

**TOWNSHIP OF EDGEWATER PARK
MINUTES MARCH 5, 2013**

Mayor McElwee called the meeting to order at 7:30 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. Aubrey Painter (Public), Mr. Robert Brian, Chief of Police (Public), Mr. William Kearns, Solicitor (Public) Mrs. Margaret Peak, Chief Financial Officer, Qualified Purchasing Agent(Public and Closed), Ms. Tanyika Johns, Tax Collector/Deputy Clerk (Public and Closed), Mr. Rakesh Darji, Township Engineer (Public)

APPOINTMENTS/RESIGNATIONS:

Appointment of Eileen Hebert, Court Recorder; effective January 15, 2013, \$56.00 per session
Moved by: Mr. Kercher Second: Mayor McElwee

Discussion:

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

PRESENTATION/AUTHORIZATION/CONSIDERATION/DISCUSSION(S): NONE

FUNCTION APPLICATION: NONE

REPORTS

Report from the Engineer is appended hereto

Report from Municipal Clerk/Administrator is appended hereto.

Report: Tax Collector's Annual Statement Year End 2012 appended hereto.

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. Trainor Second: Mayor McElwee

Discussion:

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

RESOLUTIONS - CONSENT AGENDA

Motion to Approve Resolution No. 2013-45 through 2013- 50 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. Trainor Second: Mayor McElwee

Discussion:

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

RESOLUTION NO. 2013-45

Resolution Supporting the Burlington County Municipal Joint Insurance Fund Wellness Policy

WHEREAS, the Township of Edgewater Park is a member of the Burlington County Municipal Joint Insurance Fund (JIF); and

WHEREAS, in April 2012 the JIF appointed a Wellness Director to promote the development of workplace wellness programs in each member municipality; and

WHEREAS, the average cost of Worker’s Compensation claims has almost doubled in the last six years and research indicates that a healthier workforce can result in shorter recovery time, a faster return to work, less absenteeism and increased productivity; and

WHEREAS, the goal of the Wellness Director is to assist in lowering Worker’s Compensation cost through implementation of individualized municipal wellness activities in each member municipality; and

WHEREAS, Tanyika Johns, is appointed as the Wellness Coordinator for the Township of Edgewater Park.

NOW THEREFORE IT BE RESOLVED by the Township Committee, of the Township of Edgewater Park, that the Township Committee supports the implementation of a Workplace Wellness Program that will utilize a proactive approach to promote employee health and wellness.

RESOLUTION NO. 2013-46

*Resolution Authorizing Refund Of Overpayment
Due to Double Payment of 2012 Taxes*

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 the following reasons: Block 404.08 Lot 11 Qualifier CL001
Matthew J. Cann

Make Check Payable to:
Wells Fargo Real Estate Tax Service, LLC
ATTN: Financial Support Unit - Region 1
1 Home Campus
MAC X2302-04D
Des Moines, IA 50328-0001
Double Payment
\$1,340.92

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. 2013-47

*Resolution Authorizing the Release of Maintenance Surety Bond
No.: LPM758868400 for Burlington Coat Factory*

WHEREAS, Township Engineer, Environmental Resolutions, was asked to inspect and report on the required improvements by Burlington Coat Factory, for purposes of releasing Surety Bond No.: LPM758868400 in the amount of \$647,406.77 for Block 502 Lot 13.06; and

WHEREAS, Special Projects Engineer, Richard A. Alaimo Association of Engineers previously recommended to reduce the existing Performance Bond from \$4,023,683.10 to \$1,207,104.93, as provided for by the Municipal Land Use Law, per Resolution No. 43-2004; and

WHEREAS, Special Projects Engineer, Richard A. Alaimo Association of Engineers reported on the required improvements on January 9, 2007 at the Burlington Coat Factory for purposes establishing a maintenance bond No.: LPM758868400 in the amount of \$647,406.77 with Resolution No. 2007-36 dated February 6, 2007; and

WHEREAS, Environmental Resolutions Inc, by letter dated October 5, 2009 inspected and recommends the release of Maintenance Surety Bond No.: LPM758868400 in the amount of \$647,406.77 posted by Fidelity and Deposit Company of Maryland, 1400 American lane, Schaumburg, IL 60196; and

WHEREAS, the Chief Financial Officer noted that all professional service fees submitted to date have been paid.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey that a Maintenance Surety Bond No.: LPM758868400 for Burlington Coat Factory for Block 502, Lot 13.06 by Fidelity and Deposit Company of Maryland, 1400 American lane, Schaumburg, IL 60196 be released.

RESOLUTION NO. 2013-48

*Resolution of the Township of Edgewater Park, County of Burlington, and State of New Jersey
Authorizing the Submission of the 2012 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 for which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it 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 the **2012 Recycling Tonnage Grant** will memorialize the commitment of this municipality to recycling and to indicate the assent of the 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 2012 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 2012 recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

RESOLUTION NO. 2013-49

*Resolution of the Township of Edgewater Park, County of Burlington, and State of New Jersey
Authorizing the Mammogram Mobile on September 18, 2013.*

WHEREAS, Breast cancer is an epidemic that will strike one out of eight American women in their lifetime; and

WHEREAS, every year the Township of Edgewater Park declares October as Breast Cancer Awareness Month; and

WHEREAS, in anticipation of October being declared as Breast Cancer Awareness Month and October 19, 2013, as Breast Exam and Mammography Awareness Day; the Edgewater Park Senior Advisory Committee and the Edgewater Park Neighborhood Watch Program in conjunction with Atlantic Regional Medical Center will host a Mammogram Mobile; and

WHEREAS, the Mammogram Mobile will be located at the Municipal Building, 400 Delanco Road, Edgewater Park, NJ on September 18, 2013 from 10:00 am through 2:15 pm with a break between 12:30 pm and 1:30 PM.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Edgewater Park hereby authorizes and supports the efforts of the Edgewater Park Senior Advisory Committee and The Edgewater Park Neighborhood Watch Program to host the Mammogram Mobile on September 18, 2013.

RESOLUTION NO. 2013-50

Resolution Authorizing the Transfer of Funds from Certain Budget Appropriation Reserves of the Township of Edgewater Park

WHEREAS, there are certain 2012 Budget Appropriations that have unexpected balances; and

WHEREAS, there are certain 2012 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 2012 Budget Appropriations:

FROM:

Police Salary & Wages	(2-01-25-240-011)	\$ 4,000.00
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TO:

Engineering	(2-01-20-165-101)	\$ 4,000.00
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ORDINANCES - NONE

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the School Board:

Mr. Kercher reported at the last meeting the Board of Education had a lengthy discussion on tenure reform. NJ Board of Education is suppose to give guidance on the tenure form tomorrow. The Board has not scheduled a time frame for selecting the superintendent. The School Board had a budget meeting yesterday. The budget will be posted on the their website and their will be a budget discussion on March 26 which is their next meeting.

Committeeman Booker:

Liaison to Recreation

Mr. Booker discussed the Annual Breakfast with the Bunny at Magowan School on March 16th at 9 am and the hunt will be at 10:15 am.

Mr. Booker further discussed the next meeting for the Recreation Committee is on Wednesday, March 13, 2013 at 7:30 pm.

Committeeman Trainor:

Liaison to Senior Advisory

Mr. Trainor reported Senior Advisory will meet next Wednesday at 3:00 pm.

Liaison to Environmental Committee

Mr. Trainor reported Environmental Committee will continue to meet on Tuesdays. The next meeting is scheduled for March 12, 2012 at 7:30 PM.

Liaison to Redevelopment

Mr. Pullion reported the Redevelopment Committee met the last Wednesday of the month. Mr. Alexander was elected as chairman. The next meeting they will be discussing a list of goals for 2013.

Mayor McElwee:

Liaison to Neighborhood Watch

Mayor McElwee reported Neighborhood Watch met this pass Thursday and had a presentation by Al Dejardins with the County Emergency Management discussing hurricane preparedness.

The next meeting for Neighborhood Watch is on March 28 at 6:30 PM which is a work session meeting with no presentation. The April meeting will host John Kroger for a seminar. March 23 is the Spring Fling which cost \$12 and is from 4-8 pm at 45th Street Pub.

Liaison to EPAA

Mayor McElwee reported the next meeting for EPAA is March 12th at 8:30 PM at the 45th Street Pub. On March 15th EPAA will have their first fundraiser at \$25 per person at 45th Street Pub.

Memorial Day Parade.

Mayor McElwee reported the Memorial Day Parade committee met once on March 14 at 7:30 PM at the Elks if any one is interested or needs more information please contact him. They will be doing an ad book to support the parade. The Parade Committee is also looking for volunteers.

Mayor McElwee also stated daylight saving time is Sunday at 2 am.

APPROVAL OF BILLS

Approval of bills from February 15, 2013 through March 4, 2013

Moved by: Mr. Trainor Second: Mayor McElwee

Discussion:

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. Jeff Stevenson, 120 E Church St asked whether the Township could have a state police patrol the community. Mr. Kearns replied there is a state rule that says they must be a rural community. Mr. Kearns further stated no more towns can be added to the state police patrolling.

Mr. Noel Rainey, 7 Spring Lane, Vice President of Silver Park West Homeowners Association stated there is a contractor dumping leaves.

Mr. Rainey further questioned why the sign is missing from Route 130 and Cooper Street for K2 Management.

Mr. Dennis Robbins, 9 Crystal Drive, needs an appropriation for the Shade Tree 2013 dues for the Environmental.

Mr. Robbins further question whether New Jersey American Water Company will repair a sidewalk on Forestall Drive towards Route 130. Mr. Painter stated he would contact them.

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. 2013-51 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 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. Trainor Second: Mayor McElwee Time: 8:04 PM

Discussion:

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

THERE WAS NO OTHER BUSINESS.

ADJOURN

Moved by: Mr. Trainor Second: Mayor McElwee Time: 8:25 PM

Discussion:

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

John McElwee, Mayor

Tanyika L. Johns, Tax Collector/Deputy Clerk