

**TOWNSHIP OF EDGEWATER PARK  
MINUTES-MARCH 19, 2013**

Mayor McElwee called the meeting to order at 7:39 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:

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 8, 2013.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 8, 2013.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 8, 2013.

Present: Mr. Darrell Booker, Mr. Scott Kercher, Mr. Joseph Pullion, Mr. Michael Trainor and Mayor John McElwee (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (public and closed), Mr. Skip Reale, of Kearns, Reale and Kearns, Solicitor (public and closed), Linda Dougherty, Municipal Clerk/Administrator (public and closed).

**APPOINTMENTS/RESIGNATIONS:**

Fire Inspector/Sub Code Official: Edward Gitto, leave of absence effective March 5, 2013.

Moved by: Mr. Booker Second: Mayor McElwee

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

Fire Inspector/Sub Code Official: George C. Wieger III, temporary appointment effective March 11, 2013.

Moved by: Mr. Pullion Second: Mr. Kercher

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

In the absence of James Scott, Construction Official and Building Inspector

Substitute Construction Official – Michael Stallone, January 1, 2013 \_December 31, 2013

Substitute Building Inspector – Bill Brown, January 1, 2013-December 31, 2013

Moved by: Mr. Pullion Second: Mayor McElwee

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

**PRESENTATION/AUTHORIZATION/CONSIDERATION/DISCUSSION(S):** None

**FUNCTION APPLICATION:**

**Solicitor’s Permits:**

2013-5 Edwin Guadalupe for Mr. Softee for Ice-cream Sales, March 1– October 31, 2013; 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: Mayor McElwee Second: Mr. Trainor

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion=yes, Mr. Trainor=yes, Mayor McElwee –yes

*Public Functions:* None

*Raffle License:* None

**REPORTS**

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

**SEM-Electric**

Mrs. Dougherty discussed the benefits of staying in the SEM for electric and the cost savings. Upon further discussion Mr. Kercher moved to participate in the SEM for the electric auction.

Second: Mr. Booker

Further Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion=yes, Mr. Trainor=yes, Mayor McElwee –yes

*There were no other reports.*

**REPORT ACCEPTANCE**

Moved by: Mayor McElwee Second: Mr. Booker

Further Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion=yes, Mr. Trainor=yes, Mayor McElwee –yes

**RESOLUTIONS - CONSENT AGENDA**

Motion to Approve Resolution No. 2013-52 through 2013-54 by consent agenda; if any items on the consent agenda require consideration by separate roll call vote, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mr. Booker Second: Mayor McElwee

Discussion: Township Committee discussed that animal control Interlocal Service Agreement with Willingboro Township.

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion=yes, Mr. Trainor=yes, Mayor McElwee –yes

**RESOLUTION NO. 2013-52**

***Tax Identification Statement***

**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.

**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 the Township of Edgewater Park hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in calendar year 2012 in the amount of \$10,628.96. 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.

REA Tax certified by:

Name of official: Mr. Aubrey Painter  
 Title of official: Superintendent of Public Works/Recycling Coordinator  
 Date: March 19, 2013

**RESOLUTION NO. 2013-53**  
*Resolution to Create Temporary Emergency Appropriations*

**WHEREAS**, NJSA 40A:4-20 provides for Emergency Temporary Appropriations during the period January 1, 2013 to the date of adoption of the 2013 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 2013 Budget as finally adopted under the correct appropriation titles in said 2013 Budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Edgewater Park hereby authorizes the Temporary Appropriations as follows:

<u><b>OPERATIONS INSIDE CAP</b></u>	<u><b>2013</b></u>
<b>GENERAL GOVERNMENT</b>	
Administrative and Executive:	
Salaries and Wages	\$ 15,000.00
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	\$ 10,000.00
Other Expenses	\$ 2,600.00
Audit Services:	
Salaries and Wages	\$ 10,000.00
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
Municipal Land Use Law (NJSA 40:55D-1)	
Planning Board:	
Salaries and Wages	\$ 500.00
Other Expenses	\$ 1,000.00
Environmental/Shade Tree Commission:	
Other Expenses	\$
Insurance:	
UCC Insurance	\$ 3,400.00
Employee Group Insurance	\$ 175,000.00
Police:	
Salaries and Wages	\$ 356,340.00
Other Expenses	\$ 35,700.00
Municipal Prosecutor:	
Other Expenses	\$ 3,300.00
<b>STREETS AND ROADS</b>	
Road Repairs and Maintenance:	
Salaries and Wages	\$ 65,000.00
Other Expenses	\$ 19,500.00
Field maintenance and Repair:	
Other Expenses	\$ 2,000.00
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	
Other Expenses	\$ 2,500.00
<b>UTILITIES:</b>	
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

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
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Electrical Inspector:

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

Salaries and Wages	\$ 1,750.00
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Municipal Court:

Salaries and Wages	\$ 27,500.00
Other Expenses	\$ 2,000.00

Total Operations within CAPS	\$ 1,047,480.00
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Deferred Charges and Statutory Expenditures-Municipal Within CAPS

Deferred Charges:

Statutory Expenditures:

Contribution to:

Public Employees Retirement System	\$ 65,667.00
Police & Firemen's Retirement System	\$ 181,008.00
Contribution to Social Security System	\$ 47,100.00

Total Deferred Charges and Statutory Expenditures – Municipal within CAPS	\$ 293,775.00
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Total General Appropriations for Municipal Purposes Within CAPS	\$ 1,341,255.00
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**OPERATIONS excluded from CAP**

Condominium Reimbursements:	\$ 52,000.00
Affordable Housing	
Other Expenses	\$ 7,500.00

Total Operations Excluded from CAP	\$ 59,000.00
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Public and Private Programs Offset by Revenues

Drainage Improvements:	\$ 0.00
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Total Capital Improvements Excluded from CAPS	\$ 0.00
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Municipal Debt Service – Excluded from CAPS	
Payment Note Principal	152,000.00
Payment Bond Principal	143,000.00
Payment Bond Interest	110,700.00
Payment Note Interest	72,969.00
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Total Municipal Debt Service-Excluded from CAPS	\$
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Deferred Charges	
Deferred Charges to Future Taxation –	
Funded:	
Special Emergency Authorizations	0.00
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Total Deferred Charges –	
Municipal –Excluded from CAPS	0.00
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Total General Appropriations for	\$ 478,669.00
Municipal Purposes Excluded from CAPS	-----
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Total General Appropriations:	\$ <u>1,878,924.00</u>

**RESOLUTION NO. 2013-54**

***Authorizing Execution of an Interlocal Service Agreement for Animal Control Services between the Township of Willingboro and the Township of Edgewater Park***

**WHEREAS**, the Township of Edgewater Park entered into an Interlocal Services Agreement with the Township of Willingboro to provide Animal Control services on November 22, 2005 and renewed said contract and terms on April 1, 2011 and April 1, 2012; and

**WHEREAS**, the Township of Edgewater Park, pursuant to the terms and provisions as set forth in a revised Interlocal Services Agreement, a copy of which is filed in the Clerk’s Office, desires to enter into a new Interlocal Services Agreement for a one year period, effective April 1, 2013 with the Township of Willingboro pursuant to N.J.S.A. 40:8A-1, et. seq.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Edgewater Park that the Mayor and/or Clerk/Administrator is hereby authorized to execute said agreement on behalf of the Township of Edgewater Park.

**ORDINANCES**

**ORDINANCE NO. 2013-2-FIRST READING**

***An Ordinance To Amend The Code Of The Township Of Edgewater Park, Title 2, Entitled Administration And Personnel And Creating Chapter 2.10 Entitled Qualified Purchasing Agent***

This ordinance will be consider for adoption of final reading and public hearing to be held on April 2, 2013 at 7:30 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.

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

1. There is hereby created the position of Purchasing Agent for the Township of Edgewater Park.
2. The Purchasing Agent shall be appointed by the Township Committee.
3. The Purchasing Agent is required to possess a valid Qualified Purchasing Agent certificate, as issued by the New Jersey Division of Local Government Services, Department of Community Affairs.
4. The Purchasing Agent shall have, on behalf of the Township Committee of the Township of Edgewater Park, the authority, responsibility and accountability for the purchasing activity pursuant to Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.); to prepare public advertising for and to receive bids and requests for proposals for the provision or performance of goods, services and construction contracts; to award contracts pursuant to New Jersey law in accordance with the regulations, forms and procedures promulgated by state regulatory agencies; and conduct any activities as may be necessary or appropriate to the purchasing function of the Township of Edgewater Park.
5. All ordinances or parts of ordinances inconsistent herewith are repealed to the extent of such inconsistency.
6. If any word, phrase, clause, section or provision of this ordinance shall be found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of the ordinance and the remainder of the ordinance shall remain in full force and effect.
7. This ordinance shall take effect immediately upon final passage and publication as required by law.

Moved by: Mayor McElwee

Second: Mr. Pullion

Discussion: Township Committee questioned the delineation of a salary not being included in the ordinance language.

Mrs. Dougherty discussed that the salary range would be included with the salary ordinance; the salary would be included in a salary resolution.

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion=yes, Mr. Trainor=yes, Mayor McElwee –yes

## **REPORT OF OFFICIALS**

***Committeeman Kercher:***

*Liaison to the School Board:*

Mr. Kercher reported the School Board will have a budget hearing meeting next Tuesday, March 26 at 6:30 PM at Ridgway.

***Committeeman Booker:***

*Liaison to Recreation*

Mr. Booker reported the Annual Breakfast with the Bunny at Magowan School on March 16<sup>th</sup> was a great success. Mr. Booker further thanked all the volunteers, businesses, EPAA and especially the students from Ridgway sent by Mr. McCann.

***Committeeman Trainor:***

*Liaison to Senior Advisory Committee*

Mr. Trainor reported Senior Advisory met last Wednesday and finalized some dates for events. The Medicine Drop will be April 26 at the municipal building. The shredder event is confirmed for May 4<sup>th</sup>; the event is co-sponsored by the Senior Advisory Committee and Neighborhood Watch and the public works department will be there to assist residents. The electronic recycling is not available and will have to be rescheduled.

Mr. Trainor reported the computer class was well attended with thirty four attendees; classes are held at Ridgway School through cooperation of the Board of Education. Future consideration of the course will be to have a beginners and advance classes.

Mr. Trainor further discussed that he would like to bring back the fishing derby; derby to be held at the Red Dragon or Roosevelt Pond.

*Liaison to Environmental Advisory Committee*

Mr. Trainor reported Environmental met last week and Mr. Dennis Robbins was elected as Chair and Mrs. Sarah Cannon Moye was elected as Vice Chair. Mr. Trainor asked for new members. Mr. Trainor further stated the meetings will move to the second Wednesday of the month. The next meeting will be April 10 where they will discuss the dedication of Woodlake Park. Mr. Trainor further discussed that the Environmental Committee will resume the "Branches of Love" program and posting of the donations to the memory dedication board located at Roosevelt Park.

***Committeeman Pullion***

*Liaison to Redevelopment*

Mr. Pullion reported the Redevelopment Committee will meet on the last Wednesday of this month. Mr. Pullion further discussed there will be a Route 130 Corridor meeting with Mark Remsa, Director, Burlington County Economic Development next Monday, March 25, 2013; Edgewater Park is hosting the event.

***Mayor McElwee:***

*Liaison to Neighborhood Watch*

Mayor McElwee reported that the Neighborhood Watch meeting this month will be a working meeting on the March 28<sup>th</sup>; there is no presentation. The April 25<sup>th</sup> meeting will be held at Ridgway School and the presentation will be on adolescent issues; this is an adult only presentation. Neighborhood Watch will also have their Spring Fling on March 23<sup>rd</sup>; ticket cost is \$12 and the fundraiser is from 4-8 pm at 45<sup>th</sup> Street Pub.

*Liaison to EPAA*

Mayor McElwee deferred to Mike Schultz, President for EPAA for the EPAA report. Mike Schultz report is appended hereto.

Mayor McElwee and Mr. Schultz further discussed that EPAA would like Committee's consideration of a street hockey court; possible location would be in the place of one of the tennis courts near Ridgway School.

#### *Memorial Day Parade*

Mayor McElwee reported Beverly City has invited Township Committee to a picnic on the Riverfront the day of the Parade. Township Committee expressed cost concerns for the picnic; the parade is a unified event and any additional activities should be separate from the fundraising activities earmarked for the parade.

Upon further discussion consensus of Township Committee was to not to participate in the Beverly City picnic. A picnic is already planned for parade participants at the Edgewater Park Elk's Lodge.

Mayor McElwee further discussed logistical problems with the length of the parade; participants have expressed that the route is too long. A new proposed route making a left at River Road would provide that approximately 8/10 of a mile of the parade would be in Edgewater Park and the same length in Beverly. Members of the parade committee from Beverly City are not amenable to the change.

Township Committee further discussed that Edgewater Park residents have expressed hosting our own parade. Memorial Day is an significant day in which we honor our veterans; the Beverly National Cemetery is located in Edgewater Park and the tradition of a parade is important to the community.

#### **APPROVAL OF BILLS**

Approval of bills from March 1, 2013 through March 14, 2013

Moved by: Mayor McElwee Second: Mr. Kercher

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

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

*Mr. Noel Rainey, 7 Spring Lane,* discussed that there was a Medical Express – Urgent Care store that opened on Route 130, Willingboro in about six months.

**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. 2013-55**

##### *Closed Session*

*Where it is necessary to ascertain legal advice and discuss matters concerning Sale of Public Property, Block 1202, Lot 4.01. Where it is necessary to discuss matters concerning personnel contracts and negotiations. 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. Trainor                      Time: 8:35 PM

Discussion: Mayor McElwee reported that Committee does not anticipate further action upon the conclusion of closed session.

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

**THERE WAS NO OTHER BUSINESS**

**ADJOURN**

Moved by: Mayor McElwee                      Second: Mr. Kercher                      Time: 9:47PM.

Discussion: None

Roll Call: Mr. Booker -yes, Mr. Kercher, Mr. Pullion-yes, Mr. Trainor-yes, Mayor McElwee –yes

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John McElwee, Mayor

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Linda M. Dougherty, RMC/Administrator