

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

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

**FLAG SALUTE**

**Open Public Meetings Act Statement**

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

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

- A. By posting written notice on the Official Bulletin Board at the Municipal Building 400 Delanco Road Edgewater Park, New Jersey on January 6, 2010.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 6, 2010.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 6, 2010.

Present: Mrs. Aimee Belgard, Mr. Darrell Booker, Mr. John McElwee, Mr. Joseph Pullion, Mayor Kevin Johnson (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (Closed and Public), 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) Mrs. Barbara Fegley, Township Planner (Public), and Ms. Tanyika Johns, Deputy Clerk (Public)

**REPORTS**

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

**FEMA**

Mrs. Dougherty reported the FEMA application was submitted for reimbursement due to the storms.

**Budget**

Mrs. Dougherty requested Township Committee could coordinate with her to schedule the next Budget Meeting.

**Beverly Library**

Mrs. Juliana Fenner-Craig requested Township Committee appoint a committee member or resident to set on the board or attend meetings as a liaison from the Township.

Mayor Johnson requested that anyone interested please submit their interest to Mrs. Dougherty.

There Were No Other Reports

**REPORT ACCEPTANCE**

Moved by: Mr. Booker

Second: Mrs. Belgard

Hearing no discussion:

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

**ORDINANCE(S):**

**Ordinance No. 2010-04: (Second Reading and Public Hearing) An Ordinance to Amend Sections of Chapter XVI, Land Development Ordinance, Township of Edgewater Park, Burlington County, New Jersey**

Moved by: Mr. Booker

Second: Mr. McElwee

Discussion:

Mrs. Dougherty gave an overview of the proposed ordinance. Mrs. Dougherty stated to her knowledge there was not a developer for the property.

Mrs. Belgard questioned what happens if the ordinance is not adopted and what would be the ramifications of the trail to have 6 acre zoning.

Mr. Kearns discussed if we do not move forward it would go back to Judge Bookbinder for a bench trail. Mr. Kearns further stated pass litigation with six acre lot zoning have not been ruled favorably in the courts.

Mrs. Belgard questioned the cost of the litigation thus far.

Mrs. Dougherty stated the cost thus far was approximately \$35,000.00.

Mr. Kearns further stated there would be additional cost for the litigation and expert testimony.

Hearing No Further Discussion:

**OPEN TO THE PUBLIC:** The Mayor opened this portion of the meeting to public comment on Ordinance No. 2010-4 only.

Mrs. Linda Raymond, 802 Perkins Lane, discussed many years ago the township fought hard for the 6 acre lots. Mrs. Raymond discussed the people in the surrounding area moved there because of the open space. Mrs. Raymond further questioned whether the Township would consider something larger than one acre lots or a compromise. Mrs. Raymond further questioned whether the Township would consider a right to farm act. Mrs. Raymond further discussed if the Varsaci property sells then the Township should consider rescinding the open space tax.

Mr. Dino Vizzoca, 24 Quail Drive stated he moved to the Township from Burlington because of the open space Mr. Vizzoca further expressed concerns that the new development would raise taxes because of the new services.

Mr. Calvin Stevenson, 950 Mount Holly Road, raised concerns from industrial to residential and that there should be a larger buffer. Mr. Stevenson understands the plan is conceptual but he believes once the ordinance is approved the conceptual plans will be submitted.

Mr. Mike Raymond, 802 Perkins Lane, discussed that new development would cause a tax burden.

Mr. Alan Nicola, 850 Mt. Holly Road, discussed the fact there was no transitional development between industrial and residential area. Mr. Nicola stated the income from the property would not equal the services that have to be provided.

Ms. Pat Bryan, 737 Green Street, requested Township Committee leave the parcel as farmland or open space.

Mr. Noel Rainey, 7 Spring Lane, discussed the Varsaci property issue has been around for several years. Mr. Rainey discussed that buffer zones, trees and green areas could be built into the ordinances.

Mr. David Mailhiot, 2 Heatherfield Drive, discussed that he would prefer the zoning to be at least one acre or bigger. Mr. Mailhiot discussed that the state is reviewing Affordable Housing and that the Township may not have to comply.

Mr. Kearns discussed Affordable Housing must be deed restricted to be considered Affordable Housing.

Mrs. Barbara Fegley, Township Planner, Environmental Resolutions Inc., discussed the conceptual plans were developed to maximize green space in the front of the lot and flexibility in the center in the lots. The lots widths and depths are approximately the same as Quail Drive on lot 203 lot 3. On Block 404.04 lot 1, the township wanted to meet their affordable housing obligation; the intent is to build both lots simultaneously.

Mr. Nicola, 850 Mt Holly Road questioned why the buffers where smaller adjoining the industrial properties.

Mrs. Fegley she understands his concerns; industrial zoning that abuts residential requires a buffer, residential to residential does not.

Cal Stevenson questioned why the plan was done by a realtor and an engineer.

Mr. Kearns discussed the plaintiffs were directed to develop the plans.

Mrs. Bonnie Phillips, 224 Ivy Road, questioned what happen to the Kings property with the COAH obligation.

Mr. Kearns discussed there is an agreement with the Township that includes inclusionary development. Mr. Kearns discussed the every development has to meet a COAH obligations. Mr. Kearns further discussed that there is a new bill proposed that may change affordable housing obligations; changes have been going on for years which reflect retro-active obligations.

Mr. James Alexander, 1131 Railroad Ave., discussed that he has a Christmas tree farm and he has lived here for 40 years and prefers one plus acre lots; seems the Township is setting a precedence to have development for less than acre.

Mr. Alexander questioned whether smaller houses would work better than a townhouse through COAH. Mr. Alexander further questioned if we could hold off on the COAH obligation.

Mrs. Dougherty discussed that in 1998 the Township was sued by a builder for not meeting our COAH obligation. The Township bought the land from the builder to avoid costly litigation; builder remedy suits are still occurring.

Mr. Michael Raymond, 802 Perkins Lane, discussed that the high density is not good for the Town.

Mr. Nick Carrol, 32 Quail Drive, discussed he does not want the high density the project. Mr. Carroll further stated the Varsaci parcel should be an R-2 zone.

Mr. Harry Diseveria, 108 Stevenson Ave., questioned whether the township has to pay sewer hook ups for affordable housing.

Mr. Kearns stated that was untrue the builder must pay that obligation.

Mr. Bob Hammett, 26 Quail Drive, does not think the Township is going to break even for revenue and who would maintain the green space. Mr. Hammett would like to have two acre lots.

Jim Hampson, 1 Heatherfield Drive, expressed that he would like to see one acre lots or larger. Mr. Hampson asked the Township to make a homeowners association responsible for the green space.

Mrs. Renee Wescott, 25 Quail Drive, discussed the Township needs maintain what is currently there. Mrs. Wescott further discussed that the developer can negotiate a proposal; during this recession houses are not selling.

Mr. Ed O'Donnell 22 Quail Drive, discussed that the concept plan looks like a plan; green areas who will maintain this. Mr. O'Donnell believes there is happy medium between 1 acre and 6 acres.

Mr. Chris VanBrunt, 208 E Franklin Ave, discussed this is a bad idea for the community; residential backing up to industrial. Taxes go up every year and services are increased.

Mr. Jerry Gares, 209 Nikki's Place, discussed there should have been a liaison between the residents surrounding the properties to receive their input.

Mrs. Linda Raymond, 802 Perkins Lane, questioned whether the Township spoke with the Fire Department of whether they agree with the Township.

Mr. Kearns discussed that the plan is conceptual; once a site plan is submitted to the Planning Board then the review process starts with the various entities.

Mrs. Raymond further questioned whether the fire hydrants are paid by the residents.

Mrs. Dougherty discussed the fire hydrants services are paid through fire taxes.

Mr. William Farmer 1503 Mt Holly Road, discussed he moved here for the open space because Burlington Township was once farm land but all the farms have been sold and Burlington Township is over developed. Mr. Farmer is afraid if this ordinance is passed he fears other farms will follow suit.

Mr. Dennis Robbins, 9 Crystal Drive, discussed that Edgewater Park is located within the State's smart growth area. Areas west of Rt.38 are to be developed and areas east of Rt. 38 are to remain as open space according to the states Smart Growth Plan.

Mrs. Katherine Varasci Murphy, 1013 Bridgeboro Road, discussed that their family has negotiated with the Township for three years. Mrs. Murphy discussed the housing might bring

more revenue to the Township. Mrs. Murphy further discussed that the reason for the increase in property taxes is due to more than new development. Mrs. Murphy stated she is accepting offers for the properties if someone would like to buy it.

Mrs. Mary Varsaci, 1005 Bridgeboro Road, discussed that her family bought the property 90 years ago. Her family struggles to keep the farm going for their entire life. Mrs. Varsaci discussed if people want to keep the land as open space they should purchase it.

Mrs. Denise Hammet, 26 Quail Drive, questioned whether there will be environmental testing. Mr. Kearns stated every developer must perform tests per NJDEP regulations.

Mrs. Denise Westphal, 709 Green Street, questioned why we have to have the plan with the ordinance.

Mr. Kearns stated the plan is not a part of the ordinance; it was done as conceptual only.

Mr. Joe Caruso, 31 Quail Drive, questioned whether the plan can be made available during the day for review.

Mrs. Dougherty discussed that the conceptual plan is in the office.

Mrs. Renee Westcott, 25 Quail Drive questioned how much time we have to answer the judge.

Township Committee discussed tabling the ordinance for further review until the April 20, 2010 meeting.

Mr. Kearns discussed that he feels the April 20 meeting is within the time frame. Mr. Kearns further discussed this was a suit between the Township and the Varsaci family concerns the 2006 zoning changed to the 6 acre farmettes.

Mr. William Farmer, 1503 Mt. Holly Road, stated this is not personal but he thinks it's unfair to put in this amount of units.

Mr. Noel Rainey, 7 Spring Lane, stated the quality of life for all residents is what is in question.

Mr. Dennis Robbins, 9 Crystal Drive, questioned whether every resident would be willing to pay a fee to purchase the Varsaci property.

**CLOSE:** Hearing no one else wishing to speak the Mayor closed this portion of the meeting to public comment on Ordinance No. 2010-4 only.

Upon discussion Mayor Johnson moved to table Ordinance No. 2010-4 until the April 20, 2010 meeting for further review; Second by Mr. Pullion

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

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

Moved by: Mayor Johnson Second: Mr. Booker

**OPEN TO THE PUBLIC:** The Mayor opened this portion of the meeting to public comment on Ordinance No. 2010-2 only.

**CLOSE:** Hearing no one wishing to speak the Mayor closed this portion of the meeting to public comment on Ordinance No. 2010-2 only.

Discussion:

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

**AUTHORIZATIONS:**

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

Upon discussion by Township Committee, Mr. Pullion moved to table consideration of the donation for Boys and Girls State to American Legion Post #79 to the April 6<sup>th</sup> meeting due to budgetary constraints concerns.

Moved by: Mr. Pullion Second: Mrs. Belgard

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

**APPOINTMENTS/RESIGNATIONS:**

Temporary Emergency Appointment of Robert Irwin in the Public Works Department effective March 16, 2010, rate of \$15.00 per hour.

Moved by: Mayor Johnson Second: Mr. McElwee

Hearing no discussion:

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

**FUNCTION APPLICATIONS:**

All matters listed under Function Applications and Solicitor’s Permits are considered to be routine and will be enacted with a single motion by consent agenda. Any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

Moved by: Mr. McElwee Second: Mr. Pullion

Hearing no discussion:

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

**PUBLIC FUNCTIONS:**

2010-6 Amendment to Edgewater Park Women’s Club 2010-1; Tuesday, March 23. 2010 10 AM – 1 PM and Monday, May 17, 2010 10 AM – 1 PM Requesting waiver of fees (Certificate of Insurance on File)

2010-7 Steve Bruneau on behalf of EPAA; requesting use of Weimann Field Baseball Diamond; March 15, 2010–irrigation state date M-F 6 PM–11 PM, Sat 9AM- 11AM Sun 12PM -9 PM Request a waiver of all fees (Certificate of Insurance on file)

2010-8-Agnes A. James on behalf of US Census Bureau requesting use of Weimann Field House; April 27, 28, 29, and 30 2010 9 AM – 5 PM. Request a waiver of all fees (Liability Agreement pending per Jif Bulletin MEL 10-24)

**SOLICITOR’S PERMIT:**

Amending 2010-1 BCHS High School Band to add Collection Date March 27, 2010;

Pathmark and 7-11 (Letters of Authorization on file) Requesting waiver of all fees. 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.

2010-4 Elizabeth Tana for Mr. Softee for Ice-cream Sales, March 15– October 31, 2010; 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.

2010-5 Joan Schober for Mr. Softee for Ice-cream Sales, March 15– October 31, 2010; 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.

2010-6 Andrew Williams for Mr. Softee for Ice-cream Sales, March 15– October 31, 2010; 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.

2010-7 Harbor Schober for Mr. Softee for Ice-cream Sales, March 15– October 31, 2010; 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.

#### **DISCUSSION(S)/PRESENTATION(S): NONE**

#### **REPORT OF OFFICIALS**

##### ***Committeeman McElwee:***

**Liaison to EPAA:** Mr. McElwee reviewed the monthly report from EPPA which is attached hereto.

**Liaison to Environmental:** Mr. McElwee reported that the Environmental Committee is in the process of reorganizing since Mr. Maupin's passing.

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

**Liaison to Senior Advisory:** Mrs. Belgard reported Senior Advisory is planning to meet tomorrow, March 17<sup>th</sup>, at 3:00PM.

**Liaison to Planning Board:** Mrs. Belgard reported the Planning Board will not meet as regularly planned on Thursday night because of there is nothing on the agenda.

##### ***Committeeman Booker:***

**Liaison to the School Board:** Mr. Booker reported the School Board will be holding a Special Meeting on Monday, March 22, 2010, at 9:00 a.m., in Jacques School, to adopt the preliminary school budget and to review Governor Christi's proposed school aid reductions.

**Liaison to Recreation:** Mr. Booker reported the Breakfast with the Bunny will be held on March 27, 2010; to date donations have been received from Bevco and Arbor Green.

##### ***Mayor Johnson:***

**Liaison to Neighborhood Watch:** Mayor Johnson reported that Neighborhood Watch partnered with the Elk's Lodge for the Memorial Day Parade; a Beef and Beer fundraiser was held and approximately two thousand dollars was raised. Upon discussion with the Beverly, the parade route will be extended on Cooper Street to have the parade start on Green Street. Neighborhood Watch meets on the 4<sup>th</sup> Thursday of every month; the next meeting will be held on March 25<sup>th</sup> at 6:30PM with a presentation by Burlington County's Sheriff's Dept K-9 Unit.

**RESOLUTIONS**

Motion to Approve Resolution No. 2010 -43 through 2010-44 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. McElwee Second: Mayor Johnson

Hearing no discussion:

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

**RESOLUTION NO. 2010-43**

**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.

**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) \$ 1,600.00

TO:

Affordable Housing (9-01-21-190-101) \$ 1,600.00

**RESOLUTION NO. 2010-44**

***RESOLUTION TO CREATE TEMPORARY EMERGENCY APPROPRIATIONS***

**WHEREAS**, N.J.S.A. 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2010 to the date of adoption of the 2010 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 2010

Budget as finally adopted under the correct appropriation titles in said 2010 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:

<b><u>OPERATIONS INSIDE CAP</u></b>	<b><u>2010</u></b>
<b>GENERAL GOVERNMENT</b>	
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
<b>STREETS AND ROADS</b>	
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
<b>UTILITIES:</b>	
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
Municipal Court:	
Salaries and Wages	\$ 27,500.00
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Total Operations within CAPS	\$ 808,563.00

Deferred Charges and Statutory Expenditures-Municipal Within CAPS

Deferred Charges:

Statutory Expenditures:

Contribution to:

Police & Firemen's Retirement System	\$ 197,200.00
Public Employees' Retirement System	\$ 79,004.00
Contribution to Social Security System	\$ 47,100.00
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Total Deferred Charges and Statutory Expenditures – Municipal within CAPS	323,304.00
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Total General Appropriations for Municipal Purposes Within CAPS	\$ 1,131,867.00
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**OPERATIONS excluded from CAP**

Community Services Act:	\$ 63,000.00
Affordable Housing	
Other Expenses	\$ 7,500.00
State and Federal Grants:	
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Total Operations Excluded from CAP	\$ 118,000.00
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Public and Private Programs Offset by Revenues

Capital Improvement Fund	0.00
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Total Capital Improvements Excluded from CAPS	0.00
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Municipal Debt Service – Excluded from CAPS	0.00
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Total Municipal Debt Service-Excluded from CAPS	0.00
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Total General Appropriations:

\$ 1,249,867.00

### **APPROVAL OF BILLS**

Approval of Bills from March 2, 2010 - through March 12, 2010

Moved by: Mayor Johnson

Second: Mr. Booker

Hearing no discussion:

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

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

Mrs. Bonnie Phillips, 224 Ivy Road, expressed her condolences on the passing of Mr. Giles Maupin; he was a kind person and asset to the community.

Mrs. Phillips requested that Wood Lake Park be re-named after Jim Taft; a resident who worked on beautifying the park.

Upon discussion, Township Committee agreed to research the information that will be provided by Mrs. Phillips.

Mr. Steve Bruneau, 12 Quail Drive presented a reported for EPAA appended hereto.

Mr. Bruneau discussed that he agrees the Varsaci family has the right to sell their property and the concept plan presented seemed reasonable for all parties and that he will be available for any future meetings.

Mr. Chris VanBrunt, 208 E Franklin Ave, questioned exactly what we are getting back from PSE&G for solar panel installations on the poles.

Upon discussion, Township Committee requested that Mr. Kearns look into it.

Mr. VanBrunt asked Mr. Brian to speak to the neighbors about the incident that occurred on E Franklin Avenue.

Mr. Brian discussed that it was a crime of opportunity in which a 77 year old victim was robbed.

Mr. Noel Rainey, 7 Spring Lane, discussed that Committee could tell the residents about the good things that are happening in town.

Mr. Dennis Robbins, 9 Crystal Drive, the members of the environmental committee will not be able to do the things that Gil Maupin did to keep up Roosevelt Park.

Mr. Robbins also thanked Aubrey Painter for the help during the rain storm.

Jerry Gares, 209 Nikki's Place, questioned did the school go on lock down because of the incident that occurred on E Franklin Avenue.

Mr. Brian discussed they did not because all indications pointed to the suspect not being in the area.

Mr. Dennis Robbins discussed that he will donate to \$50 to the Boy and Girl State program..

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

**THERE WAS NO OTHER BUSINESS**

*Resolution No. 2010-45  
Closed Session*

*Where it is necessary to ascertain legal advice and discuss matters concerning personnel and contractual obligations. Where it is necessary to ascertain legal advice concerning Township of Edgewater Park vs. Silver Park West, LLC et seq. Where it is necessary to discuss matters Township of Edgewater Park to Miller Group. Where it is necessary to discuss items falling under litigation and or attorney client privilege. Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentially, then the matter will be made public.*

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

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

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

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

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

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

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

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

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

Moved by: Mayor Johnson      Second: Mr. Booker      Time: 9:30 PM

Hearing no discussion:

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

**RE-ENTER PUBLIC SESSION**

Moved by: Mrs. Belgard      Second: Mr. McElwee      Time: 10:20 PM

Hearing no discussion:

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

**ROLL CALL:** Mrs. Belgard-yes, Mr. Booker-yes, Mr. McElwee-yes, Mr. Pullion-yes  
Mayor Johnson-yes

**THERE WAS NO OTHER BUSINESS**

**ADJOURN**

Moved by: Mr. Booker      Second: Mr. Pullion      Time: 10:20 PM

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

*Kevin Johnson*

Kevin Johnson, Mayor

*Linda M. Dougherty*

Linda M. Dougherty, RMC/Administrator