

ERI and CME Associates gave quotes.

ERI: Marc Selover is a Licensed Site Remediation Professional (LSRP); hourly rate of \$115.00. CME: Behram Turan is a Licensed Site Remediation Professional (LSRP); hourly rate of \$170.00

Upon discussion, Township Committee is will discuss the Site Remediation Reform Act at the April 17, 2012 meeting.

REPORTS

The Tax Collector's Report of Uncollectible Taxes is appended hereto.

Any Other Reports

Mr. Robert Brian, Chief of Police reported there will be a medicine drop on April 28, 2012 from 10 am – 2 pm.

REPORT ACCEPTANCE

Moved by: Mayor McElwee Second: Mr. Kercher

Discussion: None

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

RAFFLE/FUNCTION APPLICATIONS:

All matters listed under items # 8 Raffle/Function Applications are considered to be routine and will be enacted with a single motion on a consent agenda. If any item on the consent agenda requires consideration by separate roll call vote, it shall be removed from the consent agenda to the regular agenda.

Moved by: Mrs. Belgard Second: Mayor McElwee

Discussion: None

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

Transient Permits:

Transient Permit No.: 2012-:1 Keith Sadler for Big 10 BBQ Express, April 1, 2012 – October 31, 2012, Cramps Liquor Parking Lot, 4267 Route 130 South, All required fees have been paid. Permission Letters are on file. 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. Pullion

Discussion: None

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

Raffle Applications: NONE

Public Functions: NONE

RESOLUTIONS

CONSENT AGENDA

Motion to Approve Resolution No. 2012-67 through 2012-73 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: Mayor McElwee Second: Mr. Pullion

Discussion: None

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

RESOLUTION NO. 2012-67

Authorizing Submission of a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for Roadway Improvements to Jamestown Road and Cardinal Road

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 Jamestown Road and Cardinal Road 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 a grant application for Local Aid Infrastructure Discretionary Aid to the New Jersey Department of Transportation for roadway improvements to Jamestown Road and Cardinal Road 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 grant application and associated documentation for submission to the New Jersey Department of Transportation.

RESOLUTION 2012-68

Resolution Authorizing a Grant Application to the Board of Chosen Freeholders under the Municipal Park Development Program

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Township Committee of the Township of Edgewater Park desires to obtain County Municipal Park Development Program funds in the amount of Two Hundred Fifty Thousand Dollars (\$ 250,000.00) plus 10% bonus to fund the Weimann Park Sports Complex Improvement Project, Delanco Road, Edgewater Park, NJ, Block 502, Lots 10 and 8.01; and

WHEREAS, the total cost of the project including all matching funds is estimated to be \$350,000; and

WHEREAS, due to budgetary constraints the development of the park may have to be accomplished in phases and/or alternates; and

WHEREAS, the Weimann Park Sports Complex is an active recreation complex with various sport fields activities including soccer and baseball; and

WHEREAS, the Township of Edgewater Park maybe eligible to receive a bonus of 10% of the maximum award amount since the Weimann Park Sports Complex will serve the community of Edgewater Park, the Edgewater Park School District, the Burlington City School District and various neighboring communities athletic programs that travel to Edgewater Park; and

WHEREAS, the Township of Edgewater Park is the owner of Block 502, Lot 8.01 and the Edgewater Park Board of Education is the owner of Block: 502, Lot 10 who which control the project site.

NOW, THEREFORE, BE IT RESOLVED BY TOWNSHIP COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK THAT:

1. Linda M. Dougherty, Municipal Clerk/Administrator is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The Township of Edgewater Park is committed to this project and will provide the balance of funding necessary to complete the In the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mrs. Linda M. Dougherty, Municipal Clerk/Administrator is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved Funds; and
5. This Resolution shall take effect immediately.

RESOLUTION NO. 2012-69
RESOLUTION CONCERNING INTERIM AFFORDABLE HOUSING
SPENDING PLAN

WHEREAS, on September 28, 2011, the Honorable Ronald E. Bookbinder, A.J.S.C. entered a certain order entitled, "Order Dismissing Litigation Without Prejudice and Granting Extended Immunity and Repose" (hereinafter "Order") in a matter entitled *In the Matter of the Application of the Township of Edgewater Park*, Superior Court of New Jersey, Law Division, Burlington County, Docket No. BUR-L-3270-08 (hereinafter "Litigation");

WHEREAS, among other things, the Order (1) provided the Township of Edgewater Park (hereinafter "Township") with immunity from exclusionary zoning challenges and builder's remedy suits pending implementation of new third round fair share numbers, (2)

noted that the Township has twenty-eight credits towards satisfaction of its third round affordable housing obligation when such obligation is established, (3) directed that Art Bernard, P.P. remain assigned as the Special Master in said Litigation, and (4) directed the Township to comply with certain recommendations of the Special Master;

WHEREAS, the litigation referenced in the Order, *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing*, 416 N.J.Super. 462 (App.Div. 2010), *certif. granted* 205 N.J. 317 (2011) is still pending before the New Jersey Supreme Court, and, since entry of the Order, another recent judicial decision, *In re a Plan for the Abolition of the Council on Affordable Housing*, __ N.J.Super.__ (App. Div. 2012) invalidating Governor Chris Christie's June 29, 2011 Reorganization Plan dissolving the Council on Affordable Housing (hereinafter "COAH"), has further affected the underlying regulatory scheme for affordable housing, leaving municipalities without reliable guidelines on their third round obligations;

WHEREAS, P.L. 2008, c. 46 (codified at N.J.S.A. 52:27D-329.3 and also known as the "Roberts Bill" and "A-500") contained a provision, among others, that municipalities that fail to commit to expend development fees deposited in their affordable housing trust funds within four years from the date of their collection shall be required to transfer the unspent balance of those funds to COAH;

WHEREAS, the Township's affordable housing trust fund presently has a current balance of \$43,729, of which \$26,783 must be committed to expenditure by July 18, 2012 to avoid its transfer to COAH under the terms of the Roberts Bill;

WHEREAS, the Township desires to use the sums contained in its affordable housing trust fund to implement affordable housing opportunities within the Township, rather than transferring said sums to COAH;

WHEREAS, the Township desires to implement affordable housing projects within the Township notwithstanding the ongoing State-wide uncertainty over municipalities' third round obligations;

WHEREAS, the Township has prepared an interim spending plan dated April 9, 2012 to enable the Township to make expenditures from its affordable housing trust fund in furtherance of creating opportunities for affordable housing with the Township;

WHEREAS, said interim spending plan includes affordable housing opportunities that exceed the requirements of the Order; and

WHEREAS, at such time as a new third round regulatory scheme is established, the Township intends to review said interim spending plan and update the same as appropriate, but, in the meantime, desires to proceed with implementation of the same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park as follows:

1. The interim spending plan is approved;
2. The Township Attorney, Clerk, Special Affordable Housing Attorney, Affordable Housing Planner and such other officials and staff as may be appropriate are authorized to

submit said interim spending plan to Judge Bookbinder, the Special Master and such other entities, if any, as may be appropriate, in order to secure approval of the interim spending plan, implementation of projects contained therein, and utilization of the Township's affordable housing trust fund to those ends.

RESOLUTION NO. 2012-70
Resolution Adopting Personnel Policies and Procedures

WHEREAS, it is the policy of the Township of Edgewater Park to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee of the Township of Edgewater Park has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations; and

Whereas, the Township of Edgewater Park, by Resolution No. 72-2002, adopted a Personnel and Policies Procedures Manual and amended said manual on August 15, 2006 by way of Resolution No. 89-2006, May 6, 2008 by way of Resolution No. 2008-87, and April 20, 2010 by way of Resolution No. 2010-50.

NOW, THEREBY, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park that the Personnel Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Township of Edgewater Park officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Edgewater Park Township employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Edgewater Park Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Township of Edgewater Park shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The General

Counsel and/or Labor Counsel, if appointed, shall assist the Township Administrator in the implementation of the policies and procedures in this manual.

RESOLUTION NO. 2012-71

***RESOLUTION AUTHORIZING MAYOR TO EXECUTE THE SOLID WASTE AGREEMENT
WITH THE COUNTY OF BURLINGTON, NEW JERSEY***

WHEREAS, the Township of Edgewater Park is authorized to enter into agreements for Solid Waste Disposal effective January 2012 through December 2016; and

WHEREAS, Burlington County provides Solid Waste Disposal for the Municipalities in the County;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK that the Contract by and between the Township of Edgewater Park, a New Jersey municipal corporation, and Burlington County, a copy of which is attached hereto and made a part hereof, is hereby approved and the Mayor and the Township Clerk are hereby authorized to execute as many copies of the said Agreement as may be necessary.

RESOLUTION NO. 2012-72

***Resolution of the Township of Edgewater Park in Support of Municipal Enlistment in the
Military Initiative***

WHEREAS, on Tuesday, January 24, the Commander-in-Chief of our Armed Forces reminded all Americans that, “Above all, our freedom endures because of the men and women in uniform who defend it,” and that “ ... this generation of heroes has made the United States safer and more respected around the world.”; and

WHEREAS, the President, further, promised, “As they come home, we must serve them as well as they’ve served us. That includes giving them the care and the benefits they have earned ... And it means enlisting our veterans in the work of rebuilding our nation.”; and

WHEREAS, National Guard and Reserve forces today total over 1 million service members and represent 48 percent of our total military force; while every day around the globe, thousands of men and women in uniform, including dedicated members of the National Guard and Reserves, risk their lives and make great sacrifices to defend our national interests, serving extended tours away from their homes, families and jobs; and

WHEREAS, at the same time, we are now seeing unprecedented levels of unemployment and underemployment among members of the Guard and Reserve, as up to 22 percent of Guard and Reserve members face unemployment; and

WHEREAS, in this time of economic uncertainty, the Employer Support Guard and Reserve (ESGR) is focusing on connecting employers with the talented pool of service members and their spouses, with the intent of facilitating meaningful employment opportunities; and

WHEREAS, to further this goal, the New Jersey ESGR has launched an Employment Initiative Program (EIP), which is a collaborative effort with federal agencies including the Department of Labor (Veterans Affairs), the Department of Veterans, the Small Business Administration and the Office of Personnel Management; and

WHEREAS, the goal is to enhance the employment process and serve as an effective resource for service members and employers. ESGR is also partnering with Employer Partnership of the Armed Forces (EPAF) through EIP with a high-tech and high-touch approach; and

WHEREAS, for almost a year, now, the United States Chamber of Commerce has also endeavored to find employment for our returning veterans and the spouses of those who continue to serve, at home and abroad, with its Hiring Our Heroes program; and

WHEREAS, the Hiring Our Heroes program is a nationwide effort to help veterans and military spouses find meaningful employment, in partnership with the Department of Labor Veterans Employment and Training Service (DOL VETS), to improve public-private sector coordination in local communities, where veterans and their families are returning every day; and

WHEREAS, despite those efforts, the unemployment rate for veterans of our Armed Forces in our Nation and in our State continues to exceed the over-all rate; and

WHEREAS, in order to take the lead on advancing the EIP to the next level, the New Jersey ESGR has enlisted strong and positive support from corporate leaders, the New Jersey State Chamber of Commerce, US Dept. of Labor/VETS and the New Jersey League of Municipalities; and

WHEREAS, it is incumbent on all of us to prove that New Jersey cares for the men and women in uniform who risk their lives and make great sacrifices to defend our national interests; and

WHEREAS, this employment initiative can be New Jersey's way of saying thank you to the men and women who made great sacrifices to protect our nation's freedom; and

WHEREAS, local officials throughout the State of New Jersey, working together through the League of Municipalities, and with the New Jersey ESGR, their local and State Chambers of Commerce, and local business leaders can help to advance basic fairness to our vets and their families by pursuing one simple goal: to allow America's over one million unemployed veterans and military spouses to follow their dreams, instead of spending their lives just trying to catch up; now therefore be it

RESOLVED, on this 17th day of April, 2012 that the Township Committee of the Township of Edgewater Park recognizes that we will never be able to repay the debt we owe to all members of our armed forces; and

BE IT FURTHER RESOLVED, that in gratitude, the Township of Edgewater Park pledges its enthusiastic and unqualified support for the Employment Initiative Program of the New Jersey Employer Support Guard and Reserves; and

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the New Jersey State League of Municipalities and to our neighboring municipalities.

ORDINANCES: NONE

REPORT OF OFFICIALS

Committeeman Pullion:

Liaison to the Redevelopment Committee:

Mr. Pullion reported Bottom Dollar is proceeding on schedule.

Mr. Pullion also reported he submitted sample welcome banners for Township Committee's review.

Committeewoman Belgard:

Mrs. Belgard reported Senior Advisory in conjunction with Neighborhood Watch will hold a shredding event on April 28th, 2012 at 9 am.

Mrs. Belgard further reported the next senior advisory meeting is scheduled for May 9th at 3 PM.

Mrs. Belgard also report a resident would like to plant flowers for Earth Day and Roosevelt Park.

Mrs. Belgard informed residents the Burlington City YMCA is now host of the Women's Opportunity Center who give a helping hand to women and is available to the residents of Edgewater Park.

Committeeman Kercher

Liaison to Environmental

Mr. Kercher reported the environment committee met last week and meetings are the second Tuesday.

Mr. Kercher further discussed the need for a clearing house if information and the environmental committee would be coordinating that information with other organizations in town.

Liaison to the School Board

Mr. Kercher reported there is an art show tonight, a craft and vendor on the 27th from 7-10 pm supporting 8th grade graduation. The next school board meeting is on April 24th.

Mayor McElwee:

Liaison to Neighborhood Watch

The next meeting is April 26th at 6:30 PM where the new superintendent will be speaking.

The Neighborhood Watch Patrol will have another patrol on April 20, 2012 from 4 PM to 6 PM.

Liaison to the Memorial Day Parade

Mr. McElwee discussed that the Memorial Day Parade will have a fundraiser at 45th Street Pub on April 29, 2012 from 2 pm to 6 pm for all you can eat wings.

Liaison to EPAA

Mr. McElwee deferred to the president Mrs. Jenn Adamski

Mrs. Adamski reported EPAA will hold a celebrity scoop on May 2 from 6 to 8 pm at Rita's Water Ice in Willingboro. Mrs. Adamski further praised Mr. Painter and his crew for his hard work on the baseball and softball field. Mrs. Adamski asked if anyone wanted to commission

basketball. Mrs. Adamski thanked Mr. Cedric Jones of Final Impressions for laying the path at Memorial.

APPROVAL OF BILLS

Approval of Bills April 3, 2012 through April 13, 2012.

Moved by: Mr. Kercher Second: Mrs. Belgard

Discussion: None

Roll Call: Mrs. Belgard-yes, Kercher-yes, Mr. Pullion-yes, Mayor McElwee -yes

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

Mr. Justice Clarke, 300 Hayes Ave, questioned the status of the Emergency Squad decision to privatize.

Township Committee stated at this time they are still gathering information and they have not made a decision.

Mr. Clarke further questioned if there will be a time when they would discuss the Emergency Squad.

Township Committee stated there will be a decision in the future. Township Committee will make a decision based on all information provided and what is best for the community.

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. 2012-78

Closed Session

Where it is necessary to discuss affordable housing obligations. Where it is necessary to discuss a potential redevelopment agreement Bl: 502, Lot: 12. Where it is necessary to discuss items of Public Safety and Municipal Services. 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: Mrs. Belgard Second: Mr. Kercher Time: 7:57 PM
Roll Call: Mrs. Belgard-yes, Kercher-yes, Mr. Pullion-yes, Mayor McElwee -yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mrs. Belgard Second: Mayor McElwee Time: 8:54 PM
Roll Call: Mrs. Belgard-yes, Kercher-yes, Mr. Pullion-yes, Mayor McElwee -yes

John McElwee

John McElwee, Mayor

Tanyika L. Johns

Tanyika Johns, Tax Collector/Deputy Clerk