The LWYW web page must employ a short domain name that can be referenced easily from the LWYW brochure.
- e. The municipality shall participate in at least one public relations event for the Program.
- f. The municipality shall coordinate one public housing fair, which includes arranging for a location, providing necessary staff support, and promoting the event through local channels.
- g. The municipality is encouraged to identify further incentives for homebuyers in addition to the benefits offered through the LWYW program. The incentive may come from a third party, such as a local lender who serves as the originator of HMFA mortgage. For example, the lender could waive the application fee or provide direct closing cost/down payment assistance. Other examples might include gifts (bicycles, transit passes, local event or museum passes, etc.), credit counseling or discounts to appliance stores.

Third party partners will not be mentioned by name, logo, or website on the HMFA LWYW website or brochure. Instead, consumers will be encouraged to visit their municipality's website to learn about further incentives which are exclusive to their municipality. Municipalities are encouraged to promote their third party partnerships on their website.

- h. In addition, the municipality is encouraged to provide some quantifiable incentive to mortgage applicants who do not qualify for the HMFA financing. The incentive may come from a third party, such as a local lender who serves as the originator of HMFA mortgages and offers an alternative loan product for households not eligible for HMFA mortgages.

Third party partners will not be mentioned by name, logo, or website on the HMFA LWYW website or brochure. Instead, consumers will be encouraged to visit their municipality's website to learn about further incentives which are exclusive to their municipality. Municipalities are encouraged to promote their third party partnerships on their website.

2. RESPONSIBILITIES OF HMFA

- a. HMFA shall design a tri-fold marketing brochure and reproduce the necessary number of brochures, up to 25,000, for the Program.
- b. HMFA shall develop a custom website for LWYW that will provide information about the program in general, as well as specific pages for each participating municipality; participating municipalities will be able to link directly to their specific page.
- c. HMFA shall coordinate and manage one public relations event.
- d. HMFA shall assist the municipality in planning the housing fair.
- e. HMFA shall approve the municipal Outreach and Distribution Plan.
- f. HMFA shall assist the municipality with identifying appropriate municipal incentives for non-HMFA eligible applicants. HMFA shall approve the municipal incentive.

3. TERMS OF MEMORANDUM OF UNDERSTANDING

Unless terminated earlier in accordance with provision 4 hereof, this Agreement shall remain in full force until three (3) years from the execution of this Agreement.

4. EARLY TERMINATION

Termination Upon Notice. The municipality or HMFA may terminate this Agreement upon 60 calendar days advance notice to the parties. If the Agreement is terminated under this section, the municipality and HMFA shall complete all unfinished and ongoing obligations under the Agreement.

Reduction or Termination Due to Fiscal Constraints. Anything to the contrary in this Agreement notwithstanding, the parties agree that their ability to honor the terms and conditions of this Agreement is contingent upon the availability of HMFA financing to support the mortgages, down payment and closing cost assistance, and funds to support operating and marketing costs. If, during the term of this Agreement, funds are unavailable, both parties reserve the right, upon Notice to the other party, to commensurately reduce the extent of their obligations under this Agreement or to terminate the Agreement.

5. ADDITIONAL PROVISIONS

Application of New Jersey Law. This Agreement shall be governed, construed, and interpreted in accordance with laws of the State of New Jersey. If any legal action should be filed by any party against any the other in connection with this Agreement

and/or other Loan Documents, the venue and forum for such action shall be the New Jersey Superior Court, Mercer County.

Limitation of Liability. It is mutually agreed by the Municipality and the Agency that the Agency and its members, directors, officers, agents, servants, employees, and attorneys shall not be liable for any action performed under this Agreement, and that the Municipality shall hold them harmless from any claim or suit of whatever nature.

Any claims asserted against the Agency shall be subject to the New Jersey Contractual Liability Act, N.J.S.A. 59:13-1, et m, (except for N.J.S.A. 59:139 thereof). While this statute is not applicable by its terms to claims arising under contracts with the Agency, the Municipality agrees that it shall be applicable to claims arising under this Agreement. It is acknowledged by the parties that the Agency is a public entity covered by the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et seq.

Exercise of Rights. A failure or a delay on the part of the municipality or HMFA in exercising any right, power or privilege under this Agreement shall not waive that right, power or privilege.

Moreover, a single or partial exercise shall not prevent another or further exercise of that or any other right, power or privilege.

6. AGREEMENT SIGNATURES AND DATES. The terms of this Agreement have been read and understood by the persons whose signatures appear below. The parties agree to comply with the terms and conditions of the Agreement set forth on the preceding pages in paragraphs 1 through 6, and any related Annex(es). This Agreement contains within its four corners the entire agreement of parties and oral evidence tending to contradict, amend or supplement the Agreement is inadmissible; the parties having made the Agreement as the final and complete expression of their understanding.

Resolution No. 2009-58

*Resolution Appointing a Municipal Housing Liaison
for the Township of Edgewater Park, County of Burlington*

WHEREAS, the Township Committee of Township of Edgewater Park petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on September 27, 2002 and

WHEREAS, Township of Edgewater Park's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., Township of Edgewater Park is required to appoint a Municipal Housing Liaison for the administration of

Township of Edgewater Park's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, Township of Edgewater Park has created Chapter 2.06 entitled: "AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING THE TOWNSHIP OF EDGEWATER PARK'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT." to provide for the appointment of a Municipal Housing Liaison to administer Township of Edgewater Park's affordable housing program.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of Township of Edgewater Park in the County of Burlington, and the State of New Jersey that Linda M. Dougherty, Township Administrator, is hereby appointed by the Township Committee of Township of Edgewater Park as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Sections 2.06 of Township of Edgewater Park's Municipal Code.

RESOLUTION NO. 2009-59

*DEDICATION BY RIDER FOR DONATIONS AND FUNDRAISING ACTIVITIES
FOR PUBLIC PARKS*

WHEREAS, the Township Committee of the Township of Edgewater Park, by Resolution No. 80-2005 established a mechanism in which citizens could make donations to the Township of Edgewater Park for park restoration and improvements; and

WHEREAS, the Township Committee is desirous of expanding those efforts by establishing a mechanism in which citizens can hold fundraising activities or make donations to the Township of Edgewater Park for park restoration and improvements; and

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditure of monies by dedication by rider; and

WHEREAS, the Township Committee of the Township of Edgewater Park anticipates to receive funds and account for said funds in the Memorial Donations for Public Parks Trust Fund; and,

WHEREAS, the earmarked funds are to be used for various expenses for park restoration and improvements to include, but not limited to design, purchasing and installation of trees, flowers and other plantings, benches, tables, commemorative plaques and signs; and

NOW, THEREFORE, BE IT RESOLVED that such fees received by the Township of Edgewater Park, County of Burlington, State of New Jersey, be placed in a specific trust fund and such trust fund shall be considered a "Dedication by Rider" to the budget of the local unit per N.J.S.A.40A:4-39 for the sole purpose stated above.

NOW, THEREFORE, IT BE FURTHER RESOLVED that the he municipal clerk of the Township of Edgewater Park is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

APPROVAL OF BILLS

Approval of Bills for March 3, 2009 thru March 13, 2009

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 8:06 PM

CLOSE: 8:35 PM

The Mayor opened the meeting to the public.

Mr. Dennis Robbins, 9 Crystal Drive advised Township Committee that the Environmental Committee still does not have a the hundred fifty dollars to plant the trees at Roosevelt Park. Mr. Robbins suggested Township Committee and himself donate \$25.00 to each to make up the \$150.00.

Mrs. Dougherty stated open space money can be used for park improvements. Mrs. Dougherty directed Mr. Robbins to provide Mr. Painter with a plan for the Roosevelt Park tree plantings; Mr. Painter to establish planting dates.

Mr. Robbins advised the Township Committee that their work session committee conflicts with the Fire Commissions meeting.

Mr. Robbins further commented that he hopes the problems with Silver Park West will be over soon.

Mr. Gil Maupin, 1619 Bridgeboro Road, commented things seem to be confused with the Branches of Love program and sponsorship level donations but he requested patience with the installation of the trees from committee and residents.

Mr. Kearns donated one hundred and fifty dollars to the Environmental Committee to plant the trees necessary at Roosevelt Park.

Michelle Jankowski, 305 Monroe Avenue, questioned whether there is a video warehouse on E. Franklin Ave.

Mr. Kearns stated the Township is aware of the situation and is looking into it.

Ms. Jankowski further questioned why the Township is not developed like Willingboro and why the former Kings property is not developed.

Township Committee discussed that the Redevelopment Committee meets every second Thursday and she is more than welcome to attend. They further discussed that the township

does not own property on Route 130; the property is all privately owned and development time frame is at the discretion of the owner. They further discussed that the township does own the former drive-in theatre site and they are working with a developer to get the property developed.

Linda Dougherty further discussed that some of the upcoming developments approved by the Planning Board include the Royal Auto Group at the old Jonathan Motors Site, Amcor Inc and the Cardinale Retail Development.

Hearing no other residents wishing to speak, the mayor closed this portion of the meeting to the public.

Resolution No. 2009-60
Closed Session

Where it is necessary to discuss matters concerning the sale and development of public property. Where it is necessary to discuss matters concerning 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 concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 8:39PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:16

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:16

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
APRIL 6, 2009**

Mayor Mount called the meeting to order at 7:10 PM. The meeting was held jointly with the City of Beverly and representatives of Emergency Management.

FLAG SALUTE

STATEMENT OF THE MINUTES

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 April 1, 2009.
- B. By e-mailing written notice to the Burlington County Times And Courier Post on April 1, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on April 1, 2009.

Present: Mr. Darrell Booker, Mr. Kevin Johnson, Mayor Donna Mount (Committee Members)

Absent: Mrs. Judith Hall and Mr. Joseph Pullion (Committee Members)

Also present:

Mr. Robert Brian, Chief of Police,
Mrs. Linda Dougherty, Clerk/Administrator,
Mr. Al Desjardins, Beverly/Edgewater Park OEM,
Lt. Gene DiFillippo, Edgewater Park Police Department,
Sgt. Patrick Gorman, New Jersey State Police OEM,
Wayne Comegno, Burlington County OEM,
Mr. Kevin Tuno, Burlington County OEM,
Mr. Lewis Crespo, Beverly City,
Mrs. Gail Cook, Beverly City,
Mrs. Darlene Desjardins, Burlington County OEM

DISCUSSION(S)/PRESENTATION(S):

Joint Meeting Between the City of Beverly and Edgewater Park Township
Office of Emergency Management – Update Emergency Operations Plan

Mr. Desjardins, Executive Emergency Management Coordinator, Sgt. Patrick Gorman, New Jersey State Police OEM, Wayne Comegno, Burlington County OEM, and Mr. Kevin Tuno, Burlington County OEM, presented an overview of the progress of Emergency Management over the last four years and reviewed the revised/updated 2008 Emergency Operations Plan which established policies and procedures to be carried out by municipal and volunteer entities during an emergency.

OPEN TO THE PUBLIC

Hearing no residents wishing to speak, the mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS.

ADJOURN

Moved by: Mr. Booker Second: Mr. Johnson Time: 8:07 PM

Roll Call: Mr. Booker-yes Mr. Johnson-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
APRIL 7, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Mr. Tom Miller, Township Engineer (Public).

DISCUSSION(S)/PRESENTATION(S): NONE

REPORTS

The report from The Solicitor is for closed session only.

Report From The Engineer is appended hereto.

Lincoln Avenue Drainage and Paving Project:

Mr. Miller reported the Lincoln Ave project is almost complete.

Mrs. Dougherty notified Mr. Miller of a crack in the sidewalk at 332 Lincoln Avenue.

North and South Arthur Drive Reconstruction:

Mr. Miller received a complaint regarding pitting at 412 S. Arthur Drive due to the homeowner salting the street; the pitting was not due to contractor error so the contractor would not be responsible for the repair.

Cooper Street Revitalization:

Mr. Miller stated there are four more handicap ramps on the corner of Green and Cooper.

Upon discussion, Township Committee decided to wait until discussions with the County could be completed; the township is requesting clarification of the handicap upgrades at the intersection of Green and Cooper because the TEA-21 Project was recently approved by the County and the removal may disrupt the existing pavers recently installed. The township engineer is reviewing the TEA-21 Grant to see if any of the additional improvements can be addressed under the grant.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

JAG Grant Application for the Police Department:

Upon discussion Township Committee directed Mrs. Dougherty to move forward with Memorandum of Understanding to be approved by the Township Solicitor and to be memorialized at the April 21, 2009 meeting of the Township Committee.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Report from Municipal Clerk/Administrator is appended hereto.

Sustainable Jersey Small Grants Program funded by Walmart:

Upon discussion Township Committee decided to approve a resolution to establish the Green Team.

RESOLUTION NO. 2009-68

Establishing a Green Team Advisory Committee

WHEREAS, the Township Committee of the Township of Edgewater Park strives to save tax dollars, assure clean air and water, improve working and living environments to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee wishes to establish a Green Team Advisory Committee (GTA); and

WHEREAS, the Township Committee of the Township of Edgewater Park wants to begin the process of focusing on “Green” issues by starting with audits of municipality facilities and operations first.

WHEREAS, the Township Committee of the Township of Edgewater Park has appropriated “seed money” in their 2009 budget to begin the process of making its operations greener, and more environmentally friendly beginning with energy audits of the Township’s facilities to pinpoint the most effective ways to reduce energy consumption; and

WHEREAS, solar power, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park that we do hereby establish a Green Team Advisory Committee consisting of eleven members who shall be residents or employees of Edgewater Park Township, appointed annually, but whose initial term of appointment shall be through December 31, 2009.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Edgewater Park that the Mission, Goals and Objectives for the GTA through December 31, 2009 are established as follows:

Mission

The Edgewater Park Township Green Team Advisory Committee will advise the township committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

Goals

Submit a report and recommendations to the Township Committee by October 1, 2009 to include:

1. An audit of municipal facilities
2. An evaluation of municipal fleet vehicles
3. A report of suggested best practices for “greener” municipal operations

Objectives

Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the GTA.
Encourage participation of all employees to solicit ideas on green initiatives.
Research and analyze green initiatives which make practical environmental and financial sense.
Develop strategies for sustainable green initiatives in municipal operations.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Edgewater Park that the Mayor shall appoint a seven person Green Team Advisory Committee.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Chief Financial Officer:

Mrs. Margaret Peak has received her certificate as a certified Chief Financial Officer. Her Oath of Office will be administered at the April 21, 2009 meeting; effective date of appointment will be determined by contract.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit:

Burlington County Special Olympics, Use of Kite Field Bocce Courts, Thursdays, April 2 - May 28, 2009 5:30 PM – 7:30 PM (Certificate of Insurance on File)

Moved by: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit:

Mr. Jim Daly, Beverly Edgewater Park Emergency, Easter Flower Sale (letter of permission from owner submitted) from April 10, 2009 through April, 11, 2009; request fee waiver. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Mr. Robert Busch, Knights of Columbus, Donations at Wawa , Cramps and Pathmark (letter of permission from owner submitted) from April 24, 2009 through April, 26, 2009; request fee waiver. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Mr. James R. Cummings for Tap Enterprises for Merchandise Sales, Elks Lodge # 2550, (letter of permission from owner submitted) from April 15, 2009 11:00 am – 7:00 pm; required fee paid. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mayor Mount

Upon discussion: Mr. Kearns stated it was okay for the board members who are part of the Elks to vote because they are not Executive Board Members.

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Kevin Johnson liaison to Neighborhood Watch/Recreation meeting was productive last month and they are considering having a CPR class. The Red Cross will be at the May meeting to discuss the Blood Drive being held at the Municipal building on June 11 from 1 pm to 7 pm. Mr. Johnson further informed committee an executive committee has been formed with a smaller committee dedicated specifically for fundraiser.

Mr. Tom Pullion liaison to Economic Redevelopment reported the committee is looking into the entrance signs and receiving sponsors for the rest of the signs as a fundraising effort; sign cost is pending.

Mrs. Judy Hall thanked Mr. Painter and Mr. Maupin for the help with the tree plantings at Roosevelt Park.

Mrs. Hall further cited an article in the April 2009 edition of the League of Municipalities entitled “Municipalities Can Now Make Traffic Decisions”. The article reviews how Municipal and County Governments now have the authority to make some of their own traffic engineering approvals that once required NJDOT approval. Mrs. Hall questioned whether this could be used for the intersection at Bridgeboro Road and Green Street which she recently requested to be turned into a four way stop.

Mr. Darrell Booker, liaison to the Recreation Committee wanted to thank everyone for their help with the Breakfast with the Bunny; the event was well received with many residents in attendance.

Burlington City's Project Graduation

Upon discussion, Township Committee approved a one hundred dollar donation to Burlington City's Project Graduation on behalf of the Edgewater Park Recreation Committee.

Moved by: Mr. Booker Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Mayor Donna Mount, informed everyone we will be having a blood drive sponsored by the American Red Cross on June 11th from 1:00 PM to 7:00 PM at the Municipal Building.

Mayor Mount liaison to the Mayor's Advisory further discussed that Community Day will be held at the Municipal Building on Sunday June 14th. Mayor Mount is coordinating with the Committees, Boards, Local, County and State Representatives, Live Where You Work Program, and the River Route to have a representative available from each board.

RESOLUTION

Motion to Approve Resolution No. 2009-61 through 2009-67 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: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-61

A RESOLUTION HONORING OUR TROOPS AND "SUPPORT OUR TROOPS DAY"

WHEREAS, the people of this municipality support the New Jersey National Guard and Reserve in the strongest possible terms, are immensely proud of their accomplishments, and are extremely grateful for their services to this State and to the nation over the years;

WHEREAS, in the highest American tradition, the patriotic men and women of the Guard and Reserve serve voluntarily in an honorable and vital profession by responding to their community and their country in time of need,

WHEREAS, it is right and proper that we set aside time to honor these fine men and women for the sacrifices they make for every one of us,

WHEREAS, the New Jersey National Guard State Family Readiness Council is honoring them with a concert by the Blawenburg Band at the National Guard Armory in Lawrenceville on "Support Our Troops Day" on Sunday, April 19, 2009,

THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park, County of Burlington, hereby resolves that it honors these service members and the day of appreciation set aside for them,

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the New Jersey National Guard State Family Readiness Council, and the New Jersey League of Municipalities.

RESOLUTION NO. 2009-62

AUTHORIZE REAL PROPERTY ASSESSMENT APPEALS

WHEREAS, the Township Tax Assessor is required by law to assess the real property located in the Township of Edgewater Park at 100% of true value as of October 1 of the pre-tax year and to file the tax duplicate with the Burlington County Board of Taxation setting forth said assessments; and

WHEREAS, at times it is necessary to revise and adjust the assessments set forth in the tax duplicate which requires the Township to file a municipal appeal pursuant to Title 54, commonly known as an Assessor's appeal; and

WHEREAS, property owners occasionally file tax appeals from said assessments requiring the Township to defend the assessments with the advice and assistance of the Township Tax Assessor; and

WHEREAS, the Township Committee desires to authorize the Township Assessor to take necessary action with respect to assessment lists and appeals.

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:

1. That the Township Council, for the aforementioned reasons, hereby authorizes the Township Tax Assessor to prepare and file the appropriate appeals, revisions and corrections of the aforementioned assessments with the prior advice of the Township Attorney and approval of the Township Council.
2. That the Township Tax Assessor is hereby authorized to assist the Township in defending the Township tax appeals with the advice of the Township Attorney and with the prior approval of the Township Committee.

RESOLUTION NO. 2009-63

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY AUTHORIZING THE SUBMISSION OF THE 2008 TONNAGE GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of Edgewater Park Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Township of Edgewater Park hereby endorses the submission of the 2008 recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Aubrey Painter, Edgewater Park Recycling Coordinator to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the 2008 recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

RESOLUTION NO. 2009-64

A Resolution To Affirm The Township Of Edgewater Park's Civil Rights Policy With Respect To All Officials, Appointees, Employees, Prospective Employees, Volunteers, Independent Contractors, And Members Of The Public That Come Into Contact With Municipal Employees, Officials And Volunteers

WHEREAS, it is the policy of the Township of Edgewater Park to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of the Township of Edgewater Park has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Committee of the Township of Edgewater Park that:

Section 1: No official, employee, appointee or volunteer of the Township of Edgewater Park by whatever title known, or any entity that is in any way a part of the Township of Edgewater Park shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township of Edgewater Park's business or using the facilities or property of the Township of Edgewater Park.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Township of Edgewater Park to provide services that otherwise could be performed by the Township of Edgewater Park.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Township Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Township Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the (local unit type) as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Township Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Township Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Township of Edgewater Park. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on Township of Edgewater Park's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspapers which are the Burlington County Times and the Courier Post in order for the public to be made aware of this policy and the Township of Edgewater Park's commitment to the implementation and enforcement of this policy.

RESOLUTION NO. 2009-65

Resolution Requiring That Funds Held by the Township Solicitor on the transaction between the Township of Edgewater Park and Quest Properties, LLC and Between the Township of Edgewater Park and Greater American Communities II, LLC BE turned over to the Township Of Edgewater Park

WHEREAS, the Township Committee of the Township of Edgewater Park entered into an Agreement of Sale dated November 24, 2004 between the Township of Edgewater Park as "Seller" and Quest Properties, LLC, Ocean Township, NJ and/or their assigns as "Buyers" for the purchase of Lot 4.01 Block 1202; and

WHEREAS, by Assignment Agreement dated October 29, 2004, Quest assigned all of the right, title and interest in and to the Sale Agreement to Greater American Communities, II, LLC pursuant to Section 13.3 of the Sale Agreement; and

WHEREAS, under the terms of the Agreement the Buyers posted a deposit for their good and faithful performance under the terms of the Agreement, the deposit to be held by the Township Solicitor, James M. Vogdes, III, which deposit was transferred to William John Kearns, Jr, and his law firm upon his appointment as Township Solicitor, and

WHEREAS, the Quest Properties and Greater American Communities, II, LLC breached the agreement and failed to complete the purchase of the property in accord with the contract provisions, and

WHEREAS, under the terms of the Agreement the Township has the right to pursue all claims against the Buyer upon the Buyer's breach of the Agreement, and

WHEREAS, the Township elects to treat the deposit as liquidated damages for the Buyer's breach of the Agreement,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Township Solicitor, William John Kearns, Jr., and his law firm, be and hereby are directed to turn over the funds held in escrow for the performance of the contract obligations by the buyer to the Township of Edgewater Park, and

BE IT FURTHER RESOLVED that the Township of Edgewater Park will indemnify and hold harmless William John Kearns, Jr. and his law firm for any claims arising out of the turnover of the funds in compliance with this Resolution.

Resolution No. 2009-66

*Authorizing Release of Performance Surety Bond # 104767732
and Establishment of Maintenance Bond # 105209879
for the New Jersey American Water Company*

WHEREAS, the Edgewater Park Planning Board approved the site plan of New Jersey American Water Company, for Block 803, Lot 1.01, per Resolution No. P-25-2005 (Cooper Street Improvement Project); and

WHEREAS, Township Engineer, Environmental Resolutions, Inc. were asked to inspect and report on the required improvements by New Jersey American Water Company, for purposes of establishing a Maintenance Bond for Block 803, Lot 1; and

WHEREAS, the Planning Board Engineer, Environmental Resolutions, Inc. established the original performance bond requirements in the amount of \$154,974.00 which was adopted by Resolution No. 133-2006; and

WHEREAS, the Township Engineer was asked to inspect and report on the bond release and establishment of a maintenance guarantee for New Jersey American Water Company, and

WHEREAS, the Township Engineer, Environmental Resolutions Inc., inspected and recommended the release of the Performance Guarantee and the establishment of the Maintenance Bond in the amount of fifteen percent (15%) of the construction costs or \$19,371.75 (see Bond Release Site Inspection letter dated October 13, 2008); and

WHEREAS, the Township Solicitor has reviewed said Maintenance Bond # 105209879 and has found it to be in compliance.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Performance Surety Bond # 104767732 be released and the Maintenance Bond # 105209879, be posted for a two year period effective April 7, 2009.

RESOLUTION NO. 2009-67

Resolution Adopting the Updated Emergency Operations Plan

WHEREAS, the Beverly City/Edgewater Park Township Local Emergency Planning Council, in year 2000 and subsequently amended in year 2004 developed an Emergency Operations Plan; and

WHEREAS, Beverly City Council and Edgewater Park Township Committee held a joint meeting on April 6, 2009 to review the updates and revisions of the Emergency Operations Plan recommended by the Beverly City/Edgewater Park Township Local Emergency Planning Council; and

WHEREAS, the Beverly City/Edgewater Park Township Local Emergency Planning Council has prepared the 2008 Emergency Operations Plan setting forth the general policies and procedures to be carried out by municipal and volunteer entities in order to provide the citizens of these jurisdictions with an effective Emergency Response Plan designed to minimize the loss of life and property during an emergency.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Edgewater Park Township does hereby adopt the 2008 Emergency Operations Plan; and

APPROVAL OF BILLS

Approval of Bills for March 14, 2009 thru April 3, 2009

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC:

The Mayor opened the meeting to the public

CLOSE:

Mr. Dennis Robbins, Environmental Committee, informed Township Committee, the flea market fundraiser being held on 5/9/09 participants will submit the \$20.00 per table fee at the Administrative offices of the Township.

Mr. Robbins also stated the trees are installed at Roosevelt Park; one flowering pear tree died.

Mr. Robbins suggested creating a committee similar to the train station garden club committee to maintain the West Franklin Avenue islands. He further commented that trees were planted under utility wires.

Mr. Dennis Robbins, 9 Crystal Drive, further discussed the Silver Park West, LLC litigation and he would like to have the litigation settled in a timely manner.

Mr. Stanley Palowski, 14 Spring Lane, questioned whether the Township could take over the streets at Silver Park West in order for the police to patrol for speeding.

Mr. Palowski, further commented whether the New Jersey Lottery gives funds to the Township. Upon discussion, the committee stated no monies from the NJ Lottery are forwarded to the Township.

Mr. Noel Rainey, 7 Spring Lane, requested Township Committee to consider flowers for the train station and to understand the hydrating constraints. Also, the Train Station Garden Club needs more volunteers because representatives have not been showing up. After much discussion, Township Committee decided to reach out to our local schools for assistance; Mrs. Hall, liaison, will contact school administration.

Mr. Rainey, further requested New Jersey American Water Company to paint the fire hydrants.

Mr. Rainey questioned when the development at Silver Park West would be completed.

After much discussion, Township Committee informed the residents of Silver Park West that the Township is working to resolve the problems at the development; the Township filed suit against the builder (SPW, LLC) naming the SPW Homeowners and Condominium Associations in the litigation in an effort to resolve matters. The executive boards of both associations have been included in meetings.

Hearing no other residents wishing to speak, the mayor closed this portion of the meeting to the public.

Resolution No. 2009-69

Closed Session

Where it is necessary to discuss matters concerning the sale and development of public property. 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 concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 8:57 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 11:13 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mrs. Hall Second: Mr. Pullion Time: 11:13 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. H all-yes, Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
APRIL 21, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public).

STUDENT COUNCIL

Also present today were the Student Advisor for Ridgway Middle Schools Student Council, Patti Iwanicki and the members of the Student Council. Student Council Members were observing the proceedings in anticipation of shadowing Committee Members at the May 19th general session meeting.

APPOINTMENTS/RESIGNATIONS:

Administration

Margaret Peak, Chief Financial Officer; pending execution of an employment contract; effective December 10, 2008.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes
Mayor Donna Mount administered the Oath of Office to Margaret Peak, Chief Financial Officer in the presence of her family.

Police Department

Officer John Harris, as Sergeant with the Edgewater Park Police Department

Moved by: Mr. Booker Second: Mrs. Hall

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Mayor Donna Mount administered the Oath of Office to Sergeant John Harris in the presence of his family.

Officer Mark Herkoperec, as Sergeant with the Edgewater Park Police Department

Moved by: Mrs. Hall Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Mayor Donna Mount administered the Oath of Office to Sergeant Mark Herkoperec in the presence of his family.

REPORTS

The report from The Solicitor is for closed session only.

Report from Municipal Clerk/Administrator is appended hereto.

Train Station Garden Club:

Mrs. Dougherty notified everyone present that the Train Station Garden Committee has planned the spring clean up and flower planting for May 16, 2009 at 9:00 am; the Committee welcomes anyone to assist in the program. The Train Station Garden Committee previously received an award from the Philadelphia Horticultural Society which recognized the work performed at the station.

New Jersey American Water Company Complaint

Mrs. Dougherty addressed complaints from residents in reference to the noise at the station on Cooper Street with New Jersey American Water Company. The Water Company stated they would be addressing the situation.

Vehicle Damage

The vehicle damage caused by a pot hole on Bridgeboro Road is being examined by both insurance companies.

Rain Storm:

FEMA stated we were overpaid by the \$6700.00 for the rainstorm payment in 2005. The \$6,700.00 will have to be reimbursed.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

PROCLAMATIONS:

Proclamation Supporting Governor Corzine's declaration for the Month of June 2009 as Myasthenia Gravis Awareness Month in the Township Of Edgewater Park

Moved by: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ADDITIONAL APPOINTMENTS:

Inspections:

Michael Stallone, Temporary Construction Official, April 13th – 17th, 2009

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Solicitors Permit: Acted on as a single motion.

Joan E. Schober; Mr. Softee Ice Cream Vendor, All appropriate documentation has been Filed, Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Harbor Schober; Mr. Softee Ice Cream Vendor, All appropriate documentation has been Filed, Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Andrew Williams, Mr. Softee Ice Cream Vendor, All appropriate documentation has been Filed; Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mrs. Hall reported through discussions with student council advisors Mrs. Iwanicki and Mr. McCann and Mr. Levay of the Train Station Garden Committee that the student council will be helping with the work on the Garden Committee on May 19. Mrs. Iwanicki discussed that Student Counsel representative Rebecca Hall will be in charge of the volunteers for this endeavor.

Mrs. Hall, liaison to the Senior Advisory Committee, notified the Committee that the Senior Defensive Driving course may have to be cancelled because only seven have applied and they need a minimum of fifteen in order to have the program.

Mr. Johnson liaison to the Neighborhood Watch Committee reported the upcoming meeting will be on Thursday, May 21; there will be a presentation concerning 911 dispatch program.

Mr. Johnson liaison to EPAA reported this past Saturday was opening day for softball and baseball. Flag football started on Sunday. Also, the EPAA was able to schedule a full day of activities and games for May 9 during the Environmental yard sale.

Mr. Pullion liaison to Economic Redevelopment reported as a result of the presentation from

Mark Remsa and Darlene Scocca we will be trying to integrate more of the Township Website with the County's Website, also add additional literature about the Route 130 activities.

Mr. Booker liaison to the Recreation Committee wanted to thank the student council volunteers for their help with the breakfast with the bunny.

Mayor Mount reported that today are School Board Elections if you have not voted until 9PM. Community Day is Sunday, June 14th from 12 noon to 4 PM with various representatives from state, county and local governments. There will also be a document shredder, the Dare vehicle and various Neighborhood Watch Fundraisers.

RESOLUTION

Motion to Approve Resolution No. 2009-70 through 2009-73 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: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Resolution No. 2009-70

A Resolution Supporting the Mayors Wellness Campaign

April 17, 2009

- Whereas, Across New Jersey, communities are facing a rise in health care costs, and
- Whereas, Physical activity levels have been decreasing and obesity rates increasing, and
- Whereas, Local leaders are looking for ways to promote active living, healthy eating, and overall wellness in their communities, and
- Whereas, The Mayors Wellness Campaign works with Mayors and key leaders to shape healthier lifestyles for the men, women and children in their communities, and
- Whereas, Communities can work towards the goal of healthier citizens and lower health care costs by championing practices and programs that promote active living, and
- Whereas, The Mayors Wellness Campaign will work to implement a comprehensive program of outreach, education and technical assistance activities to combat obesity and inactivity issues for the Township of Edgewater Park, now therefore be it
- Resolved, by the Township Committee of the municipality of Edgewater Park, New Jersey, ask that all residents of this community join us in supporting the Mayors Wellness Campaign, and be it further
- Resolved, That we encourage the residents of the Township of Edgewater Park to participate in Mayors Wellness Campaign activities to promote exercise, eating properly and living healthier and better lives.

RESOLUTION NO. 2009-71

***Authorizing Execution of an Interlocal Agreement and
Submission of the 2009 Byrne Justice Assistance Grant (JAG) Program Award***

WHEREAS, the Township of Edgewater Park was one of seventeen participating municipalities that were chosen by the US Department of Justice, Office of Justice Programs as disparate jurisdictions under the 2009 Byrne Justice Assistance Grant (Program); and

WHEREAS, Burlington County will serve as the lead applicant and submit a single application to the Program on behalf of the seventeen (17) participating municipalities; and

WHEREAS, the Township of Edgewater Park finds that it is in the best interests of the Township to enter into a Interlocal Agreement with the County of Burlington and that the undertaking of this will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, Burlington County agrees to provide the seventeen (17) participating municipalities with funding from the JAG award for the following eligible activities: purchase of police equipment and/or technology; payment of overtime to existing officers for allowable activities as per the grant guidelines; supplies; and/or, training.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee, of the Township of Edgewater Park that the Mayor and or Clerk/Administrator be authorized to execute and the Interlocal Agreement and any documentation required pertaining to the submission of or execution of the agreement for the 2009 Byrne Justice Assistance Grant (JAG) Program Award.

BE IF FURTHER RESOLVED by the Township Committee, of the Township of Edgewater Park, that Burlington County be authorized to forward said agreements and applications to the US Department of Justice, Office of Justice Programs.

RESOLUTION NO. 2009-72

RESOLUTION TO CREATE TEMPORARY EMERGENCY APPROPRIATIONS

WHEREAS, NJSA 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2009 to the date of adoption of the 2009 Budget,

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, is desirous of making such Emergency Temporary Appropriations, and

WHEREAS, said Temporary Appropriations shall be included in the 2009 Budget as finally adopted under the correct appropriation titles in said 2009 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park hereby authorizes the Temporary Appropriations as follows:

Committee advised him to submit the information along with the vehicle description and tag number to the Superintendent of Schools.

Dennis Robbins, 9 Crystal Drive: Speaking on behalf of the Environmental Advisory Committee thanked Mr. Painter for the installation of trash cans at Roosevelt Park. He further discussed that the Flea Market park improvements fundraiser is on schedule for May 9th; space is \$20.00 per table. Mr. Robbins also thanked Committee for the street acceptance of the Silver Park West development.

Gil Maupin, 1619 Bridgeboro Road: Mr. Maupin thanked the administration and public works employees for their assistance in getting the trees planted at Roosevelt Park. He further thanked the police department for the active presence at the park.

Mr. Maupin further discussed that it appears that some of the plantings on West Franklin Avenue maybe dying.

Mrs. Dougherty discussed that the engineer has been notified and a review final review of the project is pending.

Hearing no other members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

ANY OTHER BUSINESS

Resolution No. 2009-74

Closed Session

Where it is necessary to discuss matters concerning the development of public property. 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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 7:41 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:25 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ROLL CALL: Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

ANY OTHER BUSINESS

ADJOURN

Moved by: Mrs. Hall Second: Mr. Pullion Time: 10:25 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

DONNA MOUNT, MAYOR

LINDA M. DOUGHERTY, RMC/ADMINISTRATOR

**TOWNSHIP OF EDGEWATER PARK
MINUTES
APRIL 29, 2009**

Mayor Mount called the meeting to order at 7:00 PM

Flag Salute

STATEMENT OF THE MINUTES

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 April 24, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on April 24, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on April 24, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Public), Mr. Robert Brian, Chief of Police (Public), Mrs. Linda Dougherty, Clerk/Administrator (Public), Mrs. Margaret Peak, CFO (Public), Mr. Frank Van Gelder, Consultant - Chief Financial Officer (Public).

DISCUSSION:

2009 Budget

Township Committee and those present held a meeting on this date for discussion of the 2009 Municipal Budget; no formal action was taken on the budget.

Pension Deferral

Township Committee discussed whether to reduce pension contributions or to create a temporary emergency appropriation for the pension amounts.

Furloughs

Township Committee discussed that negotiations are ongoing with representatives from the CWA and police department. Furloughs options were discussed with the CWA representatives. Upon further discussion consensus of Committee was to institute one day per month furlough, preferably on a Wednesday, effective June 2009 through December 2010 with an alternative day given in case of emergency.

RESOLUTION

RESOLUTION NO.: 2009-75

Making Application to the Local Finance Board for a Reduced Pension Contribution Pursuant to N.J.S.A 43:15A-24(c) and N.J.S.A. 43:16A-15(9)

WHEREAS, the Township of Edgewater Park in the County of Burlington desires to make application to the Local Finance Board for its approval of a reduced pension contribution pursuant for its Police and Fire Retirement System contribution pursuant to N.J.S.A. 43:15A-24(c) and its Public Employee Retirement System contribution pursuant to N.J.S.A. 43:16A-15(9) for certain normal and accrued liability contributions in the amount of:

- Police and Fire Retirement System in the amount of \$ 81,543.50
- Public Employee Retirement System in the amount of \$ 31,643.00; and,

WHEREAS, the Township Committee has made certain determinations concerning this application as required by statute and has completed the required Attachment that documents said determinations; and,

WHEREAS, the Township Committee determined that it needs to pay the reduced contribution and said determination is in the public interest; and,

1. The inability of the Township of Edgewater Park to meet the cap without jeopardizing public safety, health, and welfare or jeopardizing the fiscal stability

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

Section 1. The reduced pension contribution Attachment, as attached hereto, is incorporated by reference into this Resolution as if contained fully within.

Section 2. The reduced pension contribution for PFRS in the amount of \$81,543.50 and PERS in the amount of \$ 31,634.00, pursuant to N.J.S.A. 43:15A-24(c) and N.J.S.A. 43:16A-15(9) et. seq. have been confirmed by the Chief Financial Officer and are the amounts deemed by the governing body for application to the Local Finance Board and as allowed by the New Jersey Division of Pension and Benefits.

Section 3. The application to the Local Finance Board is hereby approved, and the Chief Financial Officer, along with other representatives of the Township of Edgewater Park are hereby authorized to submit such application and to represent the Township of Edgewater Park in matters pertaining thereto.

Section 4. The Certification of the Chief Financial Officer of the Township of Edgewater Park, is incorporated into this Resolution as a certification of the truth and accuracy of the facts submitted in the application for pension deferral.

Section 5. The Clerk of the Township of Edgewater Park is hereby directed to file a copy of this reduced pension contribution resolution as part of the application with the Local Finance Board.

Section 6. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by law.
Moved by: Mr. Pullion Second: Mrs. Mount
Hearing no discussion:
Roll Call: Mr. Booker-no Mrs. Hall- no Mr. Johnson –no Mr. Pullion-no Mayor Mount –no
Motion Denied: 0,5,0.

**RESOLUTION NO. 2009- 76
RESOLUTION TO CREATE
TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, NJSA 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2009 to the date of adoption of the 2009 Budget,

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, is desirous of making such Emergency Temporary Appropriations, and

WHEREAS, said Temporary Appropriations shall be included in the 2009 Budget as finally adopted under the correct appropriation titles in said 2009 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park hereby authorizes the Temporary Appropriations as follows:

GENERAL GOVERNMENT

Police & Firemen’s Retirement	9-01-36-475-101	\$ 170,672.00
Public Employee Retirement	9-01-36-471-101	\$ 71,153.00

Moved by: Mr. Pullion Second: Mr. Johnson
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson –yes Mr. Pullion-yes Mayor Mount -yes

ORDINANCES

ORDINANCE NO. 2009-6

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AUTHORIZING THE TOWNSHIP TO SELL CERTAIN REAL PROPERTY IN THE TOWNSHIP; AUTHORIZING THE PREPARATION AND EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE TOWNSHIP AND THE MILLER GROUP; FURTHER AUTHORIZING THE PREPARATION OF AN AMENDED REDEVELOPMENT PLAN FOR BLOCK 1202, LOT 4.01 AND OTHER ADJACENT PROPERTIES

(FIRST READING)

WHEREAS, the Township of Edgewater Park (the “Township”) and the Miller Group have reached an Agreement under which the Miller Group will acquire all that certain real

property known and designated on the official tax map of the Township as Block 1202, Lot 4.01 (the “Property”);

WHEREAS, the subject property is in a Redevelopment Area and under the laws applicable to such areas the sale of property can be authorized by Resolution, and

WHEREAS, the Township Committee has determined that it is preferable, although not required, to authorize the sale through this Ordinance,

WHEREAS, by Resolution No. 31-98 dated May 14, 1998, the Township previously designated the Property as an “area in need of redevelopment”;

WHEREAS, in connection with the Township’s prior designation of the Property and other adjacent properties identified as Block 1202, Lot 4.01, Block 1202 Lot 9 and Block 1202 Lot 1.10 as a redevelopment property, the Township believes that it is appropriate at this time to authorize the amendment of the Redevelopment Plan and to specifically authorize the Agreement by this Ordinance, including the potential use of the power of Eminent Domain to acquire parcels needed for the completion of the Redevelopment Plan;

WHEREAS, the Miller Group intends to develop the Property and other adjacent properties into approximately an age-restricted residential community, and to develop a portion of the property for office use, including all associated roads, storm water drainage, active and passive recreation facilities, and open space (the “Project”); and

WHEREAS, in connection with the implementation of a Plan and Miller Group’s intent to develop the Property and other adjacent properties following their acquisition of the same, it will be necessary for the Township to prepare and have executed a development agreement by and between the Township and Miller Group, which agreement will serve to memorialize the specific terms and conditions of Great American’s development of the Property.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY THAT:

1. **Affirmation of the Sale of the Property.**

(a) The Township of Edgewater Park hereby reaffirms and establishes its commitment to sell certain real property known and designated on the official tax map of the Township of Edgewater Park as Block 1202, Lot 4.01 to Miller Group or their successors and assigns subject to the specific terms and conditions of its written agreement of sale substantially in the form attached hereto and incorporated herein.

(b) The Township's Clerk/Administrator, Solicitor and Special Counsel are hereby further designated and authorized on behalf of the Township to prepare and execute any and all documents by and on behalf of the Township to properly transfer the Property to Miller Group and/or their successors and assigns on a mutually convenient closing date established by the Township and Miller Group.

2. **Preparation of a Redevelopment Plan.**

In connection with the Township's prior designation of the Property as a "property in need of redevelopment" the Township hereby authorizes the Township Clerk/Administrator, Solicitor and Special Counsel to prepare and deliver to the Township Committee any amended Redevelopment Plan that may be required to implement the Agreement authorized herein..

3. **Redevelopment Agreement.**

The Township's Clerk/Administrator, Solicitor and Special Counsel are hereby further authorized and directed to prepare any needed amendments to the redevelopment Plan and redevelopment agreement, through which Miller Group will be permitted, subject to Township Planning Board approval to plan and construct the Project.

4. **Miscellaneous.**

(a) In the event that any section or portion of this Ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, each section or part shall, to the extent that it is unconditional, invalid, or inoperative,

remain in full force and affect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

(b) This Ordinance shall take effect as provided by Law.

This ordinance will be consider for adoption of final reading and public hearing to be held on May 19, 2009 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: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson –yes Mr. Pullion-yes Mayor Mount –yes

OPEN TO THE PUBLIC

Hearing no residents wishing to speak, the mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mrs. Hall Time: 10:10 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
MAY 5, 2009**

Deputy Mayor Johnson called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion,
(Committee Members)

Absent: Mayor Donna Mount

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

DISCUSSION(S)/PRESENTATION(S):

The Rotary Club of Beverly Request a \$25.00 Donation to support their scholarship fund to be taken from the recreation trust fund.

Moved by: Mr. Booker Second: Mr. Pullion

Hearing the following discussion: Mr. Booker requested the monies to be taken from the Recreation Trust Fund.

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

REPORTS

The report from The Solicitor is for closed session only.

Report from The Engineer is appended hereto.

Cooper Street Revitalization

Township Committee authorized the installation of handicap ramps at \$300.00 per ramp to the intersection at Cooper and Green and Cooper and Hendrickson.

Road Projects

Upon discussion Township Committee requested all road project storm drains be videotaped at the start of the project. Road boring test to determine road depth and soil consistency should also be performed.

Grants

Authorization to submit NJ DOT Grant for improvements the pathway between Stevenson Ave. and East Franklin Ave., Safe Streets to School, and Phase II of The Copper Street Revitalization Project.

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

Authorization to submit Municipal Aid Grant for up to \$150,000 for possible construction of a stormwater basin located at the Silver Park West Development; if basin construction is not an authorized project under the grant, submission shall be for the reconstruction of Ivy Road Phase II.

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

Report from Municipal Clerk/Administrator is appended hereto.

Credit Card Services:

Upon discussion Township Committee opted to continue to research and review the credit card services and discuss at future meeting.

Report from the Superintendent of Public Works is appended hereto.

Township Committee authorized the Aubrey Painter to remove the tree at 412 S. Arthur Drive; tree limbs were damaged during the construction project.

Report from the Chief of Police is appended hereto.

Chief Brian reported their will be a road closure on Warren Street due to work being performed by PSE&G. Upon discussion Mr. Brian will prepare traffic plan so that there will be a one way traffic on Summer and Cottage Avenues during construction.

REPORT ACCEPTANCE

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

APPOINTMENTS/RESIGNATIONS:

Inspections:

Leroy Spears, Temporary Property Maintenance/Housing Inspector/Zoning Officer effective May 11, 2009 at a rate of \$15.00 per hour.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

REPORT OF OFFICIALS

Mr. Kevin Johnson liaison to Neighborhood Watch discussed the Neighborhood Watch car wash fundraiser that will be held at the 45th Street Pub on May 16th from 9 AM to 2 PM.

Mrs. Hall liaison to the Senior Advisory reported the Driving Course scheduled for May 27, 2009 has not reached its 15 persons minimum to have the course.

Mrs. Hall questioned if there will be a summer camp program this year. Mrs. Dougherty discussed that due to budgetary constraints the position of recreation coordinator was eliminated; there will be no summer camp.

RESOLUTION

Motion to Approve Resolution No. 2009-77 through 2009-81 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: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

**TOWNSHIP OF EDGEWATER PARK
RESOLUTION NO. 2009-77**

Resolution Authorizing the Submission of the 2009 Municipal Grant Application

WHEREAS, The Edgewater Park Township Committee of the Township of Edgewater Park , County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Edgewater Park Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Edgewater Park Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington.

NOW, THEREFORE, BE IT RESOLVED by the Township of Edgewater Park, County of Burlington, State of New Jersey hereby recognizes the following:

1. The Edgewater Park Township Committee does hereby authorize submission of an application for the Edgewater Park Community Alliance Against Drug Abuse (EPCAADA) for calendar year 2009 in the amount of \$3,000.00.
2. The Township of Edgewater Park acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION NO. 2009-78

Resolution Authorizing The Tax Reimbursement Certification for Recycling Taxes Paid in 2008

WHEREAS, The Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, There is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for

disposal or transfer at the solid waste facility; and

WHEREAS, Whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for, its recycling program.

NOW THEREFORE BE IT RESOLVED by the Township of Edgewater Park that Edgewater Park Township hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2008 in the amount of (\$9,805.28). Documentation supporting this submission is available at 400 Delanco Road, Edgewater Park, NJ 08010 and shall be maintained for no less than five years from this date.

RESOLUTION NO. 2009-79
Tax Payment Installment Plan

WHEREAS, The Tax Collector of the Township of Edgewater Park Township has received authorization from the Township Committee to place the following account into an installment plan not to exceed sixty months. The installment amount is comprised of taxes due for 2008 and 2009. It is to begin on June 1, 2009. Payments to be made in monthly increments of \$167.15 and to be received by the first day of each month. The specifications are as stipulated in N.J.S.A. Title 54:5-19 which states:

1. This type of plan must not be applied to property that has already been covered by an installment plan.
2. During the time when the equal monthly installment payments are being made, all taxes, assessments and other municipal liens falling due subsequent to the date of agreement must be promptly paid.
3. If any installment of this agreement, or any new taxes, assessments, or other liens are not paid within 30 days when they became due and payable, the agreement is void in which case the collector must proceed to hold a tax sale against the property.

Block	Lot	Assessed to:	Amount
1811	13	Parker, Clifton and Yolanda	
Breakdown as follows:			
2008 Taxes for 1 st - 4 th quarters			\$4,388.37
2009 Taxes for 1 st -2 nd quarters			\$2,194.19
Total Interest			\$3,446.44

NOW, THEREFORE BE IT RESOLVED by Edgewater Park Township that the installment plan will allow the parcel to be excluded from the current Tax Sale to take place on September 16, 2009 for any uncollected taxes through 2009 2nd quarter.

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

RESOLUTION NO. 2009-80

Resolution Authorizing The Purchase Of Auto Cart Containers Phase Ii

WHEREAS, the Township of Edgewater Park entered into an agreement with the Burlington County Board of Chosen Freeholder for the purchase of auto carts for paper recyclables on or about October 28, 2008; and

WHEREAS, the Township of Edgewater Park wishes to extend the auto cart collection program for the purchase of auto carts for paper recyclables for Phase II; and

WHEREAS, the Township of Edgewater Park is desirous of purchasing Eight Hundred Twenty-Four (824) 96-gallon auto cart units and One Hundred Sixty (160) 64-galand in the amount not to exceed \$42,456.16; and

WHEREAS, the Township of Edgewater Park shall be liable to the Board of Chosen Freeholders for one-half of the actual purchase cost of \$42,456.16 for each cart acquired by the Board for the Township and no later than April 1, 2010 the Township shall pay one-twelfth of the cost of the carts in equal installments for a six year period ending April 2015.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK that the previously executed Agreement by and between the Township of Edgewater Park, a New Jersey municipal corporation, and Burlington County Board of Chosen Freeholders is hereby approved to include the purchase of auto carts for Phase II.

RESOLUTION NO. 2009-81

Resolution Authorizing the Submission of Grant Funding Through the NJ Department of Transportation Enhancement Program for Phase II of the Cooper Street Project

WHEREAS, the Township of Edgewater Park desires to apply for and obtain a grant from the New Jersey Department of Transportation through the Transportation Enhancement Program to provide funding for Cooper Street Revitalization Project Phase II from Franklin Avenue to US Route 130; and

WHEREAS, the project will greatly enhance the quality of life, safety and provide for increased usage of Cooper Street by pedestrians as access for public transportation and local businesses; and

WHEREAS, the Township of Edgewater Park is a Designated Centers of Place as a member community of the Route 130 Corridor and is part of the New Jersey State Development and Redevelopment Plan.

NOW THEREFORE, BE IT RESOLVED that the Township of Edgewater Park Committee, formally approves the grant application for the above stated project and further certifies that the Township of Edgewater Park will make adequate provisions for the operation and maintenance of the project for the useful life of the improvements.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation on behalf of the Township of Edgewater Park for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Edgewater Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

ORDINANCE(S):

**ORDINANCE NO. 2009-7
CALENDAR YEAR 2009**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

(First Reading)

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Edgewater Park in the County of Burlington finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$43,919.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Edgewater Park, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Township of Edgewater Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 153,716.85, and that the CY 2009 municipal budget for the Township of Edgewater Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

NOTICE

This ordinance will be consider for adoption of final reading and public hearing to be held on May 19, 2009 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: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

APPROVAL OF BILLS

Approval of Bills for April 18, 2009 thru May 4, 2009

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

OPEN TO THE PUBLIC:

Dennis Robbins, 9 Crystal Drive, reported that the Environmental Flea Market fundraiser is scheduled for Saturday, May 9 and hopefully it would not rain. Mr. Robbins further questioned whether they could pull their vehicles up to the tennis courts.

Mr. Painter discussed that due to the high volume of rain, the ground is too soft to drive to drive on.

Mr. Robbins questioned whether the sewer authority could post a reminder in the Beverly Bee since they went to quarter reminders.

Mr. Booker liaison to the Sewer Authority will bring it up at the next Sewer Authority.

Mr. Robbins discussed that PSE&G may adjust ball field lights for free if they are not too busy.

Mr. Robbins questioned why the resolution for the Auto Carts was for Paper only.

Mr. Painter reported that by 2012 paper and bottles would be comingled.

Mr. Robbins questioned whether Tom Coleman, Special Counsel, responded to letter sent by Silver Park West attorney sometime last month.

Mr. Noel Rainey, 7 Spring Lane, discussed the submission of the "drainage-basin" grant. If the Township receives the grant Silver Park West will gladly relinquish all responsibility to the basin.

Hearing no other members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

ANY OTHER BUSINESS: None

Closed Session Resolution No. 2009-82:

Where it is necessary to discuss matters concerning the development and sale of public property. 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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 8:05 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 8:45 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

RE- CALL ROLL CALL: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Booker Second: Mrs. Hall Time: 8:45 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes, Mr. Pullion-yes, Mr. Johnson-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
MAY 12, 2009**

Mayor Mount called the meeting to order at 7:00 PM

Flag Salute

STATEMENT OF THE MINUTES

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 May 7, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on May 7, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on May 7, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Johnson, Mayor Donna Mount (Committee Members)

Absent: Mr. Joseph Pullion

Also present: Mr. Aubrey Painter (Public and Closed), Superintendent of Public Works, Mr. Robert Brian, Chief of Police (Public and Closed), Mrs. Linda Dougherty, Clerk/Administrator (Public and Closed), Mrs. Margaret Peak, Chief Financial Officer, Mr. Frank Van Gelder, Consultant CFO.

DISCUSSION:

2009 Budget

Township Committee and those present held a meeting on this date for discussion of the 2009 Municipal Budget; no formal action was taken on the budget.

OPEN TO THE PUBLIC

Hearing no residents wishing to speak, the mayor closed this portion of the meeting to the public.

Resolution No. 2009-83

Closed Session

Where it is necessary to discuss matters concerning contractual obligations and personnel 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 confidentiality, then the matter will be made public.

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

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

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

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

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

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

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

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

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

Moved by: Mr. Johnson Second: Mr. Booker Time: 8:10PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mayor Mount-yes

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mrs. Hall Time: 8:56PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
MAY 19, 2009
STUDENT GOVERNMENT NIGHT**

Mayor Mount called the meeting to order at 7:01 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works, Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public) and Tanyika Johns, Deputy Clerk, (Public)

Student Council: Mr. Vincent Gares, Deputy Mayor, Ms. Ashley Owes- Township Committee
Mr. Sulman Saleem- Township Committee, Ms. Meydi Urtecho- Township Committee, Ms. Tara Mason – Mayor

Also Present: Ms. Natasia Jacko, Deputy Clerk, Ms. Rebecca Hall, Solicitor, Mr. Lawrence Hutton, Superintendent Public Works

DISCUSSION(S)/PRESENTATION(S):

Darlene Scocca and Ed Flow, Burlington County Economic Development: Update on River Route (Route 130 Corridor) appended hereto.

Mrs. Scocca discussed the history of the River Route through the twelve towns along the River Route.

Mr. Ed Flow discussed that the River Route used to be called the Route 130 Corridor and for decades it was increasingly synonymous with empty big box retail sites, decaying strip malls, cheap motels, empty parking lots, and other forms of suburban blight.

Today, it has been rechristened as the Burlington County River Route, hailed as the County's "Gateway to Opportunity," and recognized by professional planning organizations as a model for the "right way" to do suburban revitalization.

Redevelopment plans in Edgewater Park comprise an active adult residential community, including a commercial site abutting Route 130. Edgewater Park Crossing is a retail center anticipated to break ground. Located on Route 130 just south of Beverly-Rancocas Road, the center includes use for retail stores, offices, restaurants, day care, and a bank.

Edgewater Park is home to 7,968 residents and is 2.86 square miles.

The future of the River Route comprises of Green Sustainable development, new economies such as home occupation, gaining volunteers through the seniors and baby boomers.

Mrs. Scocca stated their will be a County Open House in September for Retail Development.

REPORTS

Report from the Solicitor (Mr. William Kearns) presented by Ms. Rebecca Hall (appended hereto)

Report from Municipal Clerk/Administrator (Mrs. Linda Dougherty) (appended hereto)

Report from the Superintendent of Public Works (Mr. Aubrey Painter) presented by Mr. Lawrence Hutton. (appended hereto)

Report from the Chief of Police (Mr. Robert Brian) presented by Mr. Lawrence Hutton. (appended hereto)

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

PROCLAMATIONS:

Army Captain Michael Cann

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS: None

APPOINTMENTS/RESIGNATIONS: None

FUNCTION APPLICATIONS:

Public Function Permit:

Rancocas Valley Baseball – Keith Babula - Use of Weimann Field for Men's League Baseball games on various dates to be determined as not to conflict with EPAA and Ridgway Middle School games and practices.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Magowan School – Betsy Miles - Use of Memorial Field for Picnic from 9:00 AM- 12:30 PM on June 17, 2009.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS:

The student government representatives reported for the Township Committee. Additionally the student government representatives presented reports concerning a having community talent show much like American Idol presented by Sulman Saleem, a fundraiser for cartridges presented by Vincent Gares, volunteering at Community Day for general help and face painting presented by Meydi Urtecho, parks cleanup in the fall and spring presented by Ashley Owes, Green Day to promote an ecofriendly lifestyle presented by Natasia Jacko, and a thank you to Township Committee for their financial support to the student council to attend a trip to Washington DC presented by Tara Mason.

ORDINANCE(S):

Second Reading and Public Hearing

Ordinance No. 2009-6: An Ordinance Of The Township Of Edgewater Park, In The County Of Burlington, New Jersey, Authorizing The Township To Sell Certain Real Property In The Township; Authorizing The Preparation And Execution Of A Development Agreement Between The Township And The Miller Group; Further Authorizing The Preparation Of An Amended Redevelopment Plan For Block 1202, Lot 4.01 And Other Adjacent Properties

WHEREAS, the Township of Edgewater Park (the “Township”) and the Miller Group have reached an Agreement under which the Miller Group will acquire all that certain real property known and designated on the official tax map of the Township as Block 1202, Lot 4.01 (the “Property”);

WHEREAS, the subject property is in a Redevelopment Area and under the laws applicable to such areas the sale of property can be authorized by Resolution, and

WHEREAS, the Township Committee has determined that it is preferable, although not required, to authorize the sale through this Ordinance,

WHEREAS, by Resolution No. 31-98 dated May 14, 1998, the Township previously designated the Property as an “area in need of redevelopment”;

WHEREAS, in connection with the Township’s prior designation of the Property and other adjacent properties identified as Block 1202, Lot 4.01, Block 1202 Lot 9 and Block 1202 Lot 1.10 as a redevelopment property, the Township believes that it is appropriate at this time to

authorize the amendment of the Redevelopment Plan and to specifically authorize the Agreement by this Ordinance, including the potential use of the power of Eminent Domain to acquire parcels needed for the completion of the Redevelopment Plan;

WHEREAS, the Miller Group intends to develop the Property and other adjacent properties into approximately an age-restricted residential community, and to develop a portion of the property for office use, including all associated roads, storm water drainage, active and passive recreation facilities, and open space (the “Project”); and

WHEREAS, in connection with the implementation of a Plan and Miller Group’s intent to develop the Property and other adjacent properties following their acquisition of the same, it will be necessary for the Township to prepare and have executed a development agreement by and between the Township and Miller Group, which agreement will serve to memorialize the specific terms and conditions of Great American’s development of the Property.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY THAT:

1. **Affirmation of the Sale of the Property.**

(a) The Township of Edgewater Park hereby reaffirms and establishes its commitment to sell certain real property known and designated on the official tax map of the Township of Edgewater Park as Block 1202, Lot 4.01 to Miller Group or their successors and assigns subject to the specific terms and conditions of its written agreement of sale substantially in the form attached hereto and incorporated herein.

(b) The Township’s Clerk/Administrator, Solicitor and Special Counsel are hereby further designated and authorized on behalf of the Township to prepare and execute any and all documents by and on behalf of the Township to properly transfer the Property to Miller Group and/or their successors and assigns on a mutually convenient closing date established by the Township and Miller Group.

2. **Preparation of a Redevelopment Plan.**

In connection with the Township's prior designation of the Property as a "property in need of redevelopment" the Township hereby authorizes the Township Clerk/Administrator, Solicitor and Special Counsel to prepare and deliver to the Township Committee any amended Redevelopment Plan that may be required to implement the Agreement authorized herein.

3. **Redevelopment Agreement.**

The Township's Clerk/Administrator, Solicitor and Special Counsel are hereby further authorized and directed to prepare any needed amendments to the redevelopment Plan and redevelopment agreement, through which Miller Group will be permitted, subject to Township Planning Board approval to plan and construct the Project.

4. **Miscellaneous.**

(a) In the event that any section or portion of this Ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, each section or part shall, to the extent that it is unconditional, invalid, or inoperative, remain in full force and affect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

(b) This Ordinance shall take effect as provided by Law.

Moved by: Mr. Johnson
Hearing no discussion:

Second: Mr. Booker

Open to the Public for comment on Ordinance No. 2009-6 Only:

Close: Hearing no public wishing to make comment the Mayor Close to meeting to public comment.

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Second Reading and Public Hearing

Ordinance No. 2009-7: Calendar Year 2009 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank (**N.J.S.A. 40A: 4-45.14**)

WHEREAS, the Local Government Cap Law, N.J.S.A_40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to

2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Edgewater Park in the County of Burlington finds it advisable and necessary to increase its CY 2009 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$43,919.10 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Edgewater Park, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2009 budget year, the final appropriations of the Township of Edgewater Park shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 153,716.85, and that the CY 2009 municipal budget for the Township of Edgewater Park be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:

Open to the Public for Ordinance No. 2009-7 Only

Close: Hearing no public wishing to make comment the Mayor Close to meeting to public comment.

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

First Reading

Ordinance No. 2009-8 An Ordinance Of The Township Of Edgewater Park Amending the Code of the Township of Edgewater Park to Repeal Ordinance No. 18-2005 and to Delete those Provisions From the Edgewater Park Township Code

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on May 19, 2009. This ordinance will be consider for adoption of final reading and

public hearing to be held on June 2, 2009 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, 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.

WHEREAS, the New Jersey Supreme Court has ruled, in the case of GH v Township of Galloway (A-64/65-08, decided May 8, 2009) that municipal ordinances regulating where sex offenders may reside are invalid as pre-empted by Megan's Law; and

WHEREAS, it is, therefore, necessary that Ordinance 18-2005 establishing such regulations be repealed,

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. Ordinance 18-2005 be and hereby is repealed and the provisions thereof establishing Chapter 9.21 shall be deleted from the Edgewater Park Township Code.

Section 2. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 3. 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.

Section 4. This ordinance shall take effect immediately upon adoption. Notice of adoption shall be published as provided by law.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

First Reading

Ordinance No. 2009-9 An Ordinance Of The Township Of Edgewater Park Amending Ordinance No. 11-2004- Chapter 2.73to Govern Outside Employment Of Police Officers, Emergency Personnel And Maintenance Workers, And To Creates Escrow Fund For Payment By Outside Employers

The foregoing was introduced by the Edgewater Park Township Committee at its meeting held on May 19, 2009. This ordinance will be consider for adoption of final reading and public hearing to be held on June 2, 2009 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.

WHEREAS, Township Committee wishes to amend Ordinance No 11-2004-Chapter 2.73 of the Edgewater Park Municipal Code Entitled "Outside Employment":

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park be and is hereby amended as follows:

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, and State of New Jersey, as follows:

Article 1.

Section: E. Payment for Extra-Duty Assignments, Establishment of Fund.

(1) All Outside Employers shall be required to make all payments for extra-duty assignments payable to the Township. All payments for extra-duty assignments shall be forwarded to the Office of the Chief Financial Officer of the Township of Edgewater Park. The Chief Financial Officer shall deposit all funds earmarked for the payment of extra-duty officers, collected from Outside Employers, into a special escrow fund, which is hereby established by this Chapter. The escrow fund shall be established for payment to Employees performing the extra-duty services. Employees that perform extra-duty assignments will be compensated at their contracted rate if voluntary and regular or overtime rate (depending on number of hours worked during that work week) if involuntary, unless another rate is specified in a union contract. All Employees shall be required to submit pay slips to the Chief Financial Officer, in a form approved by the Chief Financial Officer. Upon receipt of a properly executed pay slip verified by the private person or entity, the Finance Department shall process the pay slips for disbursement during the officers regular pay period.

Section: F. Administrative Costs

In addition to the aforementioned fees to be collected by the Township from said private person or public entity for the payment of said extra-duty Employees, the Township shall collect an administrative fee of \$25.00 for a one (1)-day occurrences, \$50.00 for occurrences lasting two (2) through five (5) days, \$100.00 for occurrences lasting six (6) through thirty (30) days, \$150.00 for occurrences of thirty-one (31) days or more. Said fee shall be used to offset the administrative costs associated with the assignment of Township Employees.

Article 2. Repealer. Any ordinances inconsistent with this Ordinance are hereby repealed to the extent of its inconsistency.

Article 3. Effective Date. This Ordinance shall take effect immediately upon final approval and publication of notice of same by the Township, in accordance with the law.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION

Motion to Approve Resolution No. 2009-84 through 2009-88 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: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-84

CASH MANAGEMENT PLAN YEAR 2009

WHEREAS, N.J.S.A. 40A:5-14 requires that each local unit to annually adopt a cash management plan;

WHEREAS, it is desired by the Township Committee to comply with said statute;

NOW THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Edgewater Park, County of Burlington, that the attached cash management plan for the year ending December 31, 2009 be approved and is hereafter effective until changed by subsequent resolution.

CASH MANAGEMENT PLAN OF THE TOWNSHIP OF EDGEWATER PARK IN THE COUNTY OF BURLINGTON, NEW JERSEY

I. PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Edgewater Park pending the use of such funds for the intended purposes. The plan is intended to assure that all public funds identified herein are deposited in interest Investments hereinafter referred to. The intent of the Plan is to provide that the decision made with regard to the Deposits and the permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A. The plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township of Edgewater Park:

1. Current Fund
2. Trust Funds
3. Capital Funds
4. Dog Funds
5. Open Space Fund
6. Unemployment
7. Special Law Enforcement
8. Payroll

9. Housing Trust Fund
10. Recreation Fund
11. Outside Employment Fund of Police Officers

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF EDGEWATER PARK AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Township of Edgewater Park is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of Edgewater Park are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of the Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this plan:

Commerce Bank	Cornerstone Bank
Beneficial Savings Bank	Sovereign Bank
Delanco Federal Savings Bank	Roebing Savings Bank
Morgan Stanley Trust	

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgments to the Designated Official(s) referred to in Section III above.

V. AUTHORIZED INVESTMENTS

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in deposit, in the following Permitted Investments:
 - (1) Government money market mutual funds; and
 - (2) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c. 281 (C52:18A-90)
 - (3) Certificates of Deposit
 - (4) Municipal Bank Accounts (Checking)
- B. Any investment instruments in which the security is not physically held by the local unit shall be covered by a third party custodial agreement which shall provide for the designation of such investments in the name of the local unit and prevent unauthorized use of such investments.
- C. Purchase of investment securities shall be executed by the “delivery versus payment” method to ensure that securities are either received by the local unit or a third party custodian prior to or upon the release of the local unit’s funds.
- D. Any investment not purchased and redeemed directly from the issuer, government money market mutual fund, local government investment pool, or the State of New Jersey Cash management Fund, shall be purchased and redeemed through the use of a national or State Bank located within this State or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of least two years pursuant to section 9 of P.L. 1967, c.93 (C49:3-56) and

has at least \$25 million in capital surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Reserve bank of New York its position in and borrowing on such U.S. Government securities.

VI. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN

To the extent that any Deposit or Permitted investment involves a document or security which is not physically held by the Township of Edgewater Park, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institutions in the name of the Township of Edgewater Park to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involves securities shall be executed by a "delivery versus payment" method to insure that such permitted investments are either received by the Township of Edgewater park or by a third party custodian prior to or upon the release of the Township of Edgewater Park's funds.

To assure that all parties with whom the Township of Edgewater Park deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this plan in writing, and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VII. REPORTING REQUIREMENTS

On the first day of each month during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Township of Edgewater Park a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township of Edgewater Park as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or Deposits made.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Township of Edgewater Park.

VIII. TIME OF PLAN

This plan shall be in effect from January 1, 2009 to December 31, 2009 and is hereafter effective until changed by subsequent resolution. Attached to the Plan is a resolution of the governing body of the Township of Edgewater Park approving this Plan for such period of time. The plan may be amended from time to time. To the extent that any amendment is adopted by the Governing Body, the Designated Official is directed to supply copies of the amendments to

all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

SIGNED BY:

Margaret Peak, CFO

Linda M. Dougherty, RMC/Administrator

RESOLUTION NO. 2009-85

Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Cooperative Pricing Agreement with the
Historic Neighborhood Riverfront Solid Waste Collection Program

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous entering into a cooperative pricing agreement with the Historic Neighborhood Riverfront Solid Waste Collection Program; and

WHEREAS, the Township of Edgewater Park, Lead Agency is conducting a voluntary Cooperative Pricing System with other contracting units, specifically the City of Beverly and Delanco Township; and

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and

WHEREAS, N.J.S.A. 40A:11-11(5) specifically authorizes two or more contracting units to establish a Cooperative Pricing System for the provision and performance of goods and services and enter into a Cooperative Pricing Agreement for its administration; 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; and

BE IT RESOLVED, that, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will enter into an agreement for a cooperative pricing system.

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

RESOLUTION NO. 2009-86

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

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 to the following accounts for the so mentioned reasons:

Block 319 Lot 1
Make check payable to:
Donna Porter Ireland

1109 Laurel Road
Edgewater Park, NJ 08010
\$989.20
Double Payment

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

RESOLUTION NO. 2009-87

RESOLUTION TO CREATE TEMPORARY EMERGENCY APPROPRIATIONS

WHEREAS, NJSA 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2009 to the date of adoption of the 2009 Budget,

WHEREAS, the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, is desirous of making such Emergency Temporary Appropriations, and

WHEREAS, said Temporary Appropriations shall be included in the 2009 Budget as finally adopted under the correct appropriation titles in said 2009 Budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park hereby authorizes the Temporary Appropriations as follows:

OPERATIONS INSIDE CAP

2009

GENERAL GOVERNMENT

Administrative and Executive:

Salaries and Wages \$ 2,420.00
Other Expenses \$ 13,950.00

Township Committee

Salaries and Wages \$ 4,200.00
Other Expenses \$ 1,500.00

Municipal Clerk

Salaries and Wages \$ 16,545.00
Other Expenses \$ 6,282.00

Financial Administration:

Salaries and Wages \$ 3,375.00
Other Expenses \$ 2,600.00

Audit Services:

\$ 7,950.00

Assessment of Taxes:

Salaries and Wages \$ 5,013.00
Other Expenses \$ 2,490.00

Collection of Taxes:

Salaries and Wages \$ 13,500.00
Other Expenses \$ 5,640.00

Legal Services and Costs:

Other Expenses \$ 12,000.00

Engineering Services and Costs:

Other Expenses	\$ 5,000.00
Public Buildings and Grounds:	
Other Expenses	\$ 10,500.00
Economic Development Committee	
Other Expenses	\$ 300.00
Municipal Land Use Law (NJSA 40:55D-1)	
Planning Board:	
Salaries and Wages	\$ 500.00
Other Expenses	\$ 5,910.00
Environmental/Shade Tree Commission:	
Other Expenses	\$ 500.00
Insurance:	
Liability Insurance	\$ 47,670.00
Workers Compensation Insurance	\$ 47,670.00
UCC Insurance	\$ 2,400.00
Employee Group Insurance	\$ 136,000.00
Police:	
Salaries and Wages	\$ 356,340.00
Other Expenses	\$ 35,700.00
Contribution to First Aid Organization:	\$ 7,000.00
Municipal Prosecutor:	
Other Expenses	\$ 3,300.00
STREETS AND ROADS	
Road Repairs and Maintenance:	
Salaries and Wages	\$ 102,850.00
Other Expenses	\$ 19,500.00
Field maintenance and Repair:	
Other Expenses	\$ 5,800.00
Garbage and Trash Removal:	
Salaries and Wages	\$ 1,350.00
Contractual	\$ 115,000.00
Storm Water Sewer:	
Other Expenses	\$ 2,000.00
Board of Health:	
Salaries and Wages	\$ 1,000.00
Other Expenses	\$ 500.00
Recreation Parks and Playgrounds	
Salaries and Wages	\$ 300.00
Other Expenses	\$ 7,500.00
UTILITIES:	
Electricity	\$ 10,500.00
Street Lighting	\$ 21,000.00
Telephone	\$ 5,850.00
Water	\$ 600.00
Fuel Oil/Natural Gas	\$ 5,000.00
Telecommunications	\$ 5,550.00

Gasoline/Diesel	\$ 15,000.00
Senior Citizens Transportation:	
Other Expenses	\$ 500.00
Uniform Construction Code- Appropriations Offset by Dedicated Revenues (NJAC 5:23-4.17)	
Inspection of Buildings:	
Salaries and Wages	\$ 26,000.00
Other Expenses	\$ 4,920.00
Plumbing Inspector:	
Salaries and Wages	\$ 1,750.00
Electrical Inspector:	
Salaries and Wages	\$ 1,750.00
Fire Protection Official:	
Salaries and Wages	\$ 1,750.00
Municipal Court:	
Salaries and Wages	\$ 27,500.00
Other Expenses	\$ 6,000.00

Total Operations within CAPS	\$ 1,145,725.00

Deferred Charges and Statutory Expenditures-Municipal Within CAPS
Deferred Charges:

Statutory Expenditures:
Contribution to:

DCRP (FOCA 36-477	300.00
Contribution to Social Security System	\$ 47,100.00

Total Deferred Charges and Statutory Expenditures –
Municipal within CAPS

\$ 47,400.00

Total General Appropriations for Municipal Purposes
Within CAPS

\$ 1,193,125.00

OPERATIONS excluded from CAP

Public Defender	
Other Expenses	\$ 0.00
Condominium Reimbursements:	\$ 52,000.00
Affordable Housing	
Other Expenses	\$ 7,500.00
State and Federal Grants:	
COPS More	

Total Operations Excluded from CAP	\$ 59,000.00
<hr/>	
Public and Private Programs Offset by Revenues	
Drainage Improvements:	\$ 0.00
<hr/>	
Total Capital Improvements Excluded from CAPS	\$ 0.00
<hr/>	
Municipal Debt Service – Excluded from CAPS	
Payment Note Principal	63,000.00
Payment Bond Principal	126,000.00
Payment Bond Interest	63,659.00
Payment Note Interest	71,500.00
<hr/>	
Total Municipal Debt Service-Excluded from CAPS	324,159.00
<hr/>	
Deferred Charges	
Deferred Charges to Future Taxation – Funded:	
Special Emergency Authorizations	0.00
<hr/>	
Total Deferred Charges – Municipal –Excluded from CAPS	0.00
<hr/>	
Total General Appropriations for Municipal Purposes Excluded from CAPS	0.00
<hr/>	
Subtotal General Appropriations	\$
Reserve for Uncollected Taxes	0.00
<hr/>	
Total General Appropriations:	\$ 1,576,284.00

RESOLUTION NO. 2009-88

*RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A
CERTAIN AGREEMENT OF SALE BETWEEN THE TOWNSHIP OF
EDGEWATER PARK AND THE MILLER GROUP*

WHEREAS, the Township of Edgewater Park (the “Township”) and the Miller Group have reached an Agreement under which the Miller Group will acquire all that certain real property known and designated on the official tax map of the Township as Block 1202, Lot 4.01 (the “Property”);

WHEREAS, by Resolution No. 31-98 dated May 14,1998, the Township previously designated the Property as an “area in need of redevelopment” and under the laws applicable to such areas the sale of property can be authorized by Resolution, and

WHEREAS, the sale of the property is further authorized by Ordinance 2009-6, adopted on May 19, 2009, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park that the Mayor and Clerk be and hereby authorized to execute the Agreement of Sale in the form attached hereto on behalf of the Township of Edgewater Park.

APPROVAL OF BILLS

Approval of Bills for May 1, 2009 thru May 15, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 8:09 PM

CLOSE: 8:22 PM

The Mayor opened the meeting to the public.

Mr. Dennis Robbins, Vice Chair of the Environmental Committee advised the Township Committee that the trees are dying at Roosevelt Pond.

Mr. Painter advised that he will be taking a sample of the tree to Rutgers.

Mr. Dennis Robbins, 9 Crystal Drive, hopes the Township Committee will follow the School Boards example and vote to pay into the pension fund instead of deferring payment.

Township Committee discussed that submittal of the full payment amount was adopted at a previous meeting.

Mr. Robbins asked Township Committee to consider addressing the fire hydrant issues at the proposed development and the cost issue to the developer and prospective residents.

Mrs. Bonnie Phillips, 224 Ivy Road, informed the Township Committee that she is having a gypsy moth problem with her neighbor and it is causing problem in her yard. Mrs. Phillips passed around caterpillars that turn into gypsy moths.

Mr. Noel Rainey, 7 Spring Lane, representing the Light Rail Garden Club wanted to thank the students who helped to clean up the train station.

Mrs. Jessica Owes, 137 Lafayette Road questioned if it is possible the Township could arrange a bus to Six Flags similar to what Burlington City provides.

Mrs. Dougherty discussed that she will approach the Board of Education.

Mrs. Melissa Deppe, 412 Grant Ave. 3rd grade student council advisor thanked the Township Committee for inviting Magowan Student council to observe the Ridgway Student Government Night.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS

Mrs. Hall questioned the progress on the four way stop on Bridgeboro Road and Green Street. Mrs. Dougherty and Mr. Kearns informed Township Committee they are awaiting the Engineer certification and the ordinance is complete.

Oath of Office Student Council Members Year 2010

Mrs. Tara Mason, President Ridgway Student Council swore in all of the new student government officers for the next school year.

Recognition of Student Council Members Year 2009

Mrs. Donna Mount (Mayor) presented all of the student council members with a certificate of recognition for their participation in Student Government Month.

***Resolution No. 2009-89
Closed Session***

Where it is necessary to discuss matters concerning the development and sale of public property. 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 ascertain legal advice concerning Carena vs. the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Johnson

Second: Mr. Booker Time: 8:40 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson

Second: Mr. Booker Time 10:10 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson

Second: Mr. Booker Time 10:10 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES, JUNE 1, 2009**

Mayor Mount called the meeting to order at 7:00 PM

Flag Salute

STATEMENT OF THE MINUTES

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 May 27, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on May 27, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on May 27, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mrs. Linda Dougherty, Clerk/Administrator, Mrs. Margaret Peak, Chief Financial Officer, Mr. Frank VanGelder, Chief Financial Officer Consultant.

DISCUSSION:

2009 Budget

Township Committee and those present held a meeting on this date for discussion of the 2009 Municipal Budget; no formal action was taken on the budget.

OPEN TO THE PUBLIC

The Mayor opened the meeting to the public.

Mrs. Florence McNamara, of the CWA Union questioned the furloughs and layoffs and requested the Township Committee to consider mediation prior to any plans for a furlough or layoffs.

Mr. Mel Anderson, 725 Perkins Lane, questioned the amount of police officers we have in the township. He further questioned if the township participates in any share services. Committee advised that we currently have thirteen officers and by ordinance we can have up to fifteen officers which includes the Chief of Police. Committee further discussed that the Township participated in a survey prepared and submitted to Governor by the Burlington County Bridge Commission; Edgewater Park was one of the communities that had the most listed under the shared service program. Some of the programs that we currently participate in is with trash collection, purchasing, utilities, mutual aid, etc.

Mr. Anderson requested the Township Committee reconsider laying off any employees.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:10 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
JUNE 2, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

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

DISCUSSION(S)/PRESENTATION(S):

Gary Lavenia, Bridge Commission

Mr. Gary Lavenia presented an overview of the services that the Burlington County Bridge Commission offers to municipalities including shared services, grant writing, etc.

REPORTS

The report from The Solicitor is for closed session only.

Report from The Engineer is appended hereto.

Report from Municipal Clerk/Administrator is appended hereto.

Report from the Superintendent of Public Works is appended hereto.

PROCLAMATIONS:

KENNY LEWIS

Moved by: Mr. Johnson

Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS: None

APPOINTMENTS/RESIGNATIONS:

Administration

Jane Wallace, Temporary Emergency Clerk Typist, effective June 8, 2009, rate of \$15.00 per hour.

Moved by: Mr. Pullion Second: Mayor Mount

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit: None

Solicitors Permit:

Dominic Marcozzi; Mr. Softee Ice Cream Vendor, All appropriate documentation has been Filed, Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mayor Mount Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Michael Maloney; Mr. Softee Ice Cream Vendor, All appropriate documentation has been Filed, Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Kevin Johnson, Neighborhood Watch: Mr. Johnson discussed that at the last Neighborhood Watch meeting which was held on May 28th, Chief Bob Brian and Detective John Harris spoke about the bank robbery that took place at the Beneficial Savings Bank on Cooper Street. They discussed ways for residents to protect their homes, vehicles and themselves.

Mr. Johnson further discussed that Gil Maupin discussed a program call ICE (In Case of Emergency) which advises that people should enter on their cell phones emergency contact information.

Next Meeting will be on June 25th at 6:30PM at the municipal building.

Mayor Donna Mount: Mrs. Mount discussed that on June 14th there will be Edgewater Park's Community Day. This event will provide residents the opportunity to meet their local, county and state representatives and provide information about the township, planning board, economic development, police department, sheriff's department, etc.

RESOLUTION

Motion to Approve Resolution No. 2009-90 through 2009-93 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: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Resolution No. 2009-90

**AUTHORIZING SUBMISSION OF A GRANT APPLICATION
AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION FOR ROADWAY IMPROVEMENTS TO
IVY ROAD AND FERN LANE**

WHEREAS, the New Jersey Transportation Trust Fund Authority Act provides that each community receive an annual state aid allotment for roads and bridge projects; and

WHEREAS, roadway improvements to Ivy Road and Fern Lane has been identified as a potentially eligible project.

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 Township Clerk be authorized to submit an electronic grant application to the New Jersey Department of Transportation for roadway improvements to Ivy Road and Fern Lane and such other remedial improvements to said roadways as are necessary.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Edgewater Park and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

BE IT FURTHER RESOLVED by the Township Committee of the Township of Edgewater Park, that the Township Engineer be authorized to complete the electronic grant application and associated documentation for submission to the New Jersey Department of Transportation.

RESOLUTION NO. 2009-91

**AUTHORIZING SUBMISSION OF APPLICATIONS FOR STATE
TRANSPORTATION TRUST FUNDS UNDER THE SAFE ROUTES TO TRANSIT
FOR IMPROVEMENTS TO THE STEVENSON AVENUE / EAST FRANKLIN
AVENUE PATH**

WHEREAS, the New Jersey Transportation Trust Fund Authority Act provides federal-aid highway funds for a wide variety of projects and activities that support and encourage residents to walk and bicycle to public transit station; and

WHEREAS, improvements to the Stevenson Avenue / East Franklin Avenue Path have been identified as a potentially eligible project;

*AUTHORIZING THE TOWNSHIP OF EDGEWATER PARK TO JOIN
NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING*

WHEREAS, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

WHEREAS, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost-effective, environmentally sensitive manner, furthering the public interest entrusted to such a Joint Meeting; and

WHEREAS, the governing body of the Township of Edgewater Park has determined that membership in the Joint Meeting is in the best interest of the Township.

NOW THEREFORE, BE IT RESOLVED, that the governing body of the Township of Edgewater Park does hereby resolve to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the Joint Meeting Contract, attached hereto, and that Linda M. Dougherty, RMC/Administrator is hereby designated to represent the Local Unit as a member of the State Management Committee of the NJSEM; and

BE IT FURTHER RESOLVED that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM and make payment of the Initial Membership Fee of \$600.00 as required by the NJSEM's Bylaws and to deliver same to the Executive Director of the NJSEM.

ORDINANCE(S):

**ORDINANCE NO. 2009-8
Second Reading and Final Adoption**

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK
AMENDING THE CODE OF THE TOWNSHIP OF EDGEWATER
PARK TO REPEAL ORDINANCE 18-2005 AND TO DELETE THOSE
PROVISIONS FROM THE EDGEWATER PARK TOWNSHIP CODE**

WHEREAS, the New Jersey Supreme Court has ruled, in the case of GH v Township of Galloway (A-64/65-08, decided May 8, 2009) that municipal ordinances regulating where sex offenders may reside are invalid as pre-empted by Megan's Law; and

WHEREAS, it is, therefore, necessary that Ordinance 18-2005 establishing such regulations be repealed,

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. Ordinance 18-2005 be and hereby is repealed and the provisions thereof establishing Chapter 9.21 shall be deleted from the Edgewater Park Township Code.

Section 2. If a court of competent jurisdiction shall declare any section, paragraph, subsection, clause or provision of this Ordinance invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 3. 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.

Section 4. This ordinance shall take effect immediately upon adoption. Notice of adoption shall be published as provided by law.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Open to the Public for Comment on Ordinance No. 2009-8 only:

Hearing no one wishing to speak from the public the Mayor closed this portion of the meeting.

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ORDINANCE NO. 2009-9
Second Reading and Final Adoption

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK AMENDING ORDINANCE NO. 11-2004- CHAPTER 2.73 TO GOVERN OUTSIDE EMPLOYMENT OF POLICE OFFICERS, EMERGENCY PERSONNEL AND MAINTENANCE WORKERS, AND TO CREATE ESCROW FUND FOR PAYMENT BY OUTSIDE EMPLOYERS

WHEREAS, Township Committee wishes to amend Ordinance No 11-2004-Chapter 2.73 of the Edgewater Park Municipal Code Entitled "Outside Employment":

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park be and is hereby amended as follows:

NOW, THEREFORE, IT BE ORDAINED AND ENACTED by the Township Committee of the TOWNSHIP OF EDGEWATER PARK, County of Burlington, and State of New Jersey, as follows:

Article 1.

Section: E. Payment for Extra-Duty Assignments, Establishment of Fund.

(1) All Outside Employers shall be required to make all payments for extra-duty assignments payable to the Township. All payments for extra-duty assignments shall be forwarded to the Office of the Chief Financial Officer of the Township of Edgewater Park. The Chief Financial Officer shall deposit all funds earmarked for the payment of extra-duty officers, collected from Outside Employers, into a special escrow fund, which is hereby established by this Chapter. The escrow fund shall be established for payment to Employees performing the extra-duty services. Employees that perform extra-duty assignments will be compensated at their contracted rate if voluntary and regular or overtime rate (depending on number of hours worked during that work week) if involuntary, unless another rate is specified in a union contract. All Employees shall be required to submit pay slips to the Chief Financial Officer, in a form approved by the Chief Financial Officer. Upon receipt of a properly executed pay slip verified by the private person or entity, the Finance Department shall process the pay slips for disbursement during the officers regular pay period.

Section: F. Administrative Costs

In addition to the aforementioned fees to be collected by the Township from said private person or public entity for the payment of said extra-duty Employees, the Township shall collect an administrative fee of \$25.00 for a one (1)-day occurrences, \$50.00 for occurrences lasting two (2) through five (5) days, \$100.00 for occurrences lasting six (6) through thirty (30) days, \$150.00 for occurrences of thirty-one (31) days or more. Said fee shall be used to offset the administrative costs associated with the assignment of Township Employees.

Article 2. Repealer. Any ordinances inconsistent with this Ordinance are hereby repealed to the extent of its inconsistency.

Article 3. Effective Date. This Ordinance shall take effect immediately upon final approval and publication of notice of same by the Township, in accordance with the law.

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Open to the Public for Comment on Ordinance No. 2009-9 only:

Hearing no one wishing to speak from the public the Mayor closed this portion of the meeting.

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ORDINANCE NO. 2009-10: FIRST READING

An Ordinance of the Township of Edgewater Park, in the County of Burlington, New Jersey, designating the Intersection of Green and Bridgeboro Road as a 4-Way Stop Intersection

The foregoing will be consider for adoption of final reading and public hearing to be held on June 16, 2009 at 7:00 PM, or shortly thereafter, 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.

WHEREAS, the Township Committee of the Township of Edgewater Park is authorized by the provisions of *N.J.S.A. 39:4-197*, to enact ordinances establishing traffic regulations controlling congested street corners, including the establishment of multi-way stop controls, and

WHEREAS, Green Street and Bridgeboro Road are municipal roads with motorists on Green Street required to stop at the intersection while motorists on Bridgeboro Road are not required to stop, and

WHEREAS, the traffic at that intersection has continually increased while there is limited sight distance for motorists on Green Street causing those motorists to make dangerous entry into the intersection with Bridgeboro Road, and

WHEREAS, Township Committee of the Township of Edgewater Park has received a report and certification from the Township Engineer, dated May 21, 2000, that it is in the interest of public safety that the intersection of Green Street and Bridgeboro Road be designated as a 4-way full stop intersection, and

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY THAT:

Section 1. The intersection of Green Street and Bridgeboro Road be and hereby is designated as a 4-way, full-stop intersection.

Section 2. Signage and striping at the intersection shall be installed in accordance with the standards as promulgated in the Manual on Traffic Control Devices and the New Jersey Department of Transportation, supplement in accordance with the Report of the Township Engineer, dated May 21, 2009.

Section 3. In the event that any section or portion of this Ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, each section or part shall, to the extent that it is unconditional, invalid, or inoperative,

remain in full force and affect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

Section 4. The Township Committee finds that the regulations established in this Ordinance address a matter of public safety and the Ordinance shall take effect immediately upon enactment and publication as provided by Law.

Moved by: Mrs. Hall Second: Mayor Mount
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF BILLS

Approval of Bills for May 15, 2009 through June 1, 2009

Moved by: Mr. Johnson Second: Mr. Pullion
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC:

CLOSE:

Mr. Gil Maupin, 1619 Bridgeboro Road, Environmental Advisory Committee: Mr. Maupin discussed that he has been meeting with Mr. Kaluhiokalani and Mrs. Dougherty to finalize the Phase II of the Tree Management Plan.

Mr. Dennis Robbins, 9 Crystal Drive, Environmental Advisory Committee; Mr. Robbins commented that there are diseased trees at Roosevelt Park.

Mr. Painter discussed that he has been in touch with Rutgers extension and under their direction the public works department will be cutting back the limbs in an effort to save the trees; the disease appears to be coming from the ground.

ANY OTHER BUSINESS - None

Resolution No. 2009-94

Closed Session

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Booker Second: Mr. Johnson Time: 8:55 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mrs. Mount Second: Mr. Booker Time: 10:46 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS.

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:46 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
JUNE 16, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Ms. Tanyika Johns, Deputy Clerk (Public Session), Nicholas J. Repici, Esq. of Genova, Burns & Vernoia (Closed)

DISCUSSION(S)/PRESENTATION(S):

Merchant Services: GovTell

The representative from GovTell was unable to attend this meeting. They will be here for the work session meeting in July.

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Municipal Alliance Grant

The Municipal Alliance grant application has to be resubmitted to not include police officer salaries.

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

PROCLAMATIONS:

Honoring Steven Olszewski for his Volunteerism to the New Jersey State Elks Foundation

Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Honoring Ron Edwards, for his Volunteerism and Service to the Edgewater Park Elks Lodge #
Moved by: Mayor Mount Second: Mr. Johnson
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS: None

APPOINTMENTS/RESIGNATIONS: None

FUNCTION APPLICATIONS:

Public Function Permit:

Steve Bruneau on behalf of EPAA; requesting use of Weimann Field for EPPA Soccer Camp; August 3, 2009 - August 7, 2009 Monday – Friday 6PM -9PM (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mrs. Hall
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit: None

REPORT OF OFFICIALS

Mr. Booker reported he attended an energy summit with the Burlington County Bridge Commission and most municipalities are awaiting help from the Bridge Commission with the funding issues.

Mr. Booker, liaison to the Recreation Committee reported the Recreation Committee made \$171 at the Community Day event on Sunday, June 14, 2009.

Mr. Pullion liaison to the Economic Redevelopment Committee reported on the progress of the Cardinale Development. There are discussions between them and the Department of Transportation to move the project along.

Mr. Johnson liaison to Neighborhood Watch reported the next day for Neighborhood Watch is Thursday, June 25, 2009 where there will be a presentation from the Edgewater Park Bike Patrol.

Mayor Mount to Mayor's Advisory reported Community Day and the blood drive were a huge success. Both activities exceeded her expectations.

RESOLUTION

Motion to Approve Resolution No. 2009-95 through 2009-98 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: Mr. Pullion Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-95

*RESOLUTION AUTHORIZING LIQUOR LICENSE RENEWALS
FOR JULY 1, 2009 TO JUNE 30, 2010*

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that:

1. Application having been duly made, the following are hereby adjudged to be entitled to the alcoholic beverage license for the licensed premise and the effective date of July 1, 2009:

PLENARY RETAIL CONSUMPTION LICENSES - FEE \$2,000.00

#0312-33-003-003	SMS Restaurant Inc.	4303 Route 130 South
#0312-33-005-005	Kove Catering Inc	4313 Route 130 – Park Plaza

PLENARY RETAIL DISTRIBUTION LICENSE - FEE \$2,000.00

#0312-44-002-003	Cramp's Liquor Store, Inc. t/a Cramp's Liquor Store	4267A S. Route 130
------------------	--	--------------------

2. There are no violations of any kind against the above referenced licensees.
3. The Township Clerk is hereby authorized and directed to sign, issue and deliver license certificates in accordance with the foregoing on behalf of Township Committee.
4. That the Chief of Police has no objection to the renewal of the liquor licenses.
5. Edgewater Park Beverage Associates, Inc., whose mailing address is 46 Newman Springs Road, Red Bank, New Jersey 07701-1531 license has an Inactive License, a Special Ruling from the Director of Alcoholic Beverage Control is required prior to issuance and renewal of license by the Governing Body.
6. Edgewater Park B.P.O. Elks #2550, whose mailing address is 315 Green Street, Edgewater Park, New Jersey 08010 license is a conflict license, approval for renewal has been submitted to the Director of Alcoholic Beverage Control; all applicable fees have been paid to the Township.

RESOLUTION NO. 2009-96

*TRANSFER OF LIQUOR LICENSE FROM
SMS RESTAURANT, INC TO MMS RESTAURANT, LLC*

WHEREAS, an application has been filed for a Person-to-Person Transfer of Plenary Retail Consumption License Number 0312-33-003-003, heretofore issued to SMS Restaurant, Inc for the premises located at 4303 Route 130, Edgewater Park, New Jersey; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the license business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Edgewater Park Township Committee of the Township of Edgewater Park does hereby approve, effective July 1, 2009, the transfer of the aforesaid Plenary Retail Consumption License to MMS Restaurant, LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "The license, subject to all its terms and conditions, is hereby transferred to MMS Restaurant, LLC, effective July 1, 2009."

RESOLUTION NO. 2009-97

*RESOLUTION AUTHORIZING THE TOWNSHIP OF EDGEWATER PARK TO ENTER INTO
ADDENDUM TO MASTER INTERLOCAL SERVICE AGREEMENT WITH
COUNTY OF BURLINGTON FOR INTEGRATED LAW ENFORCEMENT RECORDS
MANAGEMENT AND EMERGENCY DISPATCH SYSTEM*

WHEREAS, the Burlington County Prosecutor's Office in cooperation with the Burlington County Police Chief's Association applied for and received a \$2,717,746.00 Federal Grant from the U.S. Department of Justice under the provisions of the 1995 Community Oriented Policing Services-Making Officer Redeployment Effective (COPS-MORE) program; and

WHEREAS, as a requirement of receipt of the COPS-MORE grant certain local matches were required of the Burlington County Board of Chosen Freeholders (\$604,420.00), the Burlington County Prosecutor's office (\$450,000.00) and the Burlington County Bridge Commission (\$102,612.00); and

WHEREAS, the COPS-MORE program is in the best interest of the citizens of the County of Burlington and the Township of Edgewater Park in that it allows for more efficient and effective use of municipal officers and includes the following:

An upgraded 911/Dispatching system for Police/Fire/EMS
Police Records and Field Reporting Systems
Mobile Computer Terminal Interface (MCT); and

WHEREAS, in consideration of the Burlington County Board of Chosen Freeholders Agreement to host centralized computer hardware and software in connection with the upgraded computer aided dispatching (CAD), law enforcement records system (LERS) and mobile computer terminals (MCT) the municipalities within the County have indicated their agreement to provide funds necessary to maintain the operation of the centralized hardware and software; and

WHEREAS, the Burlington County Board of Chosen Freeholders and the Township of Edgewater Park are authorized by the Shared Services Act, N.J.S.A. 40A:65-1, et seq to enter into contracts for the provision of any service which any party to the agreement is authorized to render within its own jurisdiction; and

WHEREAS, the attached Shared Services Agreement proposed to be entered into between the County of Burlington and the Township of Edgewater Park has been prepared by the Burlington County Solicitor's office and is deemed to be legally sufficient and enforceable in regard to the mutual obligations set forth therein; and

WHEREAS, the attached Shared Services Agreement is for the period of May 1, 2009 to April 30, 2014.

NOW THERE FORE BE IT RESOLVED, by the Township of Edgewater Park that the attached Shared Services Agreement is hereby approved; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to sign, seal execute and witness/attest any such Shared Services Agreement as adopted and executed by any municipality within Burlington County on behalf of the Township Committee of Township of Edgewater Park, upon approval as to form by the Township Solicitor.

Resolution No. 2009-98

*Resolution Approving a Performance Guarantee for
45th Street Pub in the Amount of \$142,763.52*

WHEREAS, the Edgewater Park Planning Board memorialized, by Resolution No. P-9-2008, the site plan for SMS Restaurant, Inc T/B/A 45th Street Pub, Block 1202.07, Lot 4.03, on March 20, 2008; and

WHEREAS, by Resolution No. 2009-96, the Edgewater Park Township Committee authorized the transfer of the Liquor License No. 0312-33-003-003 from SMS Restaurant, Inc to MMS Restaurant, LLC; and

WHEREAS, the Planning Board Engineer has established the performance bond requirements in the amount of \$142,763.52 (see Improvement Bond Estimate, dated July 10, 2008, attached) which includes a twenty percent (20%) contingency in accordance with the New Jersey Municipal Land Use Law; and

WHEREAS, M.M.S. Restaurant, LLC, Inc. has posted a Performance Surety Bond in that amount with American Southern Insurance Company; and

WHEREAS, the Township Solicitor has reviewed said performance guarantee and finds it to be acceptable.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Performance Guarantee be posted by American Southern Insurance Company, with its principal Bond Office located at 3715 Northside Parkway, Atlanta, GA 30327.

ORDINANCE(S):

ORDINANCE NO. 2009-10
Public Hearing and Second Reading

**AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, IN
THE COUNTY OF BURLINGTON, NEW JERSEY, DESIGNATING THE
INTERSECTION OF GREEN STREET AND BRIDGEBORO ROAD AS A
4-WAY STOP INTERSECTION**

WHEREAS, the Township Committee of the Township of Edgewater Park is authorized by the provisions of *N.J.S.A. 39:4-197*, to enact ordinances establishing traffic regulations controlling congested street corners, including the establishment of multi-way stop controls, and

WHEREAS, Green Street and Bridgeboro Road are municipal roads with motorists on Green Street required to stop at the intersection while motorists on Bridgeboro Road are not required to stop, and

WHEREAS, the traffic at that intersection has continually increased while there is limited sight distance for motorists on Green Street causing those motorists to make dangerous entry into the intersection with Bridgeboro Road, and

WHEREAS, Township Committee of the Township of Edgewater Park has received a report and certification from the Township Engineer, dated May 21, 2000, that it is in the interest of public safety that the intersection of Green Street and Bridgeboro Road be designated as a 4-way full stop intersection, and

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE
COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF
BURLINGTON, NEW JERSEY THAT:**

Section 1. The intersection of Green Street and Bridgeboro Road be and hereby is designated as a 4-way, full-stop intersection.

Section 2. Signage and striping at the intersection shall be installed in accordance with the standards as promulgated in the Manual on Traffic Control Devices and the New Jersey Department of Transportation, supplement in accordance with the Report of the Township Engineer, dated May 21, 2009.

Section 3. In the event that any section or portion of this Ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, each section or part shall, to the extent that it is unconditional, invalid, or inoperative, remain in full force and affect and no such determination shall be deemed to invalidate the remaining sections or parts of this ordinance or the ordinance as a whole.

Section 4. The Township Committee finds that the regulations established in this Ordinance address a matter of public safety and the Ordinance shall take effect immediately upon enactment and publication as provided by Law.

Moved by: Mayor Mount Second: Mr. Pullion

Hearing no discussion:

Open to the Public for Comment on Ordinance No. 2009-10 only:

Hearing no one wishing to speak from the public the Mayor closed this portion of the meeting.

Roll Call: Mr. Booker-yes Mrs. H all- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF BILLS

Approval of Bills for June 2, 2009 thru June 12, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 7:15 PM

CLOSE: 7:30 PM

The Mayor opened the meeting to the public.

Noel Rainey, 7 Spring Lane, Environmental Advisory Committee requested a donation from the Environmental Committee budget to the Light Rail Garden Station for \$200.00.

Mr. Rainey questioned whether the mulch used around the three diseased trees at Roosevelt Park could be contaminated and where did we get it from. Mr. Rainey further questioned whether we should obtain soil samples or test the mulch.

Mr. Painter discussed that the public works department chips and mulches for our community and shares it with Delanco; this year we got the mulch from Riverside due to low supplies. He further discussed that the soil is diseased per Rutgers and that the branches were cut back following Rutgers guidelines.

Frank Bertino, 129 Railroad Ave requested the road to be repaved at Railroad Ave for about 500 feet.

Upon discussion Township Committee requested Mr. Painter inquire with PSE&G when the road would be repaved with the final coat.

Steve Bruneau, President of EPAA, 12 Quail Drive, presented an update of the Edgewater Park Athletic Associations activities (attached hereto).

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS

**Resolution No. 2009-99
Closed Session**

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Booker

Second: Mr. Johnson Time: 7:25PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson

Second: Mrs. Hall Time: 9:50PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson

Second: Mrs. Hall Time: 9:50PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
JUNE 23, 2009**

Mayor Mount called the meeting to order at 6:35 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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 June 19, 2009.
- B. By faxing written notice to the Burlington County Times and Courier Post on June 19, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on June 19, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mrs. Linda Dougherty, Clerk/Administrator and Mrs. Margaret Peak, Chief Financial Officer.

RESOLUTION

Resolution No. 2009-100: Resolution of the Township Committee of the Township of Edgewater Park Introducing the Budget for Year 2009.

Second Reading and Public Hearing to be held on July 21, 2009 at 7:00 PM or sometime shortly thereafter, at the Municipal Building, 400 Delanco Rd, Edgewater Park.

At which time and place all persons interested will be given an opportunity to be heard concerning said budget. During the week prior to and up to and including the date of such meeting, copies of the budget will be made available at the Clerk's office to the members of the general public who shall request the same.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes, Mrs. Hall- abstain, Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 6:42 PM

CLOSE: 6:43 PM

The Mayor opened the meeting to the public.

Mrs. Bonnie Phillips, 224 Ivy Road discussed that the October Glory trees at Roosevelt Park are dying October Glories as well as the tree planted in memory of Mayor Tucker.

Mrs. Dougherty discussed that two of the October Glories are doing fine and one is returning slowly; she will check on the status of the other tree.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 6:44 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
JULY 7, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works arrived at 7:35 PM (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Mr. Rakesh Darji, Township Engineer (Public).

DISCUSSION(S)/PRESENTATION(S):

Special Agent James McCaffery, Federal Bureau of Investigations, presented an accommodation to Detective/Sergeant John Harris, Township of Edgewater Park for his exceptional service in the public interest. Sgt. Harris was instrumental in the apprehension of the suspects who robbed the Beneficial Bank on Cooper Street in Edgewater Park on November 13, 2008.

Mrs. Denise Clark, Beneficial Bank presented Detective/Sergeant Harris with a plaque for his continued support this occurrence and all matters concerning Beneficial Bank.

PRESENTATION(S): Merchant Services: GovTell - Kendall Santa Cruz Representative
Not Present

AUDIT

Mrs. Dougherty distributed the Annual Audit Year Ending 2008 to Township Committee; there were no comments or recommendations.

REPORTS

The report from The Solicitor is for closed session only.

Report from The Engineer is appended hereto.

Lincoln Ave. and North and South Arthur Drive:

Lincoln Ave. and North and South Arthur Drive will be removed from the report since the projects are completed. Mr. Darji stated the cracked sidewalk on Lincoln Avenue is being addressed with the contractor.

Report from Municipal Clerk/Administrator is appended hereto.

MRRST I Feasibility Study

Upon discussion the Township Committee approved participation in the MRRTS Feasibility Study. Mrs. Dougherty will be preparing a resolution to support the study for the 7/21/09 meeting.

Report from the Superintendent of Public Works is appended hereto.

Four Way Stop Sign:

Mr. Painter stated all the four way stops are up at Green Street and Bridgeboro Road. Mr. Darji stated he would check the Stop Ahead Sign for placement on Bridgeboro Road to make sure it is complying with the applicable state laws.

Train Station:

Mr. Painter stated the trash would be picked up more frequently at the train trash per a resident's request.

Report from the Chief of Police is appended hereto.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS:

Appointment of Charlie Gant, Part-time Temporary Emergency Property Maintenance/Housing Inspector, effective July 6, 2009, approx 3 days per week, rate of \$20.00 per hour.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit:

Steve Bruneau on behalf of EPAA; requesting use of Weimann Field for EPPA Soccer Camp; August 1, 2009 – December 15, 2009 Monday – Friday 6PM -9PM, Saturday 9 am - Dusk and Sunday 9 am – 6 pm (Certificate of Insurance on File) Request Waiver of Fees

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Steve Bruneau on behalf of EPAA; requesting use of Memorial Field for EPPA Soccer August 1, 2009 – December 15, 2009 Monday – Friday 6PM -9PM, Saturday 9 am - Dusk and Sunday 9 am – 6 pm (Certificate of Insurance on File) Request Waiver of Fees

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Steve Bruneau on behalf of EPAA; requesting use of Weimann Baseball Diamonds for EPPA Basesball August 1, 2009 –November 15, 2009 Monday – Friday 6PM -9PM, Saturday 9 am- Dusk and Sunday 9 am – 6 pm (Certificate of Insurance on File) Request Waiver of Fees

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit:

Marvin Vann, Jr; Marvelous Water Ice & Pretzels Vendor, All appropriate documentation have been filed, Application fee has been collected before issuance of license. Background check and fingerprinting has been completed. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Booker Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mrs. Hall liaison to the Senior Advisory requested on their behalf to have a Flu Clinic in coordination with the Moorestown Visiting Nurses. Township Committee authorized Mrs. Dougherty to schedule a flu clinic in the fall.

Mrs. Hall also received a letter in reference to seminars that Moorestown Visiting Nurses provides about Health and Wellness and she will be bringing it up at the September meeting of the Senior Advisory.

Mrs. Hall liaison to the School Board reported she spoke with Scott Streckenbein and he was very pleased with the graduation and they are working at both schools to be ready for the next school year.

RESOLUTIONS

Motion to Approve Resolution No. 2009-101 through 2009-108 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: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-101

Resolution Authorizing the 2009 Tax Sale

WHEREAS, it is the desire of the Tax Collector of the Township of Edgewater Park to conduct the 2009 tax sale of the prior years delinquent taxes, assessments, municipal utility charges and other municipal charges; and

WHEREAS, R.S. 54:5-26 states that in lieu of any two publications, notice to the property owner and to any person or entity, entitle to notice of the foreclosure pursuant to section 20 of P.L. 1948.C96 cc, 54:5-104.48 may be given by regular or certified mail, the cost of which shall be added to the cost of sale in addition to those provided in R.S. 54:5-38 not to exceed \$25.00 (twenty-five dollars) for each notice for a particular property, Failure of property owner to receive notice of tax sale properly mailed by the Tax Collector shall not constitute grounds to void subsequent tax sale.

NOW THERE FOR BE IT RESOLVED BY THE Township Committee of the Township of Edgewater Park, assembled in public session on this 7th day of July 2009 that the Tax Collector is hereby authorized to conduct the annual tax sale of prior year delinquencies.

RESOLUTION NO. 2009-102

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 7th day of July 2009, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**RICHARD AND TERESITA LOPEZ
BLOCK: 1809 LOT:18**

ALSO KNOW AS: 404 CARDINAL ROAD
Clean up and law maintenance
Amount: \$441.80

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. 2009-103

*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 7th day of July 2009, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

CHRISTINE OBLIGENHART
BLOCK: 701 LOT: 19

ALSO KNOW AS: 900 COOPER STREET
Clean up and law maintenance
Amount: \$441.80

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. 2009-104

TOWNSHIP COMMITTEE CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 2009-105
APPROVAL OF CORRECTIVE ACTION PLAN

WHEREAS, the Local Finance Board, via Local Finance Notice No. 92-15, set forth requirements for local units to prepare and submit a Corrective Action Plan as part of their annual audit process.

WHEREAS, a copy of the Annual Report of Audit for the year 2008 has been presented to the Chief Financial Officer and Township Committee on July 1, 2009; and

WHEREAS, a copy of the Corrective Action Plan must be filed with the Division of Local Government Services within sixty days;

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park, that the Corrective Action Plan for the 2008 Audit be approved.

RESOLUTION NO. 2009-106

*Resolution Awarding a Contract for Revaluation Services
with Vital Communications Inc. 900 South Broad Street, Trenton, NJ 08611*

WHEREAS, the Burlington County Board of Taxation (“Board”) directed the Township of Edgewater Park (“Township”) to undertake a complete revaluation of all real property within its jurisdiction; and

WHEREAS, in compliance with the Board’s directive, the Township, through the Assessor, solicited proposals from qualified Revaluation Firms for purposes of providing on the Township’s behalf professional appraisal services necessary to conduct a revaluation of all real property within the Township; and

WHEREAS, in response to the request for proposals four (4) proposals were received as follows:

<u>Company Represented</u>	<u>Amount of Bid Proposal</u>
Certified Valuations, Inc.	\$175,750.00

Appraisal Systems, Inc.	\$160,600.00
Vital Communications, Inc	\$163,900.00
Professional Property Appraisers	\$189,500.00

WHEREAS, the Township Tax Assessor and the Review Committee consisting of the Assessor, the Clerk, and the Chief Financial Officer have recommended that the Township Committee award a contract for the revaluation; and

WHEREAS, the Township Tax Assessor and the Review Committee have also recommended that the Township Committee award the Contract to Vital Communications, Inc whose proposal is reasonable as to price and completely responsive to the Township needs of proximity and the current working relationship between the Township and Vital Communications; and

WHEREAS, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq., authorizes the award of a Contract for “professional services” without competitive bidding and requires that said award be publicly advertised; and

WHEREAS, funds are available to undertake this revaluation in the “Special Emergency Authorization” as certified by the Chief Financial Officer; and

WHEREAS, the Director of the Division of Taxation has approved the form of Contract and authorized the signing of the Contract.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Edgewater Park that an award is hereby made to Vital Communications, Inc, 900 South Broad Street, Trenton, NJ 08611, as set forth in the Proposal issued by Vital Communications, Inc. dated May 14, 2009 in the amount of \$163,900.00.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to sign the aforesaid Contract on behalf of the Township.

RESOLUTION NO. 2009-107

RESOLUTION AUTHORIZING A SPECIAL EMERGENCY NOTE AND APPROPRIATIONS PURSUANT TO N.J.S.A 40A:4-53 AND N.J.S.A 40A:4-55

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred for the preparation and execution of a complete program of reassessment of real property for the use of the local assessor; and

WHEREAS, N.J.S.A. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-55:

1. An emergency appropriation be and the same is hereby made for:
 - Tax Assessor
 - Other Expenses:
 - Cost of reassessment of real property \$163,900.00
2. That said emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$32,780.00 (must be at least one-fifth of the total amount) in each of the next succeeding annual budgets.
3. That an "Emergency Note," not in excess of the amount authorized pursuant to law, be provided.
4. The Note shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and/or the Chief Financial Officer and/or Assistant Treasurer the seal of the Township shall be affixed, imprinted or reproduced thereon and attested by the manual signature of the Clerk/Administrator. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Note, his or her signature shall nevertheless be valid and sufficient for all purposes.
5. That said note shall be dated when issued and may be renewed from time to time provided that such note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

RESOLUTION NO. 2009-108

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE SALE AND ISSUANCE OF NOT MORE THAN \$2,905,000 AGGREGATE PRINCIPAL AMOUNT BOND ANTICIPATION NOTES OF THE TOWNSHIP AND DETERMINING THE DETAILS THEREOF.

WHEREAS, pursuant to the Local Bond Law, Chapter 169 of the laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Township Committee ("Committee") of the Township of Edgewater Park ("Township"), in the County of Burlington, New Jersey has pursuant to bond ordinances 20-2002, 7-2003, 9-2003, 7-2004, 9-2004, 19-2005 10-2006, 03-2008 amending 08-2007, 10-2007 amending 02-2008 and 04-2008 of the Township (collectively, the "Bond Ordinance"), authorized the issuance of general obligation bonds or notes of the Township to finance the cost of the capital improvements (the "Improvements") set forth in and authorized by the Bond Ordinances;

WHEREAS, the Township has previously issued a bond anticipation note (the "Prior Note") pursuant to each of the above-referenced Bond Ordinances to finance the cost of the Improvements;

WHEREAS, the Prior Note matures on June 26, 2009 in the principal amount of \$2,969,000;

WHEREAS, the Township desires to: (i) renew the Prior Note minus the sum of \$64,000 by the Township and;

WHEREAS, pursuant to the Local Bond Law and the Bond Ordinance, it is the intent of the Township Committee hereby to authorize, approve and direct the issuance and sale of such

bond anticipation notes in the aggregate amount of \$2,905,000, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, IN THE COUNTY OF BURLINGTON, NEW JERSEY, AS FOLLOWS:

Section 1: In anticipation of the issuance of bonds, bond anticipation notes (the "Notes") are hereby authorized to be issued in a principal amount not to exceed \$2,905,000.

Section 2: Unless hereafter otherwise specifically provided, each Note issued pursuant to this Resolution shall be designated a "2009-Bond Anticipation Note, Series R-1", shall recite that it is issued in the anticipation of the issuance of bonds, and shall be issued pursuant to the Township's Bond Ordinance.

Section 3: Unless a registrar/paying agent, other than the Township, is appointed with respect to the Notes, each such Note shall be executed in the name of the Township by the manual or facsimile signature of its Chief Financial Officer and the Mayor and its corporate seal shall be affixed, imprinted, or reproduced thereon, and attested by the manual signature of the Clerk. In the event that such a registrar/paying agent is appointed, all signatures on the Notes other than that of the registrar/paying agent, may be by facsimile.

Section 4: The following matters in connection with the Notes are hereby determined:

All Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no Note shall mature later than one year from its date; and

All Notes issued hereunder shall bear interest at such rate or rates as may be determined by the Chief Financial Officer.

Section 5: The Chief Financial Officer is hereby authorized and directed to determine all other matters (including their form and terms of optional redemption, if any) in connection with said Notes not determined by this or a subsequent resolution, and the Chief Financial Officer's signature upon said Notes shall be conclusive evidence that all such matters have been so determined in manner and effect consistent with the form and substance of such Notes.

Section 6: The Chief Financial Officer is hereby authorized to sell said Notes from time to time at public or private sale in such amounts as the Chief Financial Officer may determine at a price not less than the principal amount thereof, and the Chief Financial Officer is hereby authorized to deliver said Notes from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 7: The full faith and credit of the Township are hereby pledged for the punctual payment of the principal of and interest on the Notes, and the Notes shall be general obligations of the Township payable as to principal and interest from ad valorem taxes which may be levied upon all the taxable property within the Township without limitation as to rate or amount.

Section 8: The Township shall undertake to do all things necessary and desirable in order for the interest paid on the Notes to qualify as "Interest on State and Local Bonds" as defined in Section 103 of the Internal Revenue Code of 1986, as amended, or any successor legislation, and will undertake any post issuance compliance with regard to the Notes if the interest on the Notes qualifies for such treatment.

Section 9: The Notes are hereby designated as "Qualified Tax Exempt Obligations" pursuant to Section 265 of the Internal Revenue Code of 1986, as amended, or any successor legislation, as the Township has not issued and does not expect to issue other such obligations beyond the limitations set forth in the Internal Revenue Code and the Treasurer is directed to reflect such designation in reporting this sale to the IRS.

Section 10: The Chief Financial Officer is hereby directed to report in writing to this Township Committee at the meeting thereof next succeeding the date when any sale of Notes pursuant to this resolution is made, such report to include the amount, date, description and interest rate and maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

Section 11: This resolution shall take effect immediately.

ORDINANCE(S): None

APPROVAL OF BILLS

Approval of Bills for June 13, 2009 through July 2, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPROVAL OF MINUTES:

March 3, 2009 public and closed session, March 17, 2009 public and closed session, April 6, 2009 public session, April 7, 2009 public and closed session.

Moved by: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes (abstain 4/6/09 only), Mr. Johnson-yes, Mr. Pullion yes (abstain 4/6/09 only), Mayor Mount-yes

OPEN TO THE PUBLIC: 7:56 PM CLOSED 7:56 PM

The Mayor opened the meeting to the public.

Hearing no residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS.

Mr. Pullion stated he would not be here for the Budget Introduction but would be available by telephone.

Gov Tell

Upon discussion, Township Committee requested Mrs. Dougherty to get into contact with Gov Tell and find out why they did not show up for tonight's meeting.

Resolution No. 2009-109
Closed Session

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Booker

Second: Mr. Pullion

Time: 7:55 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mrs. Hall Second: Mr. Johnson Time 9:15 PM
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ROLL CALL: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Pullion Second: Mr. Booker Time 9:15 PM
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
AUGUST 18, 2009**

Mayor Mount called the meeting to order at 7:04 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Pullion arrived at 7:05 PM, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor arrived at 7:05 PM (Closed and Public), Mr. Rakesh Darji, Township Engineer (Public and Closed), Tanyika Johns, Deputy Clerk (Public)

DISCUSSION(S)/PRESENTATION(S): NONE

REPORTS

The report from The Solicitor is for closed session only.

Report from The Engineer is appended hereto.

Fox Run:

Mr. Darji reported the Fox Run Development is scheduled for the September 17th Planning Board Meeting; they have been working with the developer on a few modifications.

Report from Municipal Clerk/Administrator is appended hereto.

Crossing Guard Post Elimination:

The school superintendent will be sending out a letter to parents of children in Magowan and Ridgway Schools which will delineate any revised walking paths and requesting submission of the walking path children travel to school in order to ascertain the most traveled paths and to determine the operative guard post locations.

Credit Card Services:

Upon discussion, Township Committee requested Mrs. Dougherty to speak with Edmunds Finance Systems to find out whether there will be a fee for the service and services they will be able to provide; Edmunds is still in the process of structuring the service.

LWYW Program:

Mrs. Dougherty is reaching out to Mr. John Alexander, a township resident to take a picture on W. Franklin Ave. for the brochure cover.

Municipal Alliance Grant:

Upon discussion, Township Committee agreed to host a Skating Party with a Halloween theme on October 29, 2009 in coordination with the Neighborhood Watch and the Recreation Committee.

Township Committee discussed the financial impact to the Township regarding grant funding applications.

Mr. Darji discussed the only grants submitted that have a financial aspect for grants submitted in 2009 are with the DOT and CBDG grants; there is also an Engineering fee for design and construction management.

Report from the Superintendent of Public Works is appended hereto.

Upon discussion, Township Committee approved the request from resident located at 421 Summer Ave. to install “deaf child” signs on Summer Avenue.

Moved by: Mr. Johnson Second: Mr. Booker

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Report from the Chief of Police is appended hereto.

Four Way Stop:

Township Committee requested Mr. Brian to contact school bus companies in reference to the new four way stop.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

AUTHORIZATIONS:

Authorizations for the Senior Advisory Committee to hold a Flu Clini at the Silver Park West Clubhouse 10/15/09 from 1 PM to 5 PM; program administered by the Moorestown Visiting Nurses Association.

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPOINTMENTS/RESIGNATIONS:

Inspections:

Michael Stallone, Temporary Construction Official, August 31th through Sept 4th, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit: None

Solicitors Permit:

Ms. Asuman Sanin, Asu Ice Cream, Ice Cream Sales from August 19, 2009 through October 31, 2009; all required fees have been paid. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Mr. Carl David Ferry for US Beef, door to door sales from August 1, 2009 through August 1, 2010 11; required fee paid. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Mr. Francis C. Cook, Marine Corps League, Donations at Wawa and Pathmark (letter of permission from owner submitted) on September 5th, 6th and 11th, 2009; request fee waiver.

Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Booker liaison to the Sewer Authority and Recreation Committee did not have anything to report for as liaison to the Sewer Authority. Mr. Booker will have an update at the next meeting for the Skating Party, Municipal Alliance Program.

Mr. Tom Pullion liaison to the Redevelopment Committee advised there will be a meeting with Cardinale on August 19, 2009. The project has stalled due to NJDOT requirements; representatives from the State, County, and local levels will be attending.

Mrs. Hall discussed the recent vandalism that occurred at Roosevelt Pond and that the installation of lighting may help to deter the vandalism.

Mrs. Hall liaison to the School Board stated the school has begun working on the renovations.

Mr. Johnson liaison to the Neighborhood Watch stated the Riversharks Game fundraiser was a success.

Mr. Johnson further informed everyone that National Night Out was a big success with various residents walking neighborhoods throughout the community. There will also be no Neighborhood Watch Meeting for August. The September Neighborhood Watch Meeting will be regarding school safety; Mr. Streckenbein (Superintendent) will be the guest speaker.

Mayor Mount, informed Township Committee that the Red Cross gave a certificate of appreciation for hosting the Blood Drive at the Municipal Building; the drive exceed our goal.

WHEREAS, on August 18, 2009 the governing body of the Township of Edgewater Park, County of Burlington, State of New Jersey duly considered the establishment of a Cooperative Pricing System for the provision and performance of goods and services,

NOW, THEREFORE BE IT RESOLVED as follows:

COOPERATIVE PRICING SYSTEM ESTABLISHED

The Township of Edgewater Park hereby authorizes the creation of a Cooperative Pricing System to be known as Historic Neighborhood Residential Solid Waste Collection Program with the Township of Edgewater Park serving as the Lead Agency.

COOPERATIVE PRICING AGREEMENT

The Clerk/Administrator is hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units and said Agreement shall be deemed a single Agreement.

COPY OF RESOLUTION TO DIVISION OF LOCAL GOVERNMENT SERVICES

A single certified copy of this resolution shall be forwarded to the Division of Local Government Services as part of the application for the registration of this Cooperative Pricing System.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

RESOLUTION NO. 2009-122

Resolution Authorizing the Submission of the Grant Application for the Municipal Alliance Alcohol and Drug Abuse Program for years 2010 and 2011.

WHEREAS, The Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Township Committee of the Township of Edgewater Park further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington; and,

NOW, THEREFORE, BE IT RESOLVED by the Township of Edgewater Park, County of Burlington, State of New Jersey hereby recognizes the following:

The Township Committee does hereby authorize submission of an application for the **Edgewater Park Community Alliance Against Drug Abuse (EPCAADA)** Municipal Alliance grant for calendar years 2010 and 2011 in the amount of \$15,000.00 per year.

The Township/Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

RESOLUTION NO. 2009-123

*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 5th day of August 2008, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**ENRIQUE & JACKLYN PEREZ
BLOCK: 404.05 LOT:14**

AKA 213 PEACH ROAD
Clean up and placement of safety fence
Amount: \$474.91

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. 2009-124

*Amending Resolution 2009 -116 Extending the Due Date for
2009 Third Quarter Property Taxes*

WHEREAS, the Township Committee of the Township of Edgewater Park approved an extended due date for 2009 Third Quarter Property Taxes; and

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous to amend said grace period from September 10, 2009 to September 1, 2009; and

WHEREAS, the Township Committee of the Township of Edgewater Park determined that it is impossible to send out the regular third quarter tax bills for 2009 in a timely fashion, for reason beyond the control of the Township of Edgewater Park and

WHEREAS, the tax bills were mailed to tax payers on August 6, 2009, 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 third quarter 2009 taxes, without imposition of penalties;

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Edgewater Park, assembled in public session this 18st day of August, 2009 that the Tax Collector of the Township of Edgewater Park be and hereby authorized to extend the grace period for the third quarter 2009 property taxes to September 1, 2009 and

Section I. The Township Committee of the Township of Edgewater Park hereby authorizes a thirty one day grace period starting on August 1, 2009 and ending on September 1, 2009, and

Section II. The Township Committee of the Township of Edgewater Park hereby authorizes any third quarter taxes paid after September 1, 2009 be subject to interest and penalties from August 1, 2009.

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. 2009-125

*Resolution For Renewal Of Membership In The
Burlington County Municipal Joint Insurance Fund*

WHEREAS, the Township of Edgewater Park is a member of the Burlington County Joint Insurance Fund (hereinafter the "FUND"); and

WHEREAS, said membership terminates as of January 1, 2010 unless earlier renewed by agreement between the municipality and the FUND; and

WHEREAS, the Township of Edgewater Park desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Township of Edgewater Park agrees to renew its membership in the FUND and to be subject to the Bylaws, Rules and Regulations, coverages, and operating

procedures thereof as presently existing or as modified from time to time by lawful act of the FUND.

2. Linda M. Dougherty, Fund Commissioner, shall be and hereby is authorized to execute the "Agreement to Renew Membership" annexed hereto and made a part hereof and to deliver same to the FUND evidencing the Township of Edgewater Park's intention to renew its membership.

ORDINANCE(S): None

APPROVAL OF BILLS

Confirmation of Bills from July 18, 2009 thru August 17, 2009

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

OPEN TO THE PUBLIC: 8:00 PM

CLOSE: 8:10 PM

The Mayor opened the meeting to the public.

Steve Bruneau, President of EPAA, 12 Quail Drive, gave an update of the association's activities attached hereto.

Noel Rainey, 7 Spring Lane, Environmental Advisory Committee discussed that now that the budget has been adopted the Environmental Committee would recommends donating \$200.00 the Train Station Garden Club.

Mr. Rainey stated the Roosevelt Pond is a dawn to dusk park and anyone caught after those Hours should be arrested.

Mr. Rainey questioned whether we are collecting Development Fees.

Mrs. Dougherty discussed that there is a moreturium on non-residential fees; the collection of residential fees depends on if the affordable housing units are built or if the developer makes a payment in lieu of.

Mr. Rainey stated there is a new housing development in Delanco and that our residential development should be built soon.

Mr. Rainey further stated the basins at Pathmark and the Storage Facility are in need of treatment by the county.

Mr. Rainey further questioned whether a Certificate of Insurance for the Flu Clinic will be sent to their management company.

Mrs. Dougherty advised that yes this would be done.

Mr. Robbins, 9 Crystal Drive requested the basins at Pathmark and the Storage Facility be cleaned like the Townships.

Mr. Robbins also questioned what was being done with the car repair place on Woodlane Road next to C&C Deli. *Mr. Robbins* also questioned the propane tanks at C&C Deli being stored inside.

Mrs. Dougherty advised that the property maintenance inspector has noticed the car mechanics shop; she will address the propane tank issue with the fire inspector.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS

Mr. Johnson noted the November meeting for the Neighborhood Watch is being held at Silver Park West.

Mr. Pullion congratulated Mr. Kearns for being appointed by the Governor to the State Ethics Committee.

*Resolution No. 2009-126
Closed Session*

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters concerning contractual obligations and personnel matters. Where it is necessary to discuss matters concerning Third Round Affordable Housing Compliance. Where it is necessary to discuss matters concerning contractual obligations. 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

Moved by: Mr. Johnson Second: Mr. Booker Time 8:11 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mrs. Hall Time 10:05 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ROLL CALL: Mr. Booker Mrs. Hall Mr. Johnson Mr. Pullion Mayor Mount

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Pullion Second: Mr. Booker Time: 10:05 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
SEPTEMBER 1, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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 21, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 21, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 21, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Pullion, Mayor Donna Mount (Committee Members)

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

DISCUSSION(S)/PRESENTATION(S)

Edgewater Park Board of Fire Commissioners

John Loftus, Chairman

Mr. Loftus introduce Tim Joo, Member of the Fire Commissioners, and advised that Mr. Joo has been working on contracts with Beverly City.

Mr. Joo discussed that he has been renegotiating the contract with Beverly City Fire Commissioners. Under the current contract Edgewater Park has no say in funding allocations and they are hoping to modify this in the next contract; the proposed contract is for a three-year term. The EP Fire Commissioners are also hoping to establish a sub-committee to study the potential merging of the two existing fire companies, which would include the hiring of a consultant to study the merger and prepare an implementation plan. The Fire Commissioners may eventually study the merging of the Beverly and Edgewater Park Fire Commissioners; implementation would require change in legislation to cross municipal boundaries.

John Augustino, Fire Official, Key Lock Proposal Ordinance

Mr. Augustino discussed and requested Township Committee's consideration to pass a "Key Lock Box Ordinance" which would assist the fire department and emergency personnel in gaining access to commercial buildings after business hours. Mr. Augustino's letter, sample ordinance and the International Fire Code are appended.

The proposed ordinance would require the mandatory installation of the boxes and the businesses would have to pay for the boxes and installation.

REPORTS

The report from The Solicitor is for closed session only.

Report from The Engineer is appended hereto.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

Chief Brian stated the recent break-ins on E Franklin are crimes of opportunity when people leave their cars open. A suspect was apprehended.

Report from Municipal Clerk/Administrator is appended hereto.

Street Map Update:

Upon discussion, Township Committee authorized Mrs. Dougherty to proceed with the Street Map Update for \$625.00; Environmental Resolutions to prepare the map.

PSE&G Energy Audit:

Upon discussion, Township Committee authorized Mrs. Dougherty to proceed with the PSEG Energy Audit. PSE&G would audit the municipal building's energy efficiency and then contract a company to upgrade the facility. The company in turn gives a quote and the Township would be responsible for twenty percent and PSE&G would be responsible for eighty percent of the cost. The audit is free. The details of the PSE&G program are still in the initial stage.

Cooper Street Revitalization:

The lighting on Cooper Street is scheduled to be installed on or before September 15, 2009.

United States Immigration:

Upon discussion, Township Committee authorized Mrs. Dougherty to setup a joint meeting with Beverly City, Burlington City, Delanco Township and area businesses to provide information in reference to Immigration or I9 regulations.

There were no other reports

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS:

School Crossing Guard: James Marris, effective September 8, 2009 rate of \$16.69 per post
Substitute Crossing Guard: Donald Barnes effective September 8, 2009 rate of \$16.69 per post
Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-abstain Mrs. Hall- abstain Mr. Johnson-abstain, Mr. Pullion-yes, Mayor Mount-abstain

Mrs. Dougherty discussed that the substitute guards are needed for the 2009 school year and requested Committee's consideration for a re-vote:

Recall vote: Moved by: Mr. Johnson Second: Mr. Booker

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, and Mayor Mount-abstain

FUNCTION APPLICATIONS:

Public Function Permit

Sue Andris on behalf of Burlington City High School for girl's soccer practice August 18, 2009 through August 31, 2009 at Memorial Field Monday through Friday from 8 am – 11 am , 6PM-8 PM and Saturday mornings 8 am till 12pm September 1, 2009 through November 1, 2009, Monday through Friday 3 PM – 6 PM. Requesting waiver of all fees. Certificate of Insurance on file. EPAA has field use priority.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Solicitors Permit: None

REPORT OF OFFICIALS

Mr. Tom Pullion liaison to the Redevelopment Committee reported the meeting with Cardinale went very well. He thanked Mrs. Dougherty and Mr. Kearns for their help and follow up. The township reached out to Mark Remsa, Burlington County Regional Planner, for assistance; he recommended the preparation of a Transportation Improvement Plan (TIP) and funding request to study and implement improvements at the intersection of Route 130 and Mt. Holly Road. The cost of the improvements may exceed \$1 million dollars; where the Cardinale Development (Edgewater Park Crossing) cost share of the improvement is approximately \$35,000.

Mrs. Hall liaison to the Senior Advisory Committee reported there will be a Senior Advisory Committee meeting held on September 16, 2009.

Mrs. Hall also discussed the Senior Tax Freeze program also known as the Property Tax Reimbursement; this program reduces their property tax obligation.

Mr. Johnson liaison to the Neighborhood Watch reported the next meeting is September 24 at 6:30 PM. Mr. Streckenbien, Superintendent of Edgewater Park Schools will be speaking on school safety.

Mr. Johnson further informed Township Committee and residents that the EPAA is in need of cheerleading coaches.

RESOLUTION

RESOLUTION NO. 2009-127

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND/OR CLERK/ADMINISTRATOR TO ENTER INTO A SEPARATION AGREEMENT AND MUTUAL GENERAL RELEASE WITH CERTAIN EDGEWATER PARK SCHOOL CROSSING GUARDS

WHEREAS, the Township of Edgewater Park wishes to enter into a Separation Agreement and Mutual General Release with the Certain Members of the Edgewater Park School Crossing Guards, Communication Workers of America AFL-CIO, Local 1034; and

WHEREAS, the parties amicably reached this agreement with the following School Crossing Guards: James Marris, Nancy Yannarella, Bonnie Yannarella, Donald Barnes and Jean Wonderlin.

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/or Clerk/Administrator of the Township of Edgewater Park are hereby authorized to enter into the Separation Agreement and Mutual General Release. Copies of the agreement are on file in the Office of the Municipal Clerk.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-abstain Mrs. Hall- abstain Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-128

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND/OR CLERK/ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EDGEWATER PARK TOWNSHIP SCHOOL CROSSING GUARDS UNION

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to enter into a Memorandum of Agreement with the Edgewater Park School Crossing Guards, Communication Workers of America AFL-CIO, Local 1034; and

WHEREAS, the Union and the Township agree to amend the terms of the current collective negotiations agreement which expired on December 31, 2007; and

WHEREAS, the Union and the Township have bargained in good faith and further agree to enter into a four (4) year term agreement, effective January 1, 2008 through and including December 31, 2011.

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/or Clerk/Administrator of the Township of Edgewater Park are hereby authorized to enter into the Memorandum of Agreement with the Edgewater Park School Crossing Guards, Communication Workers of America AFL-CIO, Local 1034. Copies of the MOA are on file in the Office of the Municipal Clerk.

Moved by: Mr. Johnson

Second: Mr. Pullion

Discussion: Mrs. Hall discussed she is not comfortable voting for the three CWA contracts because she does not want to vote for a contract that does not resolve the current issues facing the Township financially. Mrs. Hall decision does not have anything to do with the employees and/or their work performance.

Hearing no further discussion:

Roll Call: Mr. Booker-abstain Mrs. Hall- abstain Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-129

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND/OR CLERK/ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EDGEWATER PARK TOWNSHIP CLERICAL WORKERS UNION

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to enter into a Memorandum of Agreement with the Edgewater Park Clerical Workers, Communication Workers of America AFL-CIO, Local 1034; and

WHEREAS, the Union and the Township agree to amend the terms of the current collective negotiations agreement which expired on December 31, 2007; and

WHEREAS, the Union and the Township have bargained in good faith and further agree to enter into a four (4) year term agreement, effective January 1, 2008 through and including December 31, 2011.

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/or Clerk/Administrator of the Township of Edgewater Park are hereby authorized to enter into the Memorandum of Agreement with the Edgewater Park Edgewater Park Clerical Workers, Communication Workers of America AFL-CIO, Local 1034. Copies of the MOA are on file in the Office of the Municipal Clerk.

Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-abstain Mrs. Hall- abstain Mr. Johnson-yes, Mr. Pullion-yes, Mayor
Mount-yes

RESOLUTION NO. 2009-130

RESOLUTION OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND/OR CLERK/ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH THE EDGEWATER PARK TOWNSHIP BLUE COLLAR WORKERS UNION

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to enter into a Memorandum of Agreement with the Edgewater Park Blue Collar Workers, Communication Workers of America AFL-CIO, Local 1034; and

WHEREAS, the Union and the Township agree to amend the terms of the current collective negotiations agreement which expired on December 31, 2007; and

WHEREAS, the Union and the Township have bargained in good faith and further agree to enter into a four (4) year term agreement, effective January 1, 2008 through and including December 31, 2011.

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/or Clerk/Administrator of the Township of Edgewater Park are hereby authorized to enter into the Memorandum of Agreement with the Edgewater Park Edgewater Park Blue Collar Workers, Communication Workers of America AFL-CIO, Local 1034. Copies of the MOA are on file in the Office of the Municipal Clerk.

Moved by: Mr. Johnson Second: Mr. Pullion
Hearing no discussion:
Roll Call: Mr. Booker-abstain Mrs. Hall- abstain Mr. Johnson-yes, Mr. Pullion-yes, Mayor
Mount-yes

RESOLUTION NO. 2009-131

RESOLUTION AUTHORIZING A SPECIAL EMERGENCY NOTE AND APPROPRIATIONS PURSUANT TO N.J.S.A 40A:4-53 AND N.J.S.A 40A:4-55

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred for the preparation and execution to cover expenses related to Contractual obligations for Revaluation Services and other related costs as a component to complete a program of reassessment of real property for the use of the local assessor; and

WHEREAS, N.J.S. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be

provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-55:

1. An emergency appropriation be and the same is hereby made for:
Tax Assessor
Other Expenses:
Contractual obligations for Revaluation Services
and other related costs. \$180,400.00
2. That said emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$36,080.00 (must be at least one-fifth of the total amount) in each of the next succeeding annual budgets.
3. That an "Emergency Note," not in excess of the amount authorized pursuant to law, be provided.
4. The Note shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and/or the Chief Financial Officer and/or Assistant Treasurer the seal of the Township shall be affixed, imprinted or reproduced thereon and attested by the manual signature of the Clerk/Administrator. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Note, his or her signature shall nevertheless be valid and sufficient for all purposes.
5. That said note shall be dated when issued and may be renewed from time to time provided that such note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.
6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

Moved by: Mr. Booker Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-132

RESOLUTION AUTHORIZING THE MILLER GROUP TO APPLY TO THE PLANNING BOARD FOR LAND USE APPROVALS FOR BLOCK 1202, LOT 4.01, AND ENDORSING THE APPLICATION INCLUDING SUBDIVISION AND A VARIANCE APPROVAL.

WHEREAS, the Township of Edgewater Park (the “Township”) and the Miller Group have reached an Agreement under which the Miller Group will acquire all that certain real property known and designated on the official tax map of the Township as Block 1202, Lot 4.01 (the “Property”), currently owned by the Township of Edgewater Park;

WHEREAS, the Agreement contemplates the development of that property and other contiguous property, which was previously approved by the Planning Board, and

WHEREAS, the Phase I development of the property owned by the Township of Edgewater Park, Block 1202, Lot 4.01, will require a separate approval from the Planning Board together with a variance on the size of the development and other relief, and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park consents to and endorses the application to the Planning Board for subdivision approval and approval of the variance from the minimum 30-acre development requirement in order to proceed with the development in accordance with the Development Agreement with the Township.

Moved by: Mr. Booker

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ORDINANCE(S):

Ordinance No. 2009-11: (First Reading) An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance, Township of Edgewater Park, Burlington County, New Jersey
This ordinance will be consider for adoption of final reading and public hearing to be held on October 6, 2009 at 7:00 PM, or shortly thereafter, 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.

Mr. Kearns requested Township Committee’s consideration to table Ordinance No. 2009-11 until the 9/15/09 meeting for further review.

APPROVAL OF BILLS

Approval of Bills from August 18, 2009 thru September 1, 2009

Moved by: Mayor Mount Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

OPEN TO THE PUBLIC: 8:11 PM CLOSE: 8:18 PM

The Mayor opened the meeting to the public.

Mr. Dennis Robbins, 9 Crystal Drive commended Chief Brian for his handling of a resident with a potential Social Security Scam.

Chief Brian discussed that a resident spoke to him about concerns regarding an insurance sales representative call; there was nothing criminal the company cold called for appointments. Mr. Brian further discussed that he was pleased that the resident and SPW Assoc reached out to him for assistance.

Mr. Robbins also questioned whether the intersection of Route 130 and Woodlane Road on the Willingboro side needs improvements; he has gotten stuck in the intersection.

Mr. Noel Rainey, 7 Spring Lane, pulled up a site on the internet called the urban dictionary which had very derogatory information about Edgewater Park Township.

Mr. Rainey further discussed the senior freeze tax program and that the rebate program should go away.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS

Resolution No. 2009-133 Closed Session

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters concerning contractual obligations and personnel matters. Where it is necessary to discuss matters concerning professional service contracts. Where it is necessary to discuss matters concerning affordable housing obligations. 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 Mount Second: Mr. Booker Time: 8:18 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mayor Mount Second: Mr. Booker Time: 9:25 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ROLL CALL: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 9:25 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
SEPTEMBER 15, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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 21, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 21, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 21, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Pullion, Mayor Donna Mount (Committee Members)

Also present: Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. Robert Brian, Chief of Police, (Closed and Public) Mr. William Kearns, Solicitor (Closed and Public), Ms. Tanyika Johns, Deputy Clerk (Public).

DISCUSSION(S)/PRESENTATION(S) - NONE

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

The Homestead Property Tax Credit Act

Motion to approve Homestead Rebates to be applied to 2008 and 2009 tax payments for delinquent payments with any overages being refunded.

Moved by: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Municipal Alliance Grant

Upon discussion, Township Committee decided not to publish the Family Skate Night in the Beverly Bee until we have confirmation from the County on the approval of the grant.

US Immigration

Mr. Pullion questioned whether there were programs available to help people become United States citizens.

Mr. Johnson said he would follow up about available programs and report back to Township

Committee.

Report from Chief of Police

Chief Brian discussed that it looks like the township will be receiving the Live Scan equipment from the County and/or State.

There Were No Other Reports

REPORT ACCEPTANCE

Moved by: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

AUTHORIZATIONS: NONE

PROCLAMATION:

Recognition of Special Michael Walton for his dedicated service to the US “Army and Operation Iraqi Freedom” (appended hereto)

Moved by: Mr. Pullion

Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPOINTMENTS/RESIGNATIONS: - NONE

FUNCTION APPLICATIONS:

Public Function Permit- NONE

Solicitors Permit:

Ralph H. Hubbard – Authorization to Solicit donations on behalf of the Disabled American Veterans (letter of permission from owner submitted) on September 18, 2009 at Pathmark; request fee waiver. Mr. Brain, Chief of Police recommends the issuance of the permit.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Booker's report was for closed session only.

Mr. Tom Pullion liaison to the Redevelopment Committee reached out to an architect who specializes in medical buildings to see if Edgewater Park Crossings development would be able to accommodate the needs of a medical facility.

Mrs. Hall liaison to the School Board reported that the school is moving forward with their improvements and the schools are open.

Mrs. Hall advised the Senior Advisory meets tomorrow at 3PM.

Mrs. Hall further commented that Roosevelt Park is very nice looking.

Mr. Johnson reported the EPPA beef and beer is Friday and there still may be tickets available.

Mr. Johnson further informed that the Neighborhood Watch meeting is Thursday, September 24, 2009.

Mayor Mount, reported the Live Where You Work Conference was held on September 14, 2009. The program is offered through the State HMFA program and provides financial mortgage assistance to people who work in town and want to purchase a home in Edgewater Park.

RESOLUTION

Motion to Approve Resolution No. 2009-134 through 2009-137 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: Mr. Pullion

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-134

*Resolution of the Township of Edgewater Park
Authorizing the Execution of a Grant Agreement for Receipt of the
Year 2009 Community Development Block Grant*

WHEREAS, certain grant funds are available through the County of Burlington under the Year 2009 Community Development Block Grant Program; and

WHEREAS, in order to receive the aforementioned grant funds it is necessary that the Township of Edgewater Park to enter into an Agreement for Sub-Grant of Community Development Block Grant Funds with the County of Burlington for the receipt and disbursement of said grant funds; and

WHEREAS, it is the desire of the Township Committee of the Township of Edgewater Park to approve the execution of the aforementioned Grant Agreement, which such agreement is attached hereto and made part hereof;

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 is hereby authorized to sign the Agreement for the 2009 Community Development Block Grant Award in the amount of \$72,00.00 for the Improvements to Weimann Field Sports Complex.

RESOLUTION NO. 2009-135

Resolution To Enter Into A Cooperative Pricing Agreement

WHEREAS, N.J.S.A. 40A: 11-11 (5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Burlington County Board of Chosen Freeholders, hereinafter referred to as the “Lead Agency”, has offered voluntary participation in the Burlington County Cooperative Pricing System #4BuCCP for the purchase of goods and services;

NOW THEREFORE, BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Edgewater Park, County of Burlington and State of New Jersey:

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A: 11-11 (5) the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the lead agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with provision of the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This Resolution shall take effect immediately upon final passage.

CERTIFICATION

I herby certify that the foregoing is a true, full and correct copy of Resolution # 2009-135 adopted by the Township of Edgewater Park at its meeting on September 15, 2009.

RESOLUTION NO. 2009-136

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

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 to the following accounts for the so mentioned reasons:

Block 1810 Lot 11
Girard M. Boyd
Make check payable to:
Zinn Title Agency LLC
495 Plainfield Avenue
Berkeley Heights, NJ 07922
\$146.41
Overpayment

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

RESOLUTION NO. 2009-137

***Resolution Authorizing the Mayor to Execute an Interlocal Services Agreement Between
Burlington County Board of Chosen Freeholders and the
Township of Edgewater Park for Snow Removal Salting and Sanding.***

WHEREAS, Burlington County has previously determined that it is in the best interest of the County to cooperate with the various governmental entities within the County regarding provisions of mutual services for snow removal, salting and sanding of State, County and Municipal Roads; and

WHEREAS, Burlington County and the Township of Edgewater Park wish to cooperate in furthering their mutual ability to provide such snow removal, salting, and sanding services beneficial to the County of Burlington, to Township of Edgewater Park and ultimately all residents within the County of Burlington, and

WHEREAS, Interlocal Services Agreements are authorized pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq; and

WHEREAS, the Township of Edgewater Park wishes to memorialize provisions for services of snow removal, salting and sanding of State, County and Municipal Roads for the period of October 1, 2009 to September 30, 2012; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK that an Interlocal Services Agreement between the County and the Township of Edgewater Park setting forth the terms and conditions of the agreements relating to snow removal, salting, and sanding of applicable State, County and Municipal roads is hereby approved, a copy is attached hereto and made a part hereof, and the Mayor and/or Township Clerk are hereby authorized to execute as many copies of the said Agreement as may be necessary.

ORDINANCE(S):

Ordinance No. 2009-11: (First Reading) An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance, Township of Edgewater Park, Burlington County, New Jersey This ordinance will be consider for adoption of final reading and public hearing to be held on October 20, 2009 at 7:00 PM, or shortly thereafter, 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.

Mr. Kearns requested Committee's consideration to table Ordinance No. 2009-11 until the 10/6/09 meeting for further review.

Ordinance No. 2009-12: (First Reading) Special Emergency Appropriation Pursuant to N.J.S.A.: 4-53 for the Purpose of preparation and execution to cover expenses related to Contractual obligations for Revaluation Services and other related costs as a component to complete a program of reassessment of real property.

This ordinance will be consider for adoption of final reading and public hearing to be held on October 6, 2009 at 7:00 PM, or shortly thereafter, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPROVAL OF MINUTES

Approval of Minutes from 4/21/09 close session, 5/5/09 close session, 5/12/09 close session, 5/19/09 public and close session, 6/2/09 public and closed, 6/16/09 public and closed, 6/23/09 public, 7/7/09 public, and 7/21/09 public session.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes (abstain 5/12/09 closed), Mayor Mount-yes (abstain 5/5/09 closed)

OPEN TO THE PUBLIC: 7:33 PM

CLOSE: 7:35 PM

The Mayor opened the meeting to the public.

Mr. Robbins, 9 Crystal Drive discussed that the township inspector had the County mosquito control department inspect the retention basin at Pathmark but the mosquito control inspector could not access the basin due to plant overgrowth. Pathmark immediately responded and started working on the problem. Mr. Robbins wanted to thank Mrs. Dougherty and Mr. Chmielenski for their prompt attention to the mosquito problem.

Hearing no other residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS:

Edgewater Park Crossings:

Mr. Pullion questioned the progress with the TIP Application.

Mrs. Dougherty discussed that the Cardinale traffic engineer was on vacation and she anticipates the cost projection report for the improvements required by NJDOT at the intersection of Route 130 and Mt. Holly Road to be submitted by the end of next week.

THERE WAS NO OTHER BUSINESS

Resolution No. 2009-138

Closed Session

Where it is necessary to discuss matters concerning Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 7:43 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 9:20 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Pullion Second: Mrs. Hall Time: 9:20 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall- yes Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
OCTOBER 6, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works arrived at 7:35 PM (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Mr. Rakesh Darji, Township Engineer (Public) and Mr. Nick Repeci, Labor Council (closed only).

DISCUSSION(S)/PRESENTATION(S)

Mayor Mount presented a proclamation to Specialist Carl Schmon, Jr. (attached hereto)

NJ Light Rail – Quiet Zone: Feasibility Study

Mayor Mount and Linda Dougherty attended a light rail "quiet zone" meeting on Sept 29th (hosted by Edgewater Park) with representatives from Congressman Alder's office, Senator Allen's office, Assemblymen Connors/Conaway's office, Burlington County and municipal representatives from Burlington Township, Delran, Delanco, Beverly, and Riverside.

Congressman Alder is spearheading a quiet zone to include Delran, Riverside, Delanco, Edgewater Park, Beverly, and Burlington Township (Park Avenue and Neck Road.)

Appended is a copy of a proposal for quiet zone feasibility study by R.L. Banks and Associates, Inc. The study will include a preliminary investigation of approximately 5.5 miles and Neck Road. The cost of the study is \$4,980; with 5 towns participating cost of approximately \$1,000 per town; Burlington Township already completed and submitted a feasibility study. The study

will include evaluation of existing grade crossings, risk factors, preliminary costs, recommendations and options, and consultant costs associated with full implementation of the zone. The group recommended that R.L. Banks and Associates consultant service continue through the implementation phase; this could be an additional cost to the township but federal grant funding requests will include professional service cost for implementation. I recognize that budgets are extremely stressed but I recommend moving forward with the study for residential quality of life interest. Determination of moving forward with the study must be submitted to Congressman Alder's Office by November 1st; if Committee determines to move forward with the study a resolution will be placed on the October 20th agenda. Once the study is completed and all towns must agree to move forward with implementation of the quiet zone. Congressman Alder's office will submit for federal funding for the improvements in 2010 and any subsequent years if needed; funding will be listed as the #1 priority request in 2010.

Appended is a copy of the tax map for Edgewater Park delineating the center median option, other options include closures, four-quadrant gates, one way streets with gates, etc. Center median costs range from \$15,000 to \$60,000 per crossing; four-quadrant gates costs can reach \$250,000. Also appended with the proposal for the quiet zone feasibility study by R.L. Banks and Associates, Inc are accompanied support documents.

Mr. Painter and Mrs. Dougherty visited each grade crossing; our preliminary investigation reveals the following within 60' of the grade crossing:

1. Perkins Lane: No driveway obstructions
Road obstruction: Rail Road Avenue
2. Bridgeboro Road: One curb cut with entrance into vacant land
No Road obstruction
3. Mt. Holly Road: One driveway — delivery obstruction to Banner Publishing
Road obstruction: Rail Road Avenue
4. Cooper Street: No driveway obstructions
Road obstruction: Blyer Avenue, EP
Rail Road Avenue, Beverly
5. Woodlane Road: One entrance driveway to EP Building Supply
No Road obstructions
One Fire hydrant

The discussion pursued that all towns from Delran to Burlington Township must be in agreement to create a quiet zone and the feasibility study.

Motion to prepare a resolution and move forward with a feasibility study for the NJ Light Rail- Quiet Zone.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Monthly Edition of Beverly Bee

Mrs. Dougherty stated there is an anonymous donor to who is providing funding to Mrs. Haaf to mail the Beverly Bee starting in January of 2010.

One of the concerns is if the anonymous donor decided not to pay for the mailing after the one year period, then the residents and businesses would have to adjust back to picking up the Beverly Bee around town.

Also there is an increase in the monthly cost of the Beverly Bee from \$300.00 to \$450.00. Township Committee needs to decide whether they want to continue with the Beverly Bee because of the budgetary constraints; other options to inform residents may have to be considered.

Township Committee requested Mrs. Dougherty to contact Mrs. Haaf and request how long she would need if Township Committee decided against continuing publication in the Beverly Bee.

REPORTS

The report from the Solicitor is for closed session only.

Report from the Engineer is appended hereto.

Cooper Street:

Mrs. Hall reported the newly installed light post at the railroad station is being obstructed by a tree because it is the same height as the light post. It is the tree when you are going towards Route 130 to the right next to two benches. Mr. Darji will be looking into the placement of the tree and the light post.

Weimann Irrigation:

Mr. Darji discussed that per his conversation with Linda Dougherty, they will be meeting with Aubrey Painter, Street Superintendent of Public Works, Kevin Johnson, liaison to the Edgewater Park Athletic Association, and Steve Bruneau, past President of the Edgewater Park Athletic Association to discuss the timetable for the project.

Report from Municipal Clerk/Administrator is appended hereto.

Jif Dividend Check:

Motion to approve the \$5,978 check for a dividend reimbursement as a credit to the 2010 insurance assessment.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Cool Cities Grant Application:

Mrs. Dougherty discussed the Cool Cities Program and recommended moving forward with the street tree planting, if possible, this year. The sub-committee recommended North Garden Blvd as the pilot street for the program. If North Garden is received positively by the residents, then try to keep the program running for next year.

Motion to prepare a resolution and move forward the Cool Cities Program for this fall.
Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Cardinale Development: Edgewater Park Crossing

Mr. Pullion discussed that he has been working with Mr. Cardinale to develop part of the site as a medical facility. He reached out to three hospitals to ascertain interest in a same day surgical facility/clinic as well as a potential occupancy for services such as diagnostic and laboratory procedures.

Report from the Superintendent of Public Works is appended hereto.

Mrs. Hall requested the tape be removed from the windows on the doors inside the municipal building.

Report from the Chief of Police is appended hereto.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS:

Edgewater Park Women of Today requesting a \$100.00 donation for Annual Treat Walk
Moved by: Mr. Johnson Second: Mr. Booker
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

APPOINTMENTS/RESIGNATIONS:

Resignations:

Margaret Peak resignation as Registrar of Vital Statistics effective October 12, 2009
Tanyika Johns resignation as Deputy Registrar of Vital Statistics effective October 12, 2009
Moved by: Mr. Johnson Second: Mayor Mount
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

George Foster resignation as Municipal Court Attendant effective October 5, 2009

Moved by: Mr. Booker Second: Mr. Johnson
Hearing no discussion:
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Appointments:

Deborah Cunningham as Registrar of Vital Statistics effective October 12, 2009, annual rate of compensation of \$1,300.00.

Sheri Hannah appointment as Deputy Registrar of Vital Statistics effective October 12, 2009, annual rate of compensation of \$800.00

Moved by: Mr. Pullion Second: Mr. Booker

Discussion: Mrs. Hall questioned the responsibilities of the Deputy Registrar.

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Bernard Meenan appointment as Provisional Municipal Court Attendant effective October 9, 2009, rate of compensation of \$100.00 per session; pending satisfactory completion of background check, firearms qualification and Civil Service Open Competitive Examine.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Jeanne Ritts, appointment as a Substitute Crossing Guard effective October 6, 2009, rate of compensation of \$16.69 per post; pending satisfactory completion of a background check.

Moved by: Mr. Booker Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Luther Murphy, appointment as a Substitute Crossing Guard effective October 6, 2009, rate of compensation of \$16.69 per post; pending satisfactory completion of a background check.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

FUNCTION APPLICATIONS:

Public Function Permit

Steve Bruneau on behalf of EPAA; requesting use of Kite Field for EPPA Fall Baseball; August 3, 2009 - November 7, 2009 Monday – Friday 6PM -9PM (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Steve Bruneau on behalf of EPAA; requesting use of Weimann Field for EPPA Soccer Tournament; October 31, 2009 – November 1, 2009 9 AM -12 PM (Certificate of Insurance on File)

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Barbara Hermann on behalf of the Women's Club of Edgewater Park; requesting an amendment to Public Function License # 2009-1 to include use of the Weimann Building on October 15, 2009 from 10 am to 2 pm and November 12, 2009 from 11 am – 2 pm. (Certificate of Insurance on File)

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Solicitors Permit:

Comcast; Collection Dates Oct. 6th through Dec 6th; Letter of permission on file from Comcast. Door to Door Sales. All required fees have been paid. A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit application. Chief Brain further discussed that Mr. Patsoros is present this evening for any questions or comments.

Mr. Patsoros, a representative of Comcast discussed that the purpose of his application is to go to existing accounts for Comcast customers who switched to Satellite. Mr. Patsoros stated he has done this type of soliciting in Moorestown, Cherry Hill and most recently Delanco. Mr. Patsoros also stated they needed to go door to door because some of their previous customers may be on the Do Not Call Registry. The division in Comcast was just formed six months ago. Customers who return to Comcast will receive a gift of two hundred dollars. Mr. Patsoros stated they are trying to get back the customers lost by the increases in the Comcast pricing.

Mr. Dennis Robbins, 9 Crystal Drive, President of Silver Park West, requested that he be able to speak regarding the application.

Upon Committee discussion the Mayor opened the floor to public comment for this application only.

Mr. Robbins discussed that the Silver Park West development does not permit solicitation.

Mr. Kearns advised that if solicitation occurs that is against an Associations policy it is up to the Association to advise that solicitor of their policies and take any legal recourse that they want to pursue.

Aimee Belgard, 418 Cottage Ave, does not understand the purpose of the solicitation because there are other means such as email, advertising, regular mail etc that can be taken.

The Clerk requested a motion to bring the matter to the floor; hearing no motion she announced that there will be no consideration because the permit failed to come to the floor, the request is therefore not approved.

Robert Scott Roy of Tap Enterprises Merchandise Sales at the Elks Department on Oct. 9th from 11 AM – 7 PM; All required fees have been paid. A letter is on file from the Chief of Police advising that there is nothing in the background check that would preclude Committee from considering the permit application.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mr. Booker thanked the Police Officers for jobs well done. There have been thank you letters from residents and businesses. There was also a letter to the editor in the Burlington County Times.

Mr. Booker liaison to Recreation notified Township Committee and everyone present there will be a Halloween Skating Party on October 29, 2009 at 6:30PM at Holiday Skating Rink in Delanco sponsored by the Recreation Committee, the Neighborhood Watch and Municipal Alliance.

Mr. Booker liaison to the Sewer Authority stated he would be discussing the issue with Otto Ave. at the next meeting.

Mrs. Hall liaison to the Senior Advisory Committee stated there was no Senior Advisory meeting for this month because they were going to be helping with the Flu Clinic.

Mr. Johnson liaison to Neighborhood Watch reported the previous meeting went well; Mr. Streckenbein, Superintendent of Schools and other school officials were in attendance to discuss school safety. The program was well attended by approximately forty residents. The next meeting will be on October 22, 2009 with a speaker from NJ Transit regarding light rail security.

Mr. Johnson further reported he contacted Mrs. Gail Cook, Beverly City Mayor about further involvement with the Memorial Day Parade. Mr. Johnson believes the parade can be reinstated in 2010 with help from the Neighborhood Watch, Recreation Committee and area businesses.

Mr. Booker stated there is new legislation to have food handlers' state certification course certificates starting in 2010. Mr. Booker is concerned about the cost and he is looking into potential funding to assist businesses.

ORDINANCE(S):

Ordinance No. 2009-11: An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance, Township of Edgewater Park, Burlington County, New Jersey
Motion to refer the draft ordinance to the Edgewater Park Planning Board for review and consideration.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Ordinance No. 2009-12: (Second Reading and Public Hearing) Special Emergency Appropriation Pursuant to N.J.S.A.: 4-53 for the Purpose of preparation and execution to cover expenses related to Contractual obligations for Revaluation Services and other related costs as a component to complete a program of reassessment of real property

Moved by: Mayor Mount Second: Mr. Johnson

The Mayor opened this portion of the meeting for Ordinance No. 2009-12 only.

Hearing no residents wishing to speak on Ordinance No. 2009-12, the mayor closed this portion of the meeting to public comment.

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Ordinance No. 2009-13: (First Reading) Private Storm Drain Inlet Retrofitting
An Ordinance to Amend the Revised General Ordinances of the Township of Edgewater Park,
by Amending Chapter 16.200 “Stormwater Management” by
Creating New Section 14 “Refuse Containers/Dumpsters” to Comply with the
NJPDES Municipal Stormwater Regulations Program

This ordinance will be consider for adoption of final reading and public hearing to
be held on November 10, 2009 at 7:00 PM, or shortly thereafter, 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: Mr. Pullion Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Ordinance No. 2009-14: (First Reading) Refuse Containers/Dumpsters
An Ordinance to Amend the Revised General Ordinances of the Township of Edgewater Park,
by amending 16.200 Entitled “Stormwater Control Ordinance”
by Creating a New Section 15 “Private Storm Drain Inlet Retrofitting” to Comply with the
NJPDES Municipal Stormwater Regulations Program

This ordinance will be consider for adoption of final reading and public hearing to
be held on November 10, 2009 at 7:00 PM, or shortly thereafter, 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: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RESOLUTION

Motion to Approve Resolution No. 2009-139 through 2009-145 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 Mount Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes
but the Mayor abstained on Resolution 2009-142.

Resolution No. 2009-139

*Resolution Authorizing the Appointment of Professional Services for
Special Counsel/Bond Attorney and Special Labor Counsel*

WHEREAS, there exist a need for a Special Counsel/Bond Attorney and Special Labor Counsel; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Requests for Qualifications and Proposals were solicited through a fair and open process in accordance with N.J.S.A.19:44A-20.5 et seq; and or

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-2 et. seq.) authorizes the award of professional services which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field ascertain competitive quotes; and

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et. Seq.) requires that the resolution authorizing award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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, that the Mayor and/or Clerk are hereby authorized and directed to execute agreements for the following qualified professionals retroactive to July 15, 2009:

SECTION I:

- A. Thomas Coleman, of the firm, Raymond, Coleman and Heinold, LLP 325 New Albany Road, Moorestown, NJ 08057, is hereby appointed Special Counsel/Bond Attorney for the Township of Edgewater Park;
- B. The firm of Genova, Burns and Vernoia, 494 Broad Street, Newark, NJ 07102 is hereby reappointed as Special Counsel for Labor Negotiations, for the Township of Edgewater Park;

SECTION II:

These contracts are awarded without competitive bidding as “Professional Services”, in accordance with *NJSA 40A: 11-5(1)(a) et seq.* of the Local Public Contract Law, and /or awarded in accordance with *N.J.S.A. 19:44A-20.4 et seq.*, as the above named Professionals are licensed to practice in the State of New Jersey.

Pursuant to NJSA 40A:11-5(1)(a) the following information is set forth:

- A. Duration of Contracts: All terms are for one-year.
- B. Amount of Contracts: All specified per contract and budget appropriation.
- C. This resolution and the above-mentioned contracts will be on file and available for public inspection in the Office of the Clerk of the Township of Edgewater Park.

SECTION III: This resolution shall be printed once in the “Burlington County Times” and the “Courier Post” as required by law within ten days of its adoption.

RESOLUTION NO. 2009-140

*RESOLUTION AUTHORIZING A SPECIAL EMERGENCY NOTE AND APPROPRIATIONS
PURSUANT TO N.J.S.A 40A:4-53 AND N.J.S.A 40A:4-55
AMENDING RESOLUTION NO. 2009-131*

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred for the preparation and execution to cover expenses related to Contractual obligations for Revaluation Services and other related costs as a component to complete a program of reassessment of real property for the use of the local assessor; and

WHEREAS, N.J.S. 40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-55:

1. An emergency appropriation be and the same is hereby made for:
Tax Assessor
Other Expenses:
Contractual obligations for Revaluation Services
and other related costs.
\$180,400.00
2. That said emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than \$36,080.00 (must be at least one-fifth of the total amount) in each of the next succeeding annual budgets.
3. That an “Emergency Note,” not in excess of the amount authorized pursuant to law, be provided.
4. The Note shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and/or the Chief Financial Officer and/or Assistant Treasurer the seal of the Township shall be affixed, imprinted or reproduced thereon and attested by the manual signature of the Clerk/Administrator. If any officer whose signature appears on the Bonds ceases to hold office before the delivery of the Note, his or her signature shall nevertheless be valid and sufficient for all purposes.
5. That said note shall be dated when issued and may be renewed from time to time provided that such note and any renewals thereof shall mature and be paid in the amount of not less than one-fifth of the total amount appropriated by this resolution in each year after the authorization.

6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

Resolution 141- 2009
Resolution Establishing Salaries for Year 2009

BE IT RESOLVED that the following shall constitute the annual rate of compensation, unless otherwise noted; to be paid to the Township employees hereinafter designated for the year 2009. Compensation shall be paid bi-weekly unless otherwise noted. This includes employees in collective bargaining units with negotiated contracts and employees with contract agreements.

SECTION 1: Establishment of Positions and Salaries

<u>POSITION</u>	<u>SALARY</u>
TOWNSHIP COMMITTEE	
Mayor*	\$ 3,934.00
Deputy Mayor*	3,147.00
Committee*	3,147.00
 ADMINISTRATION	
POSITION	
Senior Clerk Typist	
Step 1	36,538.78
Step 2	37,768.01
Deputy Township Clerk	15,000.00
Registrar, Vital Statistics	1,300.00
Deputy Registrar, Vital Statistics	800.00
Secretary, Board of Health	1,100.00
Clerk-Typist	
Step 1	25,475.66
Step 2	27,319.52
Step 3	30,392.60
Step 4	33,465.69
Step 5	35,309.54
Principal Clerk Typist	
Step 1	38,997.35
Step 2	40,226.49
Recreation Coordinator	3,470.48
Part-time Clerk Typist	10.00 to 15.00 per hour
Secretary, Planning Board	150.00 per meeting
 FINANCIAL ADMINISTRATION AND COLLECTION OF TAXES	
Tax Collector	48,861.48

CONSULTANT, CHIEF FINANCIAL OFFICER	10,000.00
TAX ASSESSOR	18,351.15
MUNICIPAL COURT	
Court Administrator	
Step 1	39,611.87
Step 2	41,455.71
Step 3	43,299.57
Step 4	45,143.42
Step 5	48,723.72
Deputy Court Administrator	
Step 1	25,475.66
Step 2	27,319.52
Step 3	30,392.60
Step 4	33,465.69
Step 5	35,309.54
Callout & Pager Stipend*	7,000.00
MUNICIPAL COURT JUDGE	7,786.00
Court Attendant	100.00 (per session)
Court Recorder	56.00 (per session)
**Public Defender	375.00 (per session)
STREETS DEPARTMENT	
Streets Superintendent	71,926.85
Streets Repairer/Laborer	Salary Steps
Start	39,858.39
6 months	41,619.64
1 year	44,566.24
1 ½ years	46,790.47
2 years	49,697.37
2 ½ years	50,389.95
*Stipend Maint/Mech Duties	1,500.00
RECYCLING COORDINATOR	5,000.00
Part-time Public Works	
Groundskeeper/Driver	10.00 per hour
Snow Plow Driver, CDL	15.00 per hour
INSPECTIONS OFFICE	
Property Maintenance/Housing/Rental Inspector	31,381.47
Part-Time Property Maintenance Inspector	15.00 to 20.00 (per hour)
Construction Official	11,000.00
Building Inspector/Sub-Code Official	11,000.00
Building Inspector/Part Time	
29.00 (per hour)	

Plumbing Inspector	29.00 (per hour)
Electrical Inspector	29.00 (per hour)
Fire Sub-Code Official	29.00 (per hour)

POLICE DEPARTMENT

Police Records Clerk	
Step 1	25,475.66
Step 2	27,319.52
Step 3	30,392.60
Step 4	33,465.69
Step 5	35,309.54
Senior Police Records Clerk	
Step 1	36,538.78
Step 2	37,768.01
Police Matron (Stipend)	5,500.00
Principal Police Records Clerk	
Step 1	38,997.35
Step 2	40,226.49
PUBLIC SAFETY DIRECTOR / CHIEF LAW ENFORCEMENT OFFICER	93,558.40
Special Police Officer	15.00 per hour

CROSSING GUARDS

Crossing Guards	\$25.75 & 27.28 (Per Post)
Crossing Guards and Substitute Crossing Guards	16.69 (Per Post)

***SECTION 2:** The annual rate of compensation of officers and employees whose compensation shall be paid quarterly.

****SECTION 3:** The annual rate of compensation of officers and employees whose compensation shall be paid monthly.

Resolution No. 2009-142

*Resolution Approving a Performance Surety Bond for
AMCOR Industries, LLC in the Amount of \$334,129.80*

WHEREAS, the Edgewater Park Planning Board approved the site plan of AMCOR Industries, LLC located on Block 203, Lot 4.02, on February 19, 2009; and

Whereas, the Planning Board Engineer has established the performance bond requirements in the amount of \$334,129.80 (see Performance Guarantee Estimate-Phase I # 3034186 dated August 28, 2009, attached); and

Whereas, the Planning Board Engineer, Environmental Resolutions, Inc. recommended to approve a performance bond in the amount of \$334,139.80 which includes a twenty percent (20%) contingency in accordance with the New Jersey Municipal Land Use Law; and

Whereas, AMCOR Industries, LLC, has posted a Performance Surety Bond in that amount with Westchester Fire Insurance Company, PO Box 1000, Philadelphia, PA 19106; and

Whereas, the Township Solicitor has reviewed said performance surety bond and finds it to be acceptable

Now Therefore, be it Resolved by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that the Performance Surety Bond be posted by Westchester Fire Insurance Company, PO Box 1000, Philadelphia, PA 19106.

Resolution No. 2009-143

CHAPTER 159 RESOLUTION

“2009 Byrne Justice Assistance Grant (JAG) Program Award”

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Edgewater Park in the County of Burlington, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$11,945.00, which item is now available from the Department of Justice through the County of Burlington in the amount of \$11,945.00.

BE IT FURTHER RESOLVED, that the like sum of \$ 11,945.00 is hereby appropriated under the caption 2009 Byrne Justice Assistance Grant (JAG) Program Award; and

BE IT FURTHER RESOLVED, that the above is the result of funds from the Department of Justice through the County of Burlington in the amount of \$11,945.00.

RESOLUTION NO. 2009-144

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 6th day October 2009, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

ZACHARY PERRY
BLOCK: 1003 LOT: 5
AKA 1150 COOPER STREET
Lawn Maintenance and General Clean Up
Amount: \$466.80

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. 2009-145

*Resolution Increasing the Prevailing Wage Municipal Contract Threshold
and Adjustment of Public Bidding Threshold*

WHEREAS, the State Department of Labor and Workforce Development has announced that the municipal government threshold for the New Jersey Prevailing Wage Act has increased to \$14,187.00 (N.J.A.C. 12:60-1 4(b)) effective July 1, 2009 for such work as construction, renovation, demolition, or repairs that contracts awarded by a municipal governing body is subject to Prevailing Wage if the total cost of the job, including materials, exceeds this amount; and

WHEREAS, N.J.S.A. 40A:11-3(c) permits governing bodies to adjust the bid thresholds established by the Governor of New Jersey on contract awards; and

WHEREAS, Local Public Contract Law (N.J.S.A. 40A:11-2) adjusted the bid threshold for awarding contracts from \$17,500.00 to \$21,000.00; and

WHEREAS, as a result of this change in bid threshold, the 15% threshold for the informal receipt of quotations thresholds increased to \$ 3,150.00 per (N.J.S.A. 40A:11-6.1(a).

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, that above mentioned thresholds shall apply and the Mayor and/or Clerk/Administrator are authorized to execute said contracts.

APPROVAL OF BILLS

Approval of Bills from September 14, 2009 thru October 2, 2009

Moved by: Mr. Johnson Second: Mayor Mount

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 8:48 PM

CLOSE: 8:54 PM

The Mayor opened the meeting to the public.

Aimee Belgard, 418 Cottage Ave, wanted to commend Mr. Johnson and Township Committee for moving forward with discussions on the Memorial Day Parade. Mrs. Belgard volunteered to help in any way necessary.

Noel Rainey, 7 Spring Lane, questioned when the Township would be coming to sweep the streets.

Mrs. Dougherty discussed that the township does not own a street sweeper so the service is not offered in residential areas.

Mr. Rainey further questioned whether they will be having more 25 miles per hour signage.

Mrs. Dougherty discussed that the Chief of Police and Superintendent of Public Works worked together on the placement of the speed limit signs; there are many roads throughout that do not have speed limit signs posted.

Mr. Rainey further questioned the “quiet zones regulations” and why the Township would be responsible for the four gates when they are already two that exist.

Mrs. Dougherty discussed that if the Township modifies existing grade crossings we would then be responsible for long term maintenance or upgrades; all modifications must meet Federal Railroad Administration requirements.

Mr. Rainey discussed the advantages of the Beverly Bee and that every town needs a local newspaper for means of communicating with residents.

Hearing no residents wishing to speak, the Mayor closed this portion of the meeting to the public.

OTHER BUSINESS.

Mayor Mount discussed a letter from a resident about an additional crosswalk sign at the light rail crossing. Upon discussion, Mayor Mount stated she would write a letter to the resident advising that Township Committee would pursue the request with the County; Cooper Street is under County jurisdiction.

Mr. Booker wanted to thank the residents for attending the meeting and stating their opinions regarding matters that are under consideration by Township Committee. Mr. Booker encouraged more residents to attend meetings.

THERE WAS NO OTHER BUSINESS.

Resolution No. 2009-146
Closed Session

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 concerning contractual obligations and personnel 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: Mayor Mount Second: Mr. Johnson Time: 8:58 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time 10:47PM.

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

ROLL CALL: Mr. Booker Mrs. Hall Mr. Johnson Mr. Pullion Mayor Mount

THERE WAS NO OTHER BUSINESS.

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time 10:47PM.

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
OCTOBER 20, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Mr. Aubrey Painter, Superintendent of Public Works arrived at 7:35 PM (Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. Skip Reale, Solicitor (Closed and Public), Mr. Rakesh Darji, Township Engineer (Public) and Tanyika L. Johns, Deputy Clerk (Public only).

DISCUSSION(S)/PRESENTATION(S): NONE

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Mrs. Dougherty requested Township Committee's consideration to go into close session to obtain legal advice regarding the potential award of a contract for solid waste collection.

Moved by: Mayor Mount Second: Mr. Johnson Time: 7:03 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mrs. Hall Second: Mr. Johnson Time: 7:32 PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Historic Riverfront Neighborhood Solid Waste Collection Program

Mrs. Dougherty discussed that Resolution No. 2009-121 authorized a cooperative pricing agreement for solid waste collection with Edgewater Park, Delanco and Beverly City; Edgewater Park is the lead agency. All three towns must award the contract to the same

vendor. Beverly City collection is one time per week; that will remain the same under the new contract. Edgewater Park and Delanco currently have two day per week collections; the bids were prepared with remaining at two times per week or reducing to one day per week collection. The current contract expires November 30th, with award of contract effective December 1, 2009 for one year term and 2 additional one year terms.

The apparent low bidder was Casworth Enterprises of Woodstown, NJ. Upon review of the proposals it was determined that Casworth had not submitted their Business Registration Certificate that has been required by law since 2004 and the required addenda; Under NJSA this is considered a fatal error and the contract cannot be awarded to them. The lowest qualified bidder is South Jersey Sanitation for one-time per week collection. The lowest qualified bidder for two times per week collection is Jersey Central Sanitation. Delanco Township Committee met on October 19th and moved to authorize one day per week collection with award of contract to South Jersey Sanitation; Beverly City meets next week. The award of the contract to South Jersey Sanitation for Edgewater Park this represents a savings of approximately \$70,000 for the first year; this does not include the savings realized with Arbor Green Condominiums moving over to the MACC's program which will be approximately \$10,000.

MRRTS Feasibility Study and MAACS

Mrs. Dougherty discussed that the MRRTS program is for single-family homes and the MAACS program is for condominiums and apartments. Potential savings with MRRTS is approximately \$100,000 with two day per week collection moving to one day per week. The savings will be reduced if the Committee moves forward with the one day collection in December. There should be additional savings under the MRRTS program because there will be a larger number of municipalities participating and yard waste will be collected in separate containers.

NJ DOT 2010 Municipal Aid Grant

Mrs. Hall questioned whether the construction was on "small" Ivy or "big" Ivy. Mrs. Dougherty discussed the shorter Ivy Road was done with N and S Arthur Drive project. The longer Ivy Road is scheduled to be done with this grant award.

Recognition of Sheri Bolton

Mrs. Hall questioned where the monument for Mrs. Bolton would be placed. Mrs. Dougherty discussed that the monument would be placed in front garden of the municipal building.

Tree Removal Ordinance

Upon discussion, Township Committee authorized Mrs. Dougherty to review the process.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Function Permit: None

Solicitors Permit: None

REPORT OF OFFICIALS

Mr. Booker liaison to Recreation Committee reported there will be a skating party on Thursday, October 29, 2009 at the Holiday Skating Rink at 6:30 PM.

Mr. Booker liaison to the Sewer Authority notified that there will be rate hearing soon. Residents should check the legal notices in the Burlington County Times.

Mr. Pullion liaison to the Redevelopment Committee reported he is still in contact with various professionals for a medical arts facility, diagnostics center, and one day surgery center for the Cardinale Development. He further reported he has provided the demographics for the Township to the Cardinale Development.

Mrs. Hall liaison to the Senior Advisory Committee stated the Flu Clinic was a success. Mrs. Hall further explained the nurses and helpers were very competent. Mrs. Hall requested a thank you letter to be sent to Silver Park West for the use of their facility.

Mrs. Hall liaison the Board of Education reported all the students were back in the lunchroom at Magowan and they are still waiting for the bathrooms to be done.

Mr. Johnson liaison to Neighborhood Watch discussed the next neighborhood watch meeting is this Thursday, October 22, 2009 at 6:30 PM.

Mr. Johnson further discussed the Neighborhood Watch and other groups will be working with Mayor Gail Cook in Beverly City to help fundraise and facilitate the 2010 Memorial Day Parade.

Mr. Johnson further reported he attended a meeting today with Len Siwak, EPAA, Rakesh Darji and Tom Miller of ERI, Aubrey Painter and Linda Dougherty to discuss the schedule to install the irrigation at Weimann Sports Complex. They hope to have the project completed by the spring of next year. Under the grant program the project must be completed by September of 2010. The improvements will require the field to be shut down for at least two seasons.

Mayor Mount reported the Township will be moving forward with the quiet zone study at the light rail. The cost will be approximately \$1,000 for each municipality involved with the project.

ORDINANCE(S): NONE

RESOLUTION (S)

Motion to Approve Resolution No. 2009-147 through 2009-151 by consent agenda; if any items on the consent agenda require discussion, it shall be removed from the consent agenda to the regular agenda.

Discussion: Mr. Pullion requested Resolution 2009-151 be removed from the consent agenda and voted on by separate motion.

Moved by: Mr. Pullion Second: Mr. Johnson

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Motion to Approve Resolution No 2009-147 through 2009-150 by consent agenda.
Moved by: Mr. Pullion Second: Mr. Johnson
Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Resolution No. 2009-147

Resolution Affirming the Appointment of the Registrar and Deputy Registrar

WHEREAS, on October 6, 2009 the Edgewater Park Township Board of Health approved for the following appointments effective October 12, 2009;

Deborah Cunningham as Registrar of Vital Statistics
Sheri Hannah appointment as Deputy Registrar of Vital Statistics

WHEREAS, NJSA 26:8-12 requires the appointments to be certified to the State Department of Health; and

WHEREAS, NJSA 26:8-11 et seq requires that the term of the office is for a three year period.

NOW, THEREFORE, BE IT RESOLVED by the Edgewater Park Township Committee that it does hereby affirm the above mentioned appointments as Registrar and Deputy Registrar for a three year period effective October 12, 2009.

RESOLUTION NO. 2009-148

Resolution Authorizing Participation in the NJDEP Community Forestry Program Cool Cities Initiative

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to participate in the NJ BPU Clean Energy Program and the NJ DEP Community Forestry Program Cool Cities Initiative to undertake the installation of shade trees that shall be planted on municipal property or with the municipal right of way; and

WHEREAS, the Edgewater Park Environmental Advisory Committee endorses the Township's participation in the Program; and

WHEREAS, the Cool Cities Initiative is a joint effort between the New Jersey Department of Environmental Protection (DEP) and the New Jersey Board of Public Utilities (BPU); and

WHEREAS, through this cooperative effort, the DEP plants shade trees in residential neighborhoods and low-rise mixed-use areas across the Garden State on publicly owned land such as along streets and roads, in parks, near sidewalks, and on school grounds; and

WHEREAS, participation in the program and the planting of shade trees will benefit our community for trees provide shade and reduce the heat absorbed which lowers surface temperatures by 7° to 11°F and air temperatures by 2° to 7°F. Trees also lower heating bills by blocking cold winter wind. Since trees keep cities cooler in the summer and warmer in the winter, less electricity is used for heating and cooling.

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.

NOW therefore BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, hereby authorize the Mayor and/or Clerk/Administrator to execute said contract with NJ DEP Community Forestry Program Cool Cities Initiative.

RESOLUTION NO. 2009-149

*Resolution Establishing An Edgewater Park Review
Committee For 2010 Professional Services*

WHEREAS, the Governing Body of the TOWNSHIP OF EDGEWATER PARK wishes to solicit Request for Proposals for Professional Services through a fair and open process in accordance with N.J.S.A.19:44A-20.5 et seq.; and

WHEREAS, the Township Committee wishes to create an Edgewater Park Request for Proposal Review Committee to guide the mayor and committee in connection with governing the affairs of the TOWNSHIP OF EDGEWATER PARK; and

WHEREAS, the Request For Proposal Review Committee appointed by the governing body shall review all qualifying RFQ's/RFP's giving due regard to the criteria set forth by the Township Committee which will be posted on the Township Webpage on October 30, 2009 and advertised in the Burlington County Times and Courier Post on November 6, 2009; and

WHEREAS, the Request for Proposal Review Committee shall make a non-binding recommendation to the Committee or Body with appointing authority of the professional to be awarded the contract; and

WHEREAS, the Review Committee prior to making its recommendation may, in its discretion, elect to interview candidates to better determine their ability to meet the selection criteria and discuss their qualifications and scope of the work to be performed; and

WHEREAS, the actual contract awards shall be by the Township Committee or by the Planning Board of the Township of Edgewater Park.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee of the TOWNSHIP OF EDGEWATER PARK do hereby create a Request For Proposal Review Committee to assist the Mayor and Township Committee and the Planning Board with its governing of municipal affairs.

BE IT FURTHER RESOLVED, that said advisory committee shall be known as the "Edgewater Park Request For Proposal Review Committee" and shall consist of five (5) members to be selected by the Mayor of the Township Committee of the Township of Edgewater Park and that the Township Committee does hereby appoint the following residents: John Alexander, Aimee Belgard, Kevin Johnson, David Levay, and Donna Mount.

BE IT FURTHER RESOLVED, that the members are appointed for a term, expiring January 31, 2010.

BE IT FURTHER RESOLVED, that the Committee shall exist at the will of the Township Committee, which shall reserve and retain the right to terminate individual membership at any time, and shall retain and reserve the right to abolish the Committee, itself, at any time. The committee members shall be residents of the township and shall remain residents of the township during their terms. A member, who, subsequent to his appointment, shall maintain an address as his or her principal primary residence that is not an Edgewater Township address, shall immediately vacate and forfeit his membership on the Committee; and until a subsequent appointment shall be made by the Township Committee the post shall be deemed vacant. The committee is advisory only, and shall have no right or ability to spend money or incur any debt without prior Township Committee approval.

RESOLUTION NO. 2009-150

Resolution Authorizing Participation SNJLRT Quiet Zone Feasibility Study

WHEREAS, the Township Committee of the Township of Edgewater Park wishes to participate in a SNJLRT Quiet Zone Feasibility Study to investigate the feasibility of creating a quiet zone of approximately five and one-half miles of track from Delran Township to Burlington Township (Park Avenue) and Neck Road in Burlington Township; and

WHEREAS, the Communities of Delran, Riverside, Delanco, Beverly, Edgewater Park and Burlington Township created a committee of public officials to explore a quiet zone which includes SNJLRTS stations Riverside, Delanco, and Beverly/Edgewater Park; and

WHEREAS, the quiet zone exploratory committee recommends the consultant services of R.L. Banks and Associates, Inc., 2107 Wilson Blvd, Suite 750, Arlington, VA to prepare a study will include the analysis of evaluations of existing grade crossings, risk factors, preliminary costs, recommendations and options, and consultant costs associated with full implementation of the zone; and

WHEREAS, the cost of the study is \$4,980; with the Communities of Delran, Riverside, Delanco, Beverly and Edgewater Park participating in the study therefore the cost to each town is \$996.00; Burlington Township already completed and submitted a feasibility study; and

WHEREAS, upon completion of the study and if the participating towns agree to move forward with the implementation of the quiet zone, Congressman John Alder will submit for federal funding for the said improvements in 2010 and any funding for the subsequent year if needed; and

WHEREAS, the quiet zone exploratory committee further recommends that R.L. Banks and Associates should continue as the consultant service through the implementation phase which could be an additional cost to all member towns but the federal grant funding request will include professional service cost for coordination and on-site inspection through the implementation of the quiet zone; and

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, hereby authorize award of contract to R.L. Banks and Associates, Inc to perform a Quiet Zone Feasibility Study.

RESOLUTION NO. 2009-151

Award of Contract to South Jersey Sanitation in the sum of \$109,682.88 for 'Historic Riverfront Neighborhood Solid Waste Collection Program'

WHEREAS, the Township Committee of the Township of Edgewater Park has requested that bids be submitted for 'Historic Riverfront Neighborhood Solid Waste Collection Program'; and

WHEREAS, bids have been received, opened and read in public on Friday, October 8, 2009 at the Township of Edgewater Park, 400 Delanco Road, Edgewater Park, NJ; and

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

WHEREAS, said contract shall provide solid waste collection and disposal services for a period of one year with two (2) one (1) year options, to commence 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, it appears to be in the best interest of the Township to accept the bid of 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 of \$109,682.88 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 of Edgewater Park shall have the option to extend said contract on an annual basis of \$4.96 per unit for the second year and \$5.04 per unit for the fifth year, and

WHEREAS, the Arbor Green Condominium Complex effective December 1, 2009 will become part of the Municipal Apartment Condominium Collection Services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 20th day of October, 2009, that the bid be accepted as per the attached bid return sheet; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign and execute a contract in proper form. 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.

Mr. Pullion moved to table Resolution No. 2009-151 until the November 10 meeting or at such time sooner as necessary to be in compliance with bid and contract regulations.

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no further discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF BILLS

Approval of Bills from October 3, 2009 thru October 16, 2009.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Authorization to Pay Bills from October 19, 2009 thru November 6, 2009.

Moved by: Mr. Booker Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF MINUTES

8/18/09 (public), 9/1/09 (public), 9/15/09 (public), and 10/6/09(public).

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

OPEN TO THE PUBLIC: 8:13 PM

CLOSE: 8:40 PM

The Mayor opened the meeting to the public.

Mr. Gil Maupin, 1619 Bridgeboro Road stated the Flu Clinic went well and he wanted to thank Mr. Rainey and Mr. Robbins for the use of the Silver ark West Club House.

Mr. Allan Ashinoff, 206 N. Garden Blvd questioned why the lowest bid was not taken for the Revaluation.

Mrs. Dougherty discussed that on recommendation from the Tax Assessor and the Township Solicitor, Township Committee approved a local company that software system is compatible with our current computer system.

Mr. Ashinoff further questioned why the Township did not ask for an extension on performing the revaluation due to the harsh economic times.

Mrs. Dougherty discussed the Township did apply to Burlington County for a one year extension; the extension was approved and the Revaluation must be completed by the end of 2010.

Mrs. Carol Nistico, 130 Alexander Road, questioned the status of the trees on the King's Property leaning into the fence at Silver Park West.

Mrs. Dougherty stated that upon discussion with the property maintenance inspector she was informed all the trees were growing in their natural state. She further discussed that there is a mediation process for disputes between neighbors in the Municipal Court Office.

Upon further discussion Mrs. Dougherty discussed she would do a site visit and she would coordinate with the Mrs. Nistico and Dan Mar Management.

Mrs. Nistico further discussed the problem is also happening with the properties bordering the Public Storage Facility.

Mrs. Grace Craythorn, 134 Alexander Road, discussed she was at the last meeting with Silver Park West residents and many of them complained about the large and overgrown trees at Public Storage.

Mr. Reale discussed the Township is limited in their authority when trees are growing naturally. Mr. Reale further discussed the dispute is between homeowners and if the trees are not diseased the Township may not be able to help.

Mr. Cal Stevenson, 160 Church Street, discussed that there are properties near his property on Mt. Holly Road were in disrepair.

Mrs. Dougherty discussed she would have the property maintenance inspector inspect the properties.

Mr. Stevenson also advised that SPW could request that their insurance carrier write a letter to the property owners with the trees leaning onto to their property notifying them of their liability. He discussed that he has done this in the past and it is effective in having the neighbor maintain the tree.

Mr. Noel Rainey, 7 Spring Lane, discussed they are having the same problem with trees in the other section of Silver Park West.

Mr. Rainey further questioned whether the Kings property is for sale.

Mrs. Dougherty advised that the property is privately owned and yes it is for sale. The Township owns and entered into a Development Agreement with the Miller Group for the purchase of the former drive-in movie theatre; the agreement addresses the development of the old King's property into a residential area. The owner of the Kings property (Arieal Realty) and the Miller Group are in discussion for a potential purchase. There is a component of the agreement in which the township may condemn the King's property with the purchaser paying for all costs associated with the condemnation.

Mr. John Loftus, 420 Jefferson Ave, invited Township Committee to a Veterans's Day presentation on November 11, 2009 with keynote speaker Gia Grosso at 11AM at the Beverly National Cemetery.

Mrs. Craythorn, discussed there is a pot hole on Route 130 going into the Silver Park West Development and the street is raised on Route 130 in front of Auto Zone.

Mr. Painter stated he would contact NJDOT because they are responsible for the road.

Mr. Rainey stated the street is collapsing on Forrestal Drive. Mr. Painter stated he was aware of the problem and he is addressing it.

Hearing no residents wishing to speak, the Mayor closed this portion of the meeting to the public.

THERE WAS NO OTHER BUSINESS

*Resolution No. 2009-152
Closed Session*

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 Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters concerning contractual obligations and personnel matters. Where it is necessary to discuss matters concerning solid waste contracts. Where it is necessary to discuss items falling under litigation and or attorney client privilege Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.

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

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

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

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

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

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

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

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

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

Moved by: Mr. Johnson

Second: Mr. Booker

Time:

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:00PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

ROLL CALL: Mr. Booker Mrs. Hall Mr. Johnson Mr. Pullion Mayor Mount

ANY OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:01PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
NOVEMBER 10, 2009**

Mayor Mount called the meeting to order at 7:00 PM

FLAG SALUTE

Veteran's Day Remembrance

Mr. Edward Gitto, Commander of the American Legion Post led the Pledge of Allegiance, the playing of the Star Spangled Banner and a moment of silence in recognition of Veteran's Day.

STATEMENT OF THE MINUTES

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By faxing written notice to the Burlington County Times And Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Committeewoman Elect Mrs. Aimee Belgard (Closed and Public), Committeeman Elect Mr. John McElwee arrived at 7:20PM (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Mr. Rakesh Darji, Township Engineer (Public and Closed), Ms. Tanyika L. Johns, Deputy Clerk (Public)

DISCUSSION(S)/PRESENTATION(S)

Cooper Street: Lamppost-tree across from Blyer Avenue

Mr. Darji discussed that upon discussion with Tim Kaluhiokalani, ERI they recommend the tree grow naturally. Mr. Darji further discussed that the Township would loose the warranty on the tree if the tree was moved.

Township Committee discussed that they felt that the tree trunk was too close to the sidewalk and the lamppost light and that the placement of the tree was a poor choice. Committee further questioned if the lamppost could be moved.

Mr. Darji discussed that it would be harder to move the lamppost because of the conduits which are set in concrete.

Committee further questioned how long the growing process would be for the tree to reach heights over the lamppost.

Mr. Darji stated he would request Mr. Tim K to look into it.

Mr. Johnson moved to let the subject tree on Cooper Street across from Blyer Avenue to grow naturally by recommendation from the Township Engineer; Second by: Mayor Mount
Hearing no further discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Re-organization Meeting 2010:

Set date and time of 2010 re-organization meeting for January 2, 2010 at 4:30PM, at the Edgewater Park Municipal Bldg, 400 Delanco Road.

Moved by: Mr. Johnson Second: Mr. Pullion

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Proclamations:

Proclamation proclaiming November 14th as World Diabetes Day in support of the UN Resolution

Moved by: Mr. Pullion Second: Mr. Johnson

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

REPORTS

The report from the Solicitor for closed session.

Ordinance Codification

Mr. Kearns recommended the ordinances be codified and posted on the web for easy access. Funding can be appropriated over a five-year period.

Mrs. Dougherty discussed that she received a proposal a couple of years ago for this and it was approximately \$20,000 to \$25,000 with a charge of approximately \$1,000 to update annually.

Report from the Engineer is appended hereto.

Weinmann Irrigation

Mr. Johnson questioned if the Engineer would be reviewing the estimated cost for the irrigation system.

Mr. Darji discussed that the estimates submitted were based on previous projects that ERI was involved with; the project will be submitted with a base project for the main field and alternates for the other two fields.

Report from Municipal Clerk/Administrator is appended hereto.

Historic Riverfront Neighborhood Solid Waste Collection Program

Mayor Mount requested the notice be sent through a flyer to the school and published in the Burlington County Times.

Beverly Bee

Upon discussion Mayor Mount moved to continue publishing in the Beverly Bee for year 2010.

Second: Mr. Pullion

Hearing no further discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Letters of Interest

Mr. Kearns stated there will be Local Finance Notice issued by the State requiring a specific form be filled out for residents interested in serving of any authorities, boards or committees; he will contact the State to find out more information.

OPRA Form

Mrs. Dougherty stated she would be submitting a new form for approval that was issued by the Government Records Council.

LWYW Program

Township Committee questioned whether there was any interest from resident for the program. Mrs. Dougherty discussed there was some interest in the program but potential homebuyers must first find a home, receive mortgage approval then apply to the LWYW Program. Any interested homebuyer were advised of the process and where they can find the information.

Cool Cities

Township Committee questioned when Mr. Alexander McCartney, New Jersey State Forester will be contacting the residents who have questions and when the trees would be planted.

Mrs. Dougherty discussed the planting will not be until after Thanksgiving and Mr. McCartney will contact the residents before the trees are planted. Residents that have called have been contacted advising that Mr. McCartney would be getting back in touch with them.

Committee questioned whether Blossom and S Garden Blvd residents have been notified. Mrs. Dougherty stated they were notified by the State.

New Jersey Transportation Trust Fund - NJ DOT 2010 Municipal Aid Grant

Upon discussion of the Ivy Road reconstruction project, Township Committee agreed to move forward with the Project and Bond Ordinance; grant award notice was in the amount of \$150,000.

Request from Resident for Pedestrian Crosswalk Sign at Cooper and Blyer Street

Mr. Brian discussed that he is in conversation with the county engineers office regarding specific requirements that need to be submitted.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

AUTHORIZATIONS:

Employment Contracts:

Chief Financial Officer: Authorization to move forward with negotiations for employment contract effective date of January 1, 2009, term of employment is hereby extended until December 31, 2010; negotiations to commence in 2010.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Municipal Clerk Contract: Contract expired March 31, 2009, authorization to move forward with negotiations to renew contract and further review of existing contract; term of employment is hereby extended until December 31, 2010; negotiations to commence in 2010.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Township Administrator Contract: Contract expired March 31, 2009, authorization to move forward with negotiations to renew contract; term of employment is hereby extended until December 31, 2010; negotiations to commence in 2010.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Function Permit: NONE

Solicitors Permit:

Jim Dunphy , 3 Applewood Court, Hainesport, NJ – Authorization to Sell Christmas Trees on Cramps Property (letter of permission from owner submitted) from December 1, 2009 thru December 24, 2009; fee submitted. 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. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

BCHS High School Band, Collection Dates November 21 through November 22, 2009;

Wawa

and 7-11 (Letters of Authorization from businesses pending) Requesting waiver of all fees.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

REPORT OF OFFICIALS

Mrs. Hall liaison to the Senior Advisory Committee stated the flu clinic went really well.

Mrs. Hall liaison to the School Board stated the bathrooms on one side of the Magowan are finished. The floors are done in both schools.

Mrs. Hall further advised the Swine Flu shots are on hold at the school pending a decision by Burlington City School Board; they are reluctant to administer the shots. The schools have prepared a curriculum plan in case of closure.

Mr. Booker liaison to Recreation stated the skate night was very successful.

Mr. Booker further advised The Holiday Tree Lighting is December 2, 2009 at 6:30 PM.

Mr. Booker further advised that there is a special Blue Light to put on Christmas trees to honor fallen police officers

Mr. Johnson liaison to Neighborhood Watch stated the meeting will be held at the Silver Park West clubhouse on November 24th.

Mr. Johnson further advised there is an EPPA meeting tonight at 8:30 PM. He further discussed that he, township officials and professionals met with EPAA to review the Weimann Field Irrigation Project.

Mr. Pullion liaison to the Redevelopment Committee reported he is still in contact with various medical arts facility, diagnostics centers, and one day surgery centers for the Cardinale Development. *Mr. Pullion* further discussed that he is also in contact with Assemblyman Conway and Connors for project assistance.

ORDINANCE NO. 2009-11: (FIRST READING)

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER XVI, LAND DEVELOPMENT ORDINANCE, TOWNSHIP OF EDGEWATER PARK, BURLINGTON COUNTY, NEW JERSEY

WHEREAS, the Township of Edgewater Park has been 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,

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.

(a) Permitted Principal Uses. In an R-7 Residential, Low Density District, land shall be used only for the following permitted uses:

- (1) Single-family detached dwellings.
- (2) Public parks and recreational facilities.
- (3) Governmental buildings and facilities.

(b) Permitted Accessory Uses. Only the following accessory uses are permitted when on the same lot with and customarily incidental to the foregoing permitted uses:

- (1) Private garages.
- (2) Utility sheds.
- (3) Private swimming pools, including above and below ground.
- (4) Fences and walls.
- (5) Decks and patios.
- (6) Home occupations.
- (7) Signs pursuant to §16-90.

(c) Area and Bulk Regulations.

- (1) The area and bulk regulations for this district shall be in accordance with the

requirements set forth in the Schedule of Area and Bulk Requirements.

- (2) A minimum 50' wide conservation easement shall be provided along any abutting R-2 Zoning District. The easement shall prohibit the location of any structures therein other than fencing.
- (3) A minimum 25' wide conservation easement shall be provided along all tract boundaries that abut zoning districts other than an R-2 District. The easement shall prohibit the location of any structures therein other than fencing and public roadways.
- (4) A minimum 20 percent of a tract shall be open space not including the required conservation easements indicated in (2) and (3), above. The 20 percent required open space may include stormwater management facilities and passive or active recreation space to be maintained by a homeowner's association or other approved entity.
- (5) New residential lots shall be setback at least 200' from existing public roadways.
- (6) Existing lots fronting on Bridgeboro Road and Mount Holly Road shall not be subject to the conservation easement requirements herein.

SECTION 2: A new zoning district shall be created as follows:

§ 16-82.21 R-8 SINGLE-FAMILY RESIDENTIAL DISTRICT.

- A. Permitted Principal Uses. In an R-8 Single-Family Residential District, land shall be used only for the following permitted uses:
 - (1) Single-family detached dwellings.
 - (2) Single-family attached dwellings.
 - (3) Public parks and recreational facilities.
 - (4) Governmental buildings and facilities.
- B. Permitted Accessory Uses. The following accessory uses shall be permitted when on the same lot with and customarily incidental to the foregoing permitted uses:
 - (1) Private garages.
 - (2) Utility sheds.
 - (3) Private swimming pools, including above and below ground.
 - (4) Fences and walls.
 - (5) Decks and patios.
 - (6) Home occupations.
 - (7) Signs pursuant to §16-90.
- C. Area and Bulk Regulations.

- (1) All uses other than residential shall comply with the requirements of the R-3 Zone or their applicable conditional use requirements.
- (2) The area and bulk regulations for this district shall be in accordance with the requirements set forth in the Schedule of Area and Bulk Requirements.
- (3) A continuous, low maintenance uniform perimeter privacy fence shall be provided along the sides and rear property lines of the tract at a height not less than 5'. Property owners shall be bound to maintain the fence and replace when necessary with a compatible fence.
- (4) Single-family attached units (townhouses) developed to comply with the applicable regulations of the NJ Council on Affordable Housing may be provided as part of a larger development of single-family detached units for the purpose of providing additional housing types at varying levels of affordability. Single-family attached units shall be located on individual lots, however all such lots shall be governed by a Homeowner's Association that will regulate uniformity of unit appearance and maintenance.
- (5) Single-family attached units (townhouses) shall be set back at least 25' from interior site roadways, 60' from existing municipal public roadways, 40' from county public roadways.
- (6) Where sides of units, both single-family detached and attached, face existing public streets, an evergreen plant buffer shall be provided to shield views to the sides and rears of units from the public right-of-way. The width of the buffer shall be designed such that the intended screening can be effectuated.
- (7) Recreation areas for the tract are required and subject to Planning Board approval.

SECTION 3: The Zoning Schedule of Area and Bulk Requirements shall be modified to add new standards for both the R-7 and R-8 Zones as follows:

ZONING
SCHEDULE OF AREA AND BULK REQUIREMENTS

Zoning District	Minimum Lot Requirements			Minimum Yard Requirements				Maximum Principal Building & Structure Height (feet/stories)	Max. Impervious Coverage (%)***	Minimum Habitable Floor Area (sq. ft.)
				Principal Buildings & Structures						
	Lot Area (sq. ft.)	Width (ft.)	Depth (ft.)	Front (ft.)	One Side (ft.)	Two Sides (ft.)	Rear (ft.) ⁽¹⁾			
R-7	32,000	150	200	30	20	50	35	35 / 2½	20	--
R-8 SF	8,125	65	125*	25	10	20	25	35 / 2½	30	
R-8 TH	2,500	24	100	25	**	**	25	35 / 2½	65	

* Perimeter lots Include a 25' conservation easement that prohibits the location of structures therein, excluding fences.

** 10' Side yard for end units. 20' between two rows of units. No more than 6 units in a row.
*** In the R-8 zoning district, maximum impervious coverage shall allow an additional 350 square feet for rear patios for single family units and an additional 250 square feet for rear patios for single family attached (townhouse) units.

SECTION 4: Block 404.06, Lot 1 is hereby rezoned from R-3 to R-8 and permits 19 single family detached units and 43 single family attached (townhouse) units. Single family attached (townhouse) units shall be constructed on interior roadways surrounded by single family detached units or open space.

SECTION 5: Block 203, Lots 3 and 3.02 are hereby rezoned to R-7 and permits 44 single family detached units.

This ordinance will be consider for adoption of final reading and public hearing to be held on December 1, 2009 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: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

ORDINANCE NO. 2009-13: (SECOND READING AND PUBLIC HEARING)

Private Storm Drain Inlet Retrofitting An Ordinance to Amend the Revised General Ordinances of the Township of Edgewater Park, by Amending Chapter 16.200 "Stormwater Management" by Creating New Section 14 "Refuse Containers/Dumpsters" to Comply with the NJPDES Municipal Stormwater Regulations Program

WHEREAS, the Township Committee of the Township of Edgewater Park has determined that there is a need to amend the established guidelines for Refuse Containers/Dumpsters to Comply with the NJPDES Municipal Stormwater Regulations; and

WHEREAS, Township Committee wishes to amend Chapter 16.200 by creating Section 14 Titled: "Refuse Containers/Dumpsters"

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park is hereby amended as follows:

Section 14 Titled: "Refuse Containers/Dumpsters"

§ Section 14.1 Purpose.

An ordinance requiring dumpsters and other refuse containers that are outdoors or exposed

to stormwater to be covered at all times and prohibits the spilling, dumping, leaking, or otherwise discharge of liquids, semi-liquids or solids from the containers to the municipal separate storm sewer system operated by the Township of Edgewater Park or other public body and/or the waters of the State so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ Section 14.2 Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Edgewater Park or other public body, and is designed and used for collecting and conveying stormwater.
2. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
3. Refuse container - any waste container that a person controls whether owned, leased, or operated, including dumpsters, trash cans, garbage pails, and plastic trash bags.
4. Stormwater - means water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.
5. Waters of the State - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ Section 14.3 Prohibited Conduct.

Any person who controls, whether owned, leased, or operated, a refuse container or dumpster must ensure that such container or dumpster is covered at all times and shall prevent refuse from spilling out or overflowing.

Any person who owns, leases or otherwise uses a refuse container or dumpster must ensure that such container or dumpster does not leak or otherwise discharge liquids, semi-liquids or solids to the municipal separate storm sewer system operated by the Township of Edgewater Park or other public body and/or the waters of the State.

§ Section 14.4 Exceptions to Prohibition.

1. Permitted temporary demolition containers
2. Litter receptacles (other than dumpsters or other bulk containers)
3. Individual homeowner trash and recycling containers
4. Refuse containers at facilities authorized to discharge stormwater under a valid NJPDES permit
5. Large bulky items (e.g., furniture, bound carpet and padding, white goods placed curbside for pickup)

§ Section 14.5 Enforcement.

This section shall be enforced by the Police Department and/or the Code Enforcement Officer of the Township of Edgewater Park.

§ Section 14.6 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to penalties as set forth in Chapter 16.200 Titled “Stormwater Control Ordinance”, Section 11 Titled “Penalties”, of the Revised General Ordinances of the Township of Edgewater Park.

§ Section 14.7 Severability.

Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

§ Section 14.8 . Effective date.

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Open to the Public for comment on Ordinance No. 2009-13 only

Hearing no members of the public wishing to speak the Mayor closed the meeting to public comment.

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

ORDINANCE NO. 2009-14: (SECOND READING AND PUBLIC HEARING)

An Ordinance to Amend the Revised General Ordinances of the Township of Edgewater Park, by amending 16.200 Entitled “Stormwater Control Ordinance” by Creating a New Section 15 “Private Storm Drain Inlet Retrofitting” to Comply with the NJPDES Municipal Stormwater Regulations Program

WHEREAS, the Township Committee of the Township of Edgewater Park has determined that there is a need to amend the established guidelines for “Private Storm Drain

Inlet Retrofitting” to Comply with the NJPDES Municipal Stormwater Regulations; and

WHEREAS, Township Committee wishes to amend Chapter 16.200 by creating Section 15, Titled: Private Storm Drain Inlet Retrofitting

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park is hereby amended as follows:

Section 15: Private Storm Drain Inlet Retrofitting

§ Section 15.1 Purpose.

An ordinance requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, (except a residential lot with one single family house), to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system operated by the Township of Edgewater Park, so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ Section 15.2 Definitions.

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Section clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. Municipal separate storm sewer system (MS4) - a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Edgewater Park or other public body, and is designed and used for collecting and conveying stormwater.
2. Person - any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
3. Storm drain inlet- an opening in a storm drain used to collect stormwater runoff and includes, but is not limited to, a grate inlet, curb-opening inlet, slotted inlet, and combination inlet.
4. Waters of the State - means the ocean and its estuaries, all springs, streams and bodies of surface or ground water, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

§ Section 15.3 Prohibited Conduct.

No person in control of private property (except a residential lot with one single family house) shall authorize the repaving, repairing (excluding the repair of individual potholes), resurfacing (including top coating or chip sealing with asphalt emulsion or a thin base of hot bitumen), reconstructing or altering any surface that is in direct contact with an existing storm drain inlet on that property unless the storm drain inlet either:

1. Already meets the design standard below to control passage of solid and floatable materials; or
2. Is retrofitted or replaced to meet the standard in Section 17-4.4 below, prior to the completion of the project.

§ Section 15.4 Design Standard

Storm drain inlets identified in Section 17-4.3 above shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see Section 17-4.4, 3. below.

1. Design engineers shall use either of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:
 - a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines (April 1996); or
 - b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension.

Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater basin floors.

2. Whenever design engineers use a curb-opening inlet, the clear space in that curb opening (or each individual clear space, if the curb opening has two or more clear spaces) shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.
3. This standard does not apply:
 - a) Where the municipal engineer agrees that this standard would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets that meet these standards;
 - b) Where flows are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a

minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- (i) A rectangular space four and five-eighths inches long and one and one-half inches wide (this option does not apply for outfall netting facilities); or
 - (ii) A bar screen having a bar spacing of 0.5 inches.
- c) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1") spacing between the bars; or
- d) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§ Section 15.5 Enforcement.

This section shall be enforced by the Police Department and/or Code Enforcement Officer of the Township of Edgewater Park.

§ Section 15.6 Violations and Penalties.

Any person(s) who is found to be in violation of the provisions of this section shall be subject to penalties as set forth in Chapter 16.200 Entitled "Stormwater Control Ordinance", Section 11- "Penalties" for each storm drain inlet that is not retrofitted to meet the design standard.

§ Section 15.7 Severability.

Each section, subsection, sentence, clause and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this ordinance.

§ Section 15.8 Effective date.

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Open to the Public for comment on Ordinance No. 2009-14 only

Hearing no members of the public wishing to speak the Mayor closed this portion of the meeting to public comment.

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

ORDINANCE NO. 2009-15: (FIRST READING)

A BOND ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, AUTHORIZING THE INSTALLATION OF IRRIGATION IMPROVEMENTS AT WEIMANN FIELD; APPROPRIATING THE SUM O \$245,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$230,000 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 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 \$245,000 including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in the Trust Fund-Reserve for Open Space Program.

Section 2. In order to finance the cost of the purposes or improvements and to meet the part of said \$245,000 appropriation not provided for by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$230,000 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. Installation of Irrigation Improvements at Weimann Field, Including the Acquisition of all Materials and Performance of all Work Necessary Therefore and Incidental Thereto.	\$245,000	\$15,000	\$230,000	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$230,000.

(c) The estimated cost of the improvement or purpose is \$245,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$15,000, 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 \$230,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$34,000 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 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.

This ordinance will be consider for adoption of final reading and public hearing to be held on December 1, 2009 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: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RESOLUTIONS

Motion to bring Resolution No. 2009- 151 back to the table from the October 20, 2009 meeting: Resolution Award of Contract to South Jersey Sanitation in the sum of \$109,682.88 for 'Historic Riverfront Neighborhood Solid Waste Collection Program'

Moved by: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Motion to Approve Resolution No. 2009-151 and 153 through 2009-158 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: Mr. Johnson

Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RESOLUTION NO. 2009-151

Award of Contract to South Jersey Sanitation in the sum of \$109,682.88 for 'Historic Riverfront Neighborhood Solid Waste Collection Program'

WHEREAS, the Township Committee of the Township of Edgewater Park has requested that bids be submitted for 'Historic Riverfront Neighborhood Solid Waste Collection Program'; and

WHEREAS, bids have been received, opened and read in public on Friday, October 8, 2009 at the Township of Edgewater Park, 400 Delanco Road, Edgewater Park, NJ; and

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

WHEREAS, said contract shall provide solid waste collection and disposal services for a period of one year with two (2) one (1) year options, to commence 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, it appears to be in the best interest of the Township to accept the bid of 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 of \$109,682.88 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 of Edgewater Park shall have the option to extend said contract on an annual basis of \$4.96 per unit for the second year and \$5.04 per unit for the fifth year, and

WHEREAS, the Arbor Green Condominium Complex effective December 1, 2009 will become part of the Municipal Apartment Condominium Collection Services.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, assembled in public session this 20th day of October, 2009, that the bid be accepted as per the attached bid return sheet; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign and execute a contract in proper form. 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.

RESOLUTION NO. 2009-153

RESOLUTION AUTHORIZING REFUND OF TAX OVERPAYMENT

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 to the following accounts for the so mentioned reasons:

Block 1804 Lot 1
Marlene D. Chapman
310 Jamestown Road
Edgewater Park, NJ 08010
\$1210.62
Homestead Rebate Overpayment

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

Resolution 2009-154

Resolution Establishing Salaries for Year 2009

BE IT RESOLVED that the following shall constitute the annual rate of compensation, unless otherwise noted; to be paid to the Township employees hereinafter

designated for the year 2009. Compensation shall be paid bi-weekly unless otherwise noted. This includes employees in collective bargaining units with negotiated contracts and employees with contract agreements.

SECTION 1: Establishment of Positions and Salaries

<u>POSITION</u>	<u>SALARY</u>
INSPECTIONS OFFICE	
Zoning Officer	\$ 6,000.00
or	\$15.00 (per hour)

RESOLUTION NO. 2009-155

*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 10th day November 2009, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

ALFONZO SOUTHERLAND
BLOCK: 1309 LOT: 7
AKA 212 S. GARDEN BLVD
Lawn Maintenance and General Clean Up
Amount: \$466.80

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. 2009-156

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 10th day November 2009, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

ALFONZO SOUTHERLAND
BLOCK: 322 LOT: 2
AKA 1333 MT. HOLLY ROAD
Lawn Maintenance and General Clean Up
Amount: \$466.80

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. 2009-157

***Resolution Supporting Burlington County Engineer's Submission to NJDOT
Requesting a Study the Intersection of
Route 130 at Mt. Holly Road/Beverly Rancocas Road***

WHEREAS, the Township of Edgewater Park formally requested the assistance of the Burlington County Board of Chosen Freeholders and Burlington County Engineers requesting that NJ Department of Transportation initiate a study for improvements at the Route 130 at Mt. Holly Road/Beverly Rancocas Road; and

WHEREAS, the requested study shall further consider submission of a funding request to the Delaware Valley Transportation Improvement Program to implement the improvements established by the study; and

WHEREAS, Burlington County Engineer, R. Thomas Jaggard, submitted a letter, dated October 21, 2009, to NJ Department of Transportation advising that there is a capacity problem at the intersection of Route 130 at Mt. Holly Road/Beverly Rancocas Road; and

WHEREAS, Cardinale Enterprises, LLC applied to the Edgewater Park Planning Board and received preliminary and final site plan approval for purposes of constructing a mixed-use commercial development located at 4201 US Route 130 South (Block 404, Lot 2.02.) The commercial development is known as *Edgewater Park Crossing*; and

WHEREAS, the Edgewater Park Crossing development is at risk of abandonment due to the cost of implementing the intersection improvements; and

WHEREAS, it is foreseeable, due to the amount of vacant land near or abutting the Route 130 intersection that more development will occur within the next few years including the property auctioned and sold by the State of New Jersey located at 4225 Route 130 S (Block 501.01, Lot 1) to Edgewater Park Developers, LLC, which is located directly on the corner of Route 130 South and Mt. Holly Road.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Edgewater Park consents to and endorses Burlington County Engineer, R. Thomas Jaggard letter dated October 21, 2009, to NJ Department of Transportation acknowledging a capacity problem at the intersection of Route 130 at Mt. Holly Road/Beverly Rancocas Road and requesting the NJDOT study this intersection, determine the best way to improve it and implement the improvements through State and/or Federal funding.

RESOLUTION NO. 2009-158

**RESOLUTION AUTHORIZING THE TRANSFER FUNDS FROM
CERTAIN BUDGET APPROPRIATION RESERVES
OF THE TOWNSHIP OF EDGEWATER PARK**

WHEREAS, there are certain 2009 Budget Appropriations that have unexpected balances; and

WHEREAS, there are certain 2009 Budget Appropriations that are insufficient to cover operating expenses for the year; and

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are hereby made between the following 2009 Budget Appropriations:

FROM:

Police S/W (9-01-25-240-011) \$ 20,000.00

TO:

Legal Services (9-01-20-155-101) \$ 20,000.00

APPROVAL OF BILLS

Confirmation of Bills from October 19, 2009 thru November 6, 2009.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Authorization to Pay Bills from November 9, 2009 thru December 1, 2009.

Roll Call: Mr. Daly Mr. Johnson Mrs. Mount Mr. Pullion Mayor Hall

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

APPROVAL OF MINUTES

Approval of Minutes from July 7, 2009 closed session, July 21, 2009 closed session, August 18, 2009 closed session, September 1, 2009 closed session, September 15, 2009 closed session, October 6, 2009 closed session and October 20, 2009 public session.

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes (abstain 7/21/09)

Mayor Mount-yes

OPEN TO THE PUBLIC:

The Mayor opened the meeting to the public.

Mr. Robbins, 9 Crystal Drive questioned how much was the cost for installing the well at Wiemann Field. Mr. Robbins further stated Silver Park West installed nine wells for \$97,000 and he can not understand why the Township is being quoted at \$240,000.

Mr. Kearns stated the Township has to pay prevailing wages.

Township Committee and Mr. Darji discussed the private and public sprinklers are different and have different regulations.

Mr. Robbins further stated the Township should talk to Silver Park West about the problems they had with their sprinkler.

Township Committee requested Mr. Robbins to submit a report of their problems.

Mr. Darji stated Environmental Resolutions employs a recreation engineer who will be involved with every aspect of the design.

Noel Rainey, 7 Spring Lane, stated the township should look into renting the equipment for the Weimann Sports Complex like they do in Delaware.

Mr. Rainey further stated Resolution 2009-157 is just another example of the how the Burlington County Freeholders put road blocks in the way of development.

Mr. Brian Adams 1 Ellis Alley, stated the 25 mile per hour speed limit has not stopped the dangerous speeding on Perkins Lane between Delanco Road and Bridgeboro Road. *Mr. Adams* further questioned whether the Township could install a speed bump.

Mr. Darji and Mr. Kearns stated there are other various traffic calming devices. The situation needs to be looked into by the township engineer.

Hearing no residents wishing to speak, the Mayor closed this portion of the meeting to the public.

ANY OTHER BUSINESS - None

COMMITTEEPERSONS ELECT

Motion authorizing Committeepersons Elect Aimee Belgard and John McElwee to attend the close session meeting of 11/10/2009:

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

***Resolution No. 2009-159
Closed Session***

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 concerning contractual obligations and personnel 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: Mr. Johnson Second: Mr. Booker Time: 8:43PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second: Mr. Booker Time: 10:48PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mr. Johnson

Second: Mr. Booker Time: 10:48PM

Hearing no discussion:

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
DECEMBER 1, 2009 AT 6PM**

Mayor Mount called the meeting to order at 6:05 PM

Flag Salute

Mrs. Dougherty announced that the meeting is not being recorded.

Open Public Meetings Act 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 November 20, 2009.
- B. By e-mailing written notice to the Burlington County Times And Courier Post on November 20, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on November 20, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Committeewoman Elect Mrs. Aimee Belgard (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public).

Invitee Mr. Joseph Dunn (Closed Session).

COMMITTEEPERSONS ELECT

Motion authorizing Committeeperson Elect Aimee Belgard to attend the closed session meeting of 12/1/09:

Moved by: Mr. Johnson Second by: Mrs. Mount

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Closed Session Resolution No. 2009-160

Where it is necessary to ascertain legal advice and discuss matters concerning personnel and contractual obligations. Where it is necessary to discuss items falling under litigation and or attorney client privilege Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.

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

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

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

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

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

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

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

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

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

Moved by: Mr. Pullion Second by: Mr. Booker Time: 6:07PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second by: Mr. Booker Time: 7:03PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE- CALL ROLL: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes (Committee Members)

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mr. Booker Second by: Mr. Pullion Time: 7:03PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
DECEMBER 1, 2009**

Mayor Mount called the meeting to order at 7:08 PM

FLAG SALUTE

Open Public Meetings Act Statement

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 5, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 5, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 5, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Committeewoman Elect Mrs. Aimee Belgard (Closed and Public), Committeeman Elect Mr. John McElwee (Closed and Public), Mr. Robert Brian, Chief of Police (Closed and Public), Mr. Aubrey Painter, Superintendent of Public Works (Public and Closed), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public), Mr. Rakesh Darji, ERI Township Engineer (Public and Closed), Mr. Chris Noll, ERI (Closed Session), Mrs. Margaret Peak, CFO (Closed Session).

**DISCUSSION(S)/PRESENTATION(S)
CITIZEN(S) OF THE YEAR**

The Mayor presented the following Proclamations to Edgewater Park residents for their volunteerism and service to the community:

MR. DAVID AND MRS. MARY LOU LEVAY:

WHEREAS, the Township Committee of the Township of Edgewater Park is proud to recognize and honor David & Mary Lou Levay for their vigorous efforts in beautifying the Beverly-Edgewater Park Riverline Station; and

WHEREAS, Mr. and Mrs. Levay have been residents of the Township of Edgewater Park for over twenty-eight years; and

WHEREAS, the citizens of the Township of Edgewater have been served by the dedication of volunteerism from Mr. and Mrs. Levay within the community; and

WHEREAS, for the past two and one-half years, Mr. and Mrs. Levay have worked almost daily to clean and beautify the Beverly-Edgewater Park Riverline Station; and

WHEREAS, Mr. Levay served as a community supporter and child advocate and volunteered his time as an umpire with the Edgewater Park Athletic Association and Ridgway Middle School; and

WHEREAS, today, we gather here to honor and give special recognition to Mr. David and Mrs. Mary Lou Levay for their outstanding dedication to the well being and upkeep of the Beverly-Edgewater Park Riverline Station.

NOW, THEREFORE BE IT PROCLAIMED, by the Mayor and the Township Committee of Edgewater Park, in the County of Burlington and State of New Jersey, that this municipality extends its deepest gratitude to Mr. David and Mrs. Mary Lou Levay for their relentless, always dependable and highly professional effort in serving the community and their efforts in maintaining the Riverline Station.

MR. GIL MAUPIN:

WHEREAS, the Township Committee of the Township of Edgewater Park is proud to recognize and honor Gil Maupin; and

WHEREAS, the citizens of this and surrounding municipalities have been served by the dedication of volunteerism from Mr. Maupin and his uncompromising commitment in the design and preservation at Roosevelt Park; and

WHEREAS, Mr. Maupin, has served the Township of Edgewater Park on various boards and commissions such as the Senior Advisory Committee and the Environmental Advisory Committee; and

WHEREAS, Mr. Maupin has earned the admiration and high regard of those with whom he has come into contact and the affection of his fellow citizens and public servants; and

WHEREAS, he has demonstrated that volunteerism exemplifies and promotes pride, independence, generosity and gratification; and

WHEREAS, today, we gather here to honor Mr. Maupin for his outstanding dedication to the Township of Edgewater Park and his commitment in the conservation of Roosevelt Park.

NOW, THEREFORE, by virtue of the authority vested in me as Mayor, and on behalf of the entire Edgewater Park Township Committee, I do hereby commend Gil Maupin for his dedicated service, offering this expression of recognition and appreciation for his contributions to the Township of Edgewater Park and the County of Burlington.

Moved by: Mr. Johnson Second: Mr. Pullion

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

REPORTS

Report From The Solicitor: Mr. Kearns discussed that the State announced that they will be holding the December CMPTRA payment to municipalities. He further discussed that the SCI Report was also issued by the State and e-mailed to members of Committee.

Report From The Engineer: (Appended to the end of the minutes)

Report from the Superintendent of Public Works: (Appended to the end of the minutes)

Miller Group – Greater American Communities: Township Committee questioned Mr. Darji on the status of the development.

Mr. Darji discussed that there has been no communication within the past two months and they are waiting on submission of plan revisions.

Report from the Chief of Police: (Appended to the end of the minutes)

Township Committee discussed that residents advised that speeding is occurring on Cooper Street between 7AM-8AM; vehicles usually traveling from Route 130 to the rail line station.

Report from Municipal Clerk/Administrator: (Appended to the end of the minutes)

PSE&G – Street Lights Upgrade

Mrs. Dougherty discussed that PSE&G is requesting Committee's consideration of street light upgrades and/or replacement.

Township Committee has the option to remove and replace the existing mercury cobra head fixtures and replace them with Induction cobra head fixtures; current lights are yellow and the induction lights are more energy efficient white in color. There will be no upfront charges for the upgrade however the Township must agree to keep the lights active and make payments for the next five-years. The cost includes a charge for maintenance of the lights and electricity charges. PSE&G maintains all poles and fixtures for the life of the agreement. The townships total estimated annual savings will be \$2,620.32.

If Committee does not want to convert the lights, then PSE&G has another program of choice using either a Metal Halide or High Pressure Sodium or Induction. Committee must pick a choice of one of the three to replace the Mercury Vapors when they go out over time.

Upon discussion Mr. Pullion moved to convert the lights to the white, energy efficient induction lights as long as the Township will not incur any additional costs even if a problem occurs; the agreement to be modified to include the aforementioned statement.

Second by: Mr. Booker

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Municipal Alliance Program – 2010-2011

Mrs. Dougherty reviewed the modified application and discussed that the Municipal Alliance grant program allows a 25% maximum for each project. The summer enrichment program was removed from the grant application due to estimated costs of approximately \$11,900; \$5,950 was previously requested under the grant. The grant guidelines also require a resume submittal for all projects; this would include the teacher, counselors and junior counselors.

The grant application was modified to include additional activities: Senior Dance, Project Graduation, Community Awareness Newsletter (to be published in the Beverly Bee) and Night at the Riversharks. The program coordinator salary was modified down from \$3,000 to \$1,800; this appointment is pending.

Upon discussion consensus of Committee was to remove the Night at the Riversharks so that there will be no conflicts with fundraising activities by Neighborhood Watch and agreed to reinstitute Halloween Party.

Mrs. Dougherty further discussed that the revised application will be submitted, by the County, to the Governor's Counsel; hopefully we will have a response by February.

Any Other Reports - None

REPORT ACCEPTANCE

Moved by: Mr. Johnson Second: Mr. Pullion

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

AUTHORIZATIONS: None

APPOINTMENTS/RESIGNATIONS: None

FUNCTION APPLICATIONS: None

REPORT OF OFFICIALS:

Committeeman Booker:

Liaison to Recreation Committee: Mr. Booker discussed that Wednesday, December 2nd will be the Holiday Tree Lighting at 6:30PM. Activities will include Santa's arrival, sing along songs played by Ridgway School Band and Choir, pictures with Santa and treats.

Committeeman Pullion:

Liaison to Redevelopment Committee: Mr. Pullion discussed that a meeting has been scheduled with Vito Cardinale, President of the proposed Edgewater Crossing development, and Assemblyman Conaway next week in Red Bank to discuss the potential medical/surgical facility.

Committeewoman Hall:

Liaison to the School/Board of Education: Mrs. Hall discussed that she spoke with Mr. Streckenbein this afternoon and the school was did not receive any State notice regarding reduction in aid; the school is on a fiscal year budget and if aid is reduced notification may come in February or March.

Lieutenant Gene DiFillippo: Mrs. Hall read a letter from Mr. Streckenbein, Superintendent of Schools, acknowledging the Lt. DiFillippo's support within the school.

Mrs. Hall further commended Mr. Darji, ERI, for his service to the community.

Committeeman Johnson:

Liaison to EPAA: Mr. Johnson discussed that Saturday at 10AM, December 5th EPAA will be hosting the kick-off event for basketball; activities will be held at Ridgway School.

Liaison to Neighborhood Watch: Mr. Johnson discussed that Neighborhood Watch held a great meeting at the Silver Park West Clubhouse with approximately 60 people in attendance. Police Department and Burlington County Sherriff's Department provided a lot of valuable information on home security and crime statistics. A program offering Senior ID's will be presented in 2010. Mr. Johnson further discussed that there will be no Neighborhood Watch meeting in December. The January 28th meeting at 6:30PM at the municipal building will include information on lead awareness.

Mayor Mount:

Mayor Mount thanked Mr. Darji, ERI for his services this year.

ORDINANCE(S):

Ordinance No. 2009-11: An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance, Township of Edgewater Park, Burlington County, New Jersey

Mr. Johnson moved to pull Ordinance No. 2009-11 from the agenda on Second Reading and Public Hearing for further review. A New Ordinance shall be introduced for consideration in year 2010. Second by: Mrs. Hall

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ORDINANCE NO. 2009-15:

(Second Reading and Public Hearing)

A Bond Ordinance Of The Township Of Edgewater Park, County Of Burlington, Authorizing The Installation Of Irrigation Improvements At Weimann Field; Appropriating The Sum Of \$245,000 Therefore And Authorizing The Issuance Of \$230,000 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 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 \$245,000 including the sum of \$15,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision purposes in the Trust Fund-Reserve for Open Space Program.

Section 2. In order to finance the cost of the purposes or improvements and to meet the part of said \$245,000 appropriation not provided for by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$230,000 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:

Purpose/ <u>Improvement</u>	Estimated <u>Total Cost</u>	Down <u>Payment</u>	Amount of <u>Obligations</u>	Period of <u>Usefulness</u>
A. Installation of Irrigation Improvements at Weimann Field, Including the Acquisition of all Materials and Performance of all Work Necessary Therefore and Incidental Thereto.	\$245,000	\$15,000	\$230,000	15 years

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$230,000.

(c) The estimated cost of the improvement or purpose is \$245,000, the excess thereof over the estimated maximum amount of bonds or notes to be issued therefor being the amount of \$15,000, 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 \$230,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$34,000 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 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: Mr. Booker

Second by: Mr. Pullion

Discussion: None

The Mayor opened the meeting to the public for comment on Ordinance No. 2009-15 only. Hearing no one wishing to speak the Mayor closed this portion of the meeting to public comment.

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION(S)

Motion to Approve Resolution No. 2009-161 through 2009-164 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: Mr. Booker

Second by: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-161

Resolution Authorizing the Transfer of Funds from Certain Budget Appropriation Reserves of the Township of Edgewater Park

WHEREAS, there are certain 2009 Budget Appropriations that have unexpected balances; and

WHEREAS, there are certain 2009 Budget Appropriations that are insufficient to cover operating expenses for the year.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that the following transfers be and are hereby made between the following 2009 Budget Appropriations:

FROM:

Inspection of Buildings S/W (9-01- 22-195-011) \$ 200.00

TO:

Fire Protection Subcode S/W (9-01-22-195-014) \$ 200.00

RESOLUTION NO. 2009-162

Resolution Providing For The Cancellation Of Certain Calendar Year 2009 Budget Appropriations Pursuant To NJSA 40a:4-60

WHEREAS, NJSA 40A: 4-60 provides for the cancellation of unexpended items of appropriations to allow these funds to be utilized during the next calendar year's budget; and

WHEREAS, it is the desire of the Township Committee of the Township of Edgewater Park, Burlington County, State of New Jersey, to cancel, upon recommendation of the Chief Financial Officer, certain unexpended items appearing in the calendar year 2009 Police Purchase of Vehicles appropriation line item in the 2009 municipal budget;

NOW, THEREFORE BE IT RESOLVED, that the following unexpended balance of the calendar year 2009 Police Purchase of Vehicles appropriation be canceled to surplus pursuant to P.L. 2001, c.138.

TOTAL CANCELLED: \$32,000.00

BE IT FURTHER RESOLVED, that one certified copy of this Resolution shall be forwarded to the Chief Financial Officer to affect the appropriate entries in the financial Records of the Township.

RESOLUTION NO. 2009-163:

Resolution Authorizing the Cancellation of Totally Disabled Veteran for Joseph E. and Anita Jackson Located at Block 802 Lot 12 Tax Year 2009 and Thereafter and Refunding Taxes Paid

WHEREAS, the owner of real property located at Block 802 Lot 12 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 2009 on real property located at 101 Hendrickson Ave., Edgewater Park, NJ 08010, Block 802 Lot 12; and

WHEREAS, the Edgewater Park Tax Assessor and Tax Collector have also approved the refunding of taxes already paid from July 24, 2008 the date of disability:

2008 property and county taxes for 160 days
2008 County-\$371.36, 2008 Township-\$458.30,
2008 Total-\$829.66;
2009-1st -\$1127.01, 2009-2nd \$1127.00, 2009 3rd \$972.48, 2009-4th 1222.48,
2009 Total – \$4,448.97
Grand Total of \$5278.63

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, Joseph E. and Anita Jackson, located at Block 802 Lot 12, for Total Disabled Veteran status, for the cancellation of taxes for 2009 and thereafter, for the refunding of taxes paid in 2009 for 4448.97 and refunding taxes paid in 2008 for \$829.66.

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. 2009-164

A Resolution Of The Township Committee Of the Township Of Edgewater Park Authorizing The Execution Of An Agreement With the Township Of Willingboro For Willingboro Municipal Court Sessions to be Held In Edgewater Park Township's Municipal Court Facility Pending Completion Of Renovations

WHEREAS, the Township of Willingboro has the need to utilize the Township of Edgewater Park's Municipal Court Facilities while renovations occur at its municipal court facilities; and

WHEREAS, it is in the best interest of the Township of Willingboro to continue to conduct its Municipal court during the time that the renovations make the municipal court facilities uninhabitable; and

WHEREAS, the Township of Edgewater Park has agreed to authorize the Township of Willingboro to hold its municipal court sessions in Edgewater Park Township's municipal court provided the Willingboro Township executes an agreement that indemnifies and holds harmless the Township of Edgewater Park for liability resulting from any and all claims arising from the Township of Willingboro's use of the Township of Edgewater Park Municipal Courts facility.

NOW THEREFORE BE IT RESOLVED, in open public session on this 1st day of December, 2009, that the Township Committee of the Township of Willingboro hereby authorizes the Mayor to execute an Agreement, between the Township of Willingboro and the Township of Edgewater Park, indemnifying and holding harmless the Township of Edgewater Park for liability resulting from any and all claims arising from the Township of Willingboro's use of the Township of Edgewater Park Municipal Courts facility.

APPROVAL OF BILLS

Affirmation of Bills from November 9, 2009 thru, November 23, 2009

Moved by: Mr. Pullion Second by: Mr. Booker

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Approval of Bills from November 24, 2009 thru December 1, 2009

Moved by: Mr. Johnson Second by: Mr. Pullion

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPROVAL OF MINUTES

Approval of Minutes from October 20, 2009 closed session, November 10, 2009 Public and Closed Session.

Moved by: Mr. Pullion Second by: Mr. Booker

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

OPEN TO THE PUBLIC: The Mayor opened this portion of the meeting to public comment; anyone wishing to speak please come forward and state your name and address for the record.

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

ANY OTHER BUSINESS - None

COMMITTEEPERSONS ELECT

Motion authorizing Committeepersons Elect Aimee Belgard and John McElwee to attend the closed session meeting of 12/1/2009 and 12/15/2009:

Moved by: Mr. Johnson Second by: Mr. Booker

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

CLOSED SESSION RESOLUTION NO. 2009-165:

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 ascertain legal advice concerning Carena vs the Township of Edgewater Park. Where it is necessary to discuss matters Township of Edgewater Park to Miller Group. Where it is necessary to discuss matters concerning contractual obligations and personnel matters. Where it is necessary to discuss Professional Project Contracts. Where it is necessary to discuss items falling under litigation and or attorney client privilege. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.

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

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

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

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

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

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

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

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

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

Moved by: Mr. Pullion Second by: Mr. Johnson Time: 8:17PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second by: Mr. Booker Time: 9:55PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE- CALL ROLL: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mrs. Mount Second: Mrs. Hall Time: 9:55PM

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Donna Mount, Mayor

Linda M. Dougherty, RMC/Administrator

**TOWNSHIP OF EDGEWATER PARK
MINUTES
DECEMBER 15, 2009**

Mayor Mount called the meeting to order at 7:02 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 November 20, 2009.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on November 20, 2009.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on November 20, 2009.

Present: Mr. Darrell Booker, Mrs. Judith Hall, Mr. Kevin Johnson, Mr. Joseph Pullion, Mayor Donna Mount (Committee Members)

Also present: Committeewoman Elect Mrs. Aimee Belgard (Closed and Public), Committeeman Elect Mr. John McElwee arrived at 7:07PM (Closed and Public), 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)

DISCUSSION(S)/PRESENTATION(S)

Proclamation: Burlington City High School Marching Band

Mayor Mount read and presented a proclamation to Mr. Dave May, Band Director, and Burlington City High School Marching Band in recognition of "Blue Devils Marching Band" as the 2009 United States Scholastic Band Association Group 3-A Northern States National Repeat Champions. Student members of the band came forth and provided their name and instrument played in the band.

WHEREAS, the Township Committee of the Township of Edgewater Park is proud to recognize and honor the Burlington City High School "Blue Devils Marching Band" for its second consecutive win; and

WHEREAS, Burlington City High School "Blue Devils Marching Band" were the 2008 United States Scholastic Band Association Group 3-A Northern States National Champions receiving a 91.7 out 100 points; and,

WHEREAS, Burlington City High School “Blue Devils Marching Band” are once again the United States Scholastic Band Association Group 3-A Northern States National Champions for year 2009 toping their scores from last year receiving a 93.975 of 100 points; and,

WHEREAS, the United States Scholastic Band Association Group 3-A Northern States National Competition consisted of five different states and fifteen other schools; and

WHEREAS, the Burlington High School “Blue Devils Marching Band” is designated as Group 3-A with sixty-eight members; and

WHEREAS, The Championship performed a selection entitled “Into the Realm” on the weekend of Nov. 8 at the J. Birney Crum Stadium in Allentown, PA competing against fifteen other Group 3-A finalists; and

BE IT NOW PROCLAIMED, by the Mayor and the Committee of the Township of Edgewater Park, in the County of Burlington and State of New Jersey, that “Blue Devils Marching Band” is hereby congratulated on their outstanding achievement as the 2009 United States Scholastic Band Association Group 3-A Northern States National Champions.

Moved by: Mr. Booker

Second: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Mr. Pullion requested the Township Committee to place a picture of the Burlington City High School Marching Band in the case in the hallway of the Municipal Building signifying monumental events in the Township.

Walt Ruff, PSE&G – Street light upgrade/replacement

Mr. Walt Ruff of PSE&G, government representative, gave a presentation for PSE&G Green initiative to replace mercury vapor lights in the Township because they are all obsolete. Mr. Ruff discussed that the replacement would be an induction light which is less expensive and lasts much longer. The cost saving for 186 lights throughout Edgewater Park would be approximately \$2,620 annually. The cost for the current 100 watt mercury vapor lights are \$10.36. The 40 watt induction light is \$9.96. The township does have a choice of four different options.

Mr. Ruff also gave a presentation on PSE&G energy audit program for Municipal and School Buildings.

Upon discussion, Township Committee agreed to approve the Green Energy Street Light Replacement Induction Program, with the induction lights offered by PSE&G.

Moved by: Mr. Pullion

Second: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-abstain, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

REPORTS

Report from Municipal Clerk/Administrator is appended hereto.

Roosevelt Park-Branches of Love Sign

Mrs. Dougherty discussed that the Environmental Committee would like to purchase another sign at Roosevelt Park because there are only a couple of plate spaces left on the original sign. The cost of the sign is approximately \$876.00 which \$675.00 would be funded through Environmental budget. The balance would be funded through the open space trust account which is approximately \$200.00.

Upon discussion, Township Committee approved the purchase of a new placard sign at Roosevelt Park for approximately \$876.00. The cost to be appropriated between the Environmental Budget and the open space trust account: \$576 and \$200 respectively.

Moved by: Mr. Pullion

Second: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

EPAA-Request to modify a diamond at Kite Field

Mr. Steve Bruneau of the EPAA requested the Township Committee to modify one field at Kite Field into a Cal Ripken standard size field.
Report from EPAA-Steve Bruneau is appended hereto.

Upon discussion, Township Committee approved the request to modify a Cal Ripken standard field at Kite Field for effective play this Spring.

Moved by: Mr. Booker

Second: Mrs. Hall

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mr. Johnson

Second: Mr. Booker

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS:

James Marris, Substitute Crossing Guard, effective December 15, 2009, rate of \$16.69 per post

Moved by: Mr. Booker

Second: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

FUNCTION APPLICATIONS: NONE

RAFFLE APPLICATIONS:

Raffle License 2009-2 Willingboro-Fort Dix McGuire Khappa Foundation: 50/50 Raffle, to be held on March 25, 2010 at Kove Catering, Edgewater Park. Chief of Police, Robert Brian, advised that an "in-house" background check has been completed on all parties and all parties checked negative for incidents that would preclude them from receiving the license.

Moved by: Mr. Pullion

Second: Mrs. Mount

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ORDINANCE(S): NONE

RESOLUTION:

Motion to Approve Resolution No. 2009-166 through 2009-169 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: Mr. Booker

Second: Mr. Pullion

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RESOLUTION NO. 2009-166

*Resolution Authorizing Refund Of Overpayment Due
To Veterans Deductions Granted In Tax Year 2009*

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 1003 Lot 13
Julio Hernandez
92 S Garden Blvd
Edgewater Park, NJ 08010
\$250.00

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. 2009-167

Resolution Of The Township Of Edgewater Park, County Of Burlington, And State Of New Jersey, Authorizing Mayor And Clerk To Enter Into A Collective Bargaining Agreement With The Edgewater Park Township Clerical Workers

WHEREAS, the Township's agreement with the EDGEWATER PARK TOWNSHIP CLERICAL WORKERS expired December 31, 2007.

WHEREAS, the Township wishes to enter into a collective bargaining agreement with the EDGEWATER PARK TOWNSHIP CLERICAL WORKERS for the years 2008, 2009, 2010 and 2011;

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 CLERICAL WORKERS, a copy of which is attached hereto, for the years 2008, 2009, 2010 and 2011.

RESOLUTION NO. 2009-168

***Resolution Of The Township Of Edgewater Park, County Of Burlington, And State Of New Jersey, Authorizing Mayor And Clerk To Enter Into A Collective Bargaining Agreement With Communication Workers Of America
AFL-CIO Local 1034 For Crossing Guards***

WHEREAS, the TOWNSHIP OF EDGEWATER PARK wishes to enter into a collective bargaining Agreement with COMMUNICATION WORKERS Of AMERICA AFL-CIO LOCAL 1034 FOR CROSSING GUARDS for the years 2008, 2009, 2010 and 2011.

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 COMMUNICATION WORKERS Of AMERICA AFL-CIO LOCAL 1034, a copy of which is attached hereto, for the years 2008, 2009, 2010 and 2011.

RESOLUTION NO. 2009-169

Resolution Of The Township Of Edgewater Park, County Of Burlington, And State Of New Jersey, Authorizing Mayor And Clerk To Enter Into A Collective Bargaining Agreement With The Edgewater Park Township Blue Collar Workers

WHEREAS, the Township's agreement with the EDGEWATER PARK TOWNSHIP BLUE COLLAR WORKERS expired December 31, 2007.

WHEREAS, the Township wishes to enter into a collective bargaining agreement with the EDGEWATER PARK TOWNSHIP BLUE COLLAR WORKERS for the years 2008, 2009, 2010 and 2011;

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 BLUE COLLAR WORKERS, a copy of which is attached hereto, for the years 2008, 2009, 2010 and 2011.

APPROVAL OF BILLS

Approval of Bills from December 1, 2009 thru December 11, 2009

Moved by: Mr. Johnson Second: Mr. Booker

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

Authorization to Pay Bills from December 11, 2009 thru, December 31, 2009

Moved by: Mr. Pullion Second: Mr. Johnson

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

APPROVAL OF MINUTES

Approval of Minutes from December 1, 2009 (6pm) Public and Closed Session, December 1, 2009 (7 pm) Public and Closed Session.

Moved by: Mr. Johnson

Second: Mr. Pullion

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

REPORT OF OFFICIALS

Committeeman Booker:

Liaison to Recreation Committee: Mr. Booker discussed that the annual holiday tree lighting ceremony was successful and thanked everyone for coming.

Liaison to Sewer Authority: Mr. Booker discussed that a resident brought concerns to him regarding the increase in sewer rates and the dissemination of information about the increase. He discussed that he will bring the concerns to the authority. He further discussed that the rate increase was due primarily to the increase in service fees from Willingboro Township; the Edgewater Park Sewer Authority contracts waste disposal with Willingboro.

Committeeman Johnson:

Liaison to Neighborhood Watch: Mr. Johnson discussed that on Feb 20th, there will be a Beef and Beer fundraiser for the Memorial Day Parade at the Edgewater Park Elks. Mr. Johnson further discussed Neighborhood Watch t-shirts are ten dollars; five dollars is contributed to Neighborhood Watch.

Committeewoman Hall:

Liaison to the School/Board of Education: Mrs. Hall toured the new bathrooms at Magowan School and they were phenomenal.

Mrs. Hall further reported that was her final report. In her final statement to township committee Mrs. Hall stated she has been on a journey for six years and her journey has now ended. She expressed gratitude to the residents of Edgewater Park and to her fellow committee persons.

Mayor Mount:

Mayor Mount informed everyone this is also her final meeting as Mayor and on Township Committee. She will continue to volunteer in the community by serving on various boards and she will be very active with the Memorial Day Parade Committee. Mayor Mount expressed that it was a difficult decision to leave Township Committee but knew her upcoming endeavors would be just as time consuming and rewarding. Mayor Mount further discussed how Aimee Belgard and John McElwee would be a great addition to Township Committee. She stated she did not accomplish everything she wanted to for this year but most of it was accomplished. Finally, Mayor Mount expressed her appreciation to the residents for letting her serve them and promised she will continue to be very involved with the Township.

OPEN TO THE PUBLIC: The Mayor opened this portion of the meeting to public comment; anyone wishing to speak please come forward and state your name and address for the record.

Dennis Robbins, 9 Crystal Drive: Mr. Robbins thanked Mr. Painter and Mrs. Dougherty for their diligence in addressing the pumping of the stormwater basin at Silver Park West due to the latest storm.

Mr. Robbins further discussed the vicious dog attacked that occurred against Willingboro's animal control officer and if our township should adopt a local ordinance deal with such attacks. Mr. Kearns discussed that vicious dog procedures are addressed under State statute.

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

ANY OTHER BUSINESS - None

Resolution No. 2009-170
Closed Session

**Where it is necessary to ascertain legal advice and discuss matters concerning personnel
Where it is necessary to discuss items falling under litigation and or attorney client
privilege. Minutes will be kept and once the matter involving the confidentiality of the
above no longer requires that confidentially, then the matter will be made public.**

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

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

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

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

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

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

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

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

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

Moved by: Mr. Pullion Second by: Mr. Johnson Time: 8:17PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE-ENTER PUBLIC SESSION

Moved by: Mr. Johnson Second by: Mr. Booker Time: 9:35PM

Discussion: None

Roll Call: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

RE- CALL ROLL: Mr. Booker-yes, Mrs. Hall-yes, Mr. Johnson-yes, Mr. Pullion-yes, Mayor Mount-yes

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mrs. Mount Second: Mrs. Hall Time: 9:35PM

Roll Call: Mr. Booker-yes Mrs. Hall-yes Mr. Johnson-yes Mr. Pullion-yes Mayor Mount-yes

Kevin Johnson, Mayor

Linda Dougherty, RMC/Administrator