

**TOWNSHIP OF EDGEWATER PARK
MINUTES-MAY 1, 2012**

Mayor McElwee called the meeting to order at 7:30 PM

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 9, 2012.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 9, 2012.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 9, 2012.

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

Also present: Mr. Robert Brian, Chief of Police (Public), Mr. Aubrey Painter, Superintendent of Public Works (Public), Mr. William Kearns, Solicitor (Public and Closed) Linda Dougherty, Clerk/Administrator (Public and Closed), Mrs. Margaret Peak, Chief Financial Officer (Public), Mr. Rakesh Darji, Township Engineer (Public), Mr. Brent Lee, Township Auditor (Public) and Ms. Tanyika L. Johns, Tax Collector/Deputy Clerk (Public).

APPOINTMENTS/RESIGNATIONS:

James Bernard, Appointment as Public Works Repairer, Title Code 02935, per Certification of Eligibles No. PL20362

Moved by: Mayor McElwee Second: Mr. Pullion

Discussion: None

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

Appointment of Lou Fest; as Acting Electric Inspector, from April 27, 2012 through December 31, 2012; Sub-code Official has work conflicts.

Moved by: Mr. Pullion Second: Mr. Kercher

Discussion: None

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

Appointment of Michael Stallone; as Acting Construction Code Official, from May 7, 2012 through May 20, 2012.

Moved by: Mr. Pullion Second: Mr. Booker

Discussion: None

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

DISCUSSION(S)/PRESENTATION(S)/AUTHORIZATION(S)/CONSIDERATION(S):

PROCLAMATION:

B.P.O.E. Elk's Lodge #2550, Observance of Youth Week, the 1st week of May to Honor America's Junior Citizens for their accomplishments.

WHEREAS, The Benevolent and Protective Order of Elks has designated the first week in May, as Youth Week to honor Americas Junior Citizens for their accomplishments, and to give fitting recognition of their services to Community, State and Nation; and,

WHEREAS, Edgewater Park Elks Lodge # 2550 will sponsor an observance during that week in tribute to the Junior Citizens of this Community; and,

WHEREAS, no event could be more deserving of our support and participation than one dedicated to these young people who represent the nation's greatest resource, and who in the years ahead will assume the responsibility for the advancement of our free society; and,

WHEREAS, our youth need the guidance, inspiration, and encouragement, which we alone can give, in order to help develop those qualities of character essential for future leadership; and go forth to serve America; and

WHEREAS, to achieve this worthy objective we should demonstrate our partnership with Youth, our understanding of their hopes and aspirations and a sincere willingness to help prepare them in every way for the responsibilities and opportunities of citizenship:

NOW, THEREFORE, I, Mayor John McElwee, do hereby proclaim the first week in May as Youth Week, and urge all departments of government, civic, fraternal, and patriotic groups, and our citizens generally, to participate wholeheartedly in its observance

Moved by: Mrs. Belgard Second: Mr. Booker

Discussion: None

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

REPORTS

Report from the Solicitor.

Council on Affordable Housing

Mr. Kearns reported that the State through the League of Municipalities would be issuing a memo explaining affordable housing development fee funds; municipalities can still secure the funds if they are under contract with a developer even if funds have not been transferred.

Report from the Engineer is appended hereto.

Woodlake Park

Mr. Darji explained the additional change order for debris removal and disposal, a yard hydrant and water fountain at Woodlake Park.

Motion to approve a change order for additional debris removal and disposal for \$5,000.00 and yard hydrant and water fountain for approximately \$10,000.00 at Woodlake Park.

Moved by: Mr. Kercher Second: Mrs. Belgard

Discussion: None

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

Board of Education

Committeeman Kercher, liaison to Board of Education discussed that Cheryl Smith, Interim Superintendent of School, conveyed her gratitude to Rakesh Darji, Environmental Resolutions Inc. for his and ERI’s work performed for the rain garden and drainage at Magowan; ERI provided the services free of charge.

Quiet Zone and Bogg’s Run

Mayor McElwee discussed that he met with Assemblyman Troy Singleton regarding assistance with the Light Rail (security and quiet zone) and Bogg’s Run drainage upgrades. Assemblyman Singleton will assist with participation from all parties.

Report from Municipal Clerk/Administrator is appended hereto

Site Remediation Reform Act (SRRA) of 2009:

Establishment of a Licensed Site Remediation Professional (LSRP); effective May 7, 2012 through December 31, 2012

Motion to appoint to Environmental Resolutions Inc at \$115.00 an hour.

Moved by: Mr. Kercher Second: Mrs. Belgard

Any further nominations: None

Discussion: None

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

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

Mayor McElwee questioned the steps necessary to have a full time medicine drop box. Chief Brian reviewed procedures and security issues.

There were no other reports.

REPORT ACCEPTANCE

Moved by: Mayor McElwee Second: Mrs. Belgard

Discussion: None

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

RAFFLE/FUNCTION APPLICATIONS: NONE

RESOLUTIONS

RESOLUTION NO. 2012-74

Resolution Providing that the Budget May Be Read By Title Only

WHEREAS, N.J.S. 40A:4-8, as amended by Chapter 259, PL 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution passed by not less than a majority of the full governing body, providing that at least one week prior to the date of hearing, a complete copy of the budget has been made available for public inspection. That a copy was delivered to the free library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located.

WHEREAS, the Tax Collector in consultation with the Chief Financial Officer has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3 and they have both signed a certification showing the tax levies for the previous year, the tax rates and the range of permitted estimated tax levies;

NOW, THEREFORE, BE IT RESOLVED, by the Township of Edgewater Park, In the County of Burlington and State of New Jersey on the 1st day of May, 2012 as follows:

1. The Township of Edgewater Park Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Township for the third installment of 2012 taxes.
2. The entire estimated tax levy for 2012 is hereby set at \$14,680,339.31.

RESOLUTION NO. 2012-77
Stipulation of Settlement Tax Court – Jeffrey Bello
Block 1601/Lot 22.03 – 143 Warren Street

WHEREAS, DSI Realty Inc is the owner of certain property located at 143 Warren Street which is identified as Block 1601, Lot 22.03 on the tax maps of Edgewater Park Township; and

WHEREAS, Jeffrey Bello filed an appeal to the Tax Court of New Jersey for said premises for the 2011 tax year; and

WHEREAS, the parties have engaged in settlement negotiations;

WHEREAS, as a result of those settlement negotiations, the following reduced assessment has been proposed:

<u>2011 Assessment</u>	<u>Original Assessment</u>	<u>Requested Tax Court Judgment</u>
Land:	270,400.00	135,200.00
Improvements:	473,100.00	309,800.00
Total:	743,500.00	445,000.00

WHEREAS, both parties have made such examination of the value and proper assessment of the property and have obtained such appraisals, analysis and information with respect to the valuation and assessment of the property as they deem necessary and appropriate for the purpose of enabling them to enter into said stipulation; and

WHEREAS, the Township Tax Assessor has been consulted by the Township Attorney with respect to said settlement and has concurred; and

WHEREAS, based upon the foregoing, both parties represent to the Court that the said settlement will result in an assessment at the fair assessable value of the property consistent with assessing practices generally applicable in the taxing district as required by law; and

WHEREAS, interest on the refund is waived by the taxpayer provided the refund is paid as described below; and

WHEREAS, all refunds as a result of said settlement set forth herein are to be refunded in the amount of \$6907.29 within 60 days of the date of entry of the judgment pursuant to N.J.S.A. 54:3-27-2.;

NOW, THEREFORE, BE IT RESOLVED this 1st day of May 2012 by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the settlement in this matter as set forth herein above be and the same approved, and the Chief Financial Officer is hereby authorized and directed to refund prior year taxes in the amount of \$6,907.29 for 2011.

RESOLUTION 2012-78

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, 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.

ORDINANCES: NONE

REPORT OF OFFICIALS

Committeewoman Belgard:

Liaison to Senior Advisory

Mrs. Belgard thanked Mr. Painter and public works employees for their help and assistance with the shredding event, held on April 28th, in coordination with Neighborhood Watch and Senior Advisory.

Mrs. Belgard further reported Senior Advisory will meet on May 9th at 3 PM; no meetings will be held for the months of June through August.

Liaison to Planning Board:

Planning Board will meet Thursday May 17th at 7:00 PM.

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported the next meeting for the Environmental Committee is Tuesday, May 8th at 7:30 PM.

Liaison to the School Board:

Mr. Kercher reported that the next meeting will be held on May 22nd at Ridgway. Mr. Kercher further discussed the last board meeting included a performance by the Jazz band and student essay readings.

Mayor McElwee:

Liaison to Neighborhood Watch

Mayor McElwee reported May 24th is the next meeting for Neighborhood Watch at 6:30 PM the topic is understanding how drugs and alcohol impact your family; meetings are held at the municipal building.

Liaison to EPAA

Mayor McElwee reported EPAA's next meeting is Tuesday, May 8th at 45th Street Pub at 8:30 PM.

Mayor McElwee also reported on May 2nd, the EPAA will host a Celebrity Scoop at Rita's Water Ice in Willingboro Town Center from 6 pm -8pm.

Liaison to the Memorial Day Parade Committee

Mayor McElwee discussed the Memorial Day Parade had a fundraiser on Sunday; event had a great turn out. Money raised at the event will support the parade participant barbeque which is held at the Elk's Lodge. Mayor McElwee also thanked and acknowledged the 45th Street Pub for hosting the event.

APPROVAL OF MINUTES:

January 7, 2012 public session, January 17, 2012 public and closed session

Moved by: Mr. Kercher Second: Mrs. Belgard

Discussion: None

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

APPROVAL OF BILLS

Approval of Bills April 16, 2012 through May 1, 2012.

Moved by: Mayor McElwee Second: Mrs. Belgard

Discussion: None

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

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

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

THERE WAS NO OTHER BUSINESS

Resolution No. 2012-79

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: 8:10 PM
Roll Call: Mrs. Belgard-yes, Mr. Booker -yes, Mr. Kercher-yes, Mr. Pullion-yes, Mayor
McElwee -yes

THERE WAS NO OTHER BUSINESS

ADJOURN

Moved by: Mrs. Belgard Second: Mr. Pullion Time: 9:00PM
Roll Call: Mrs. Belgard-yes, Mr. Booker -yes, Mr. Kercher-yes, Mr. Pullion-yes, Mayor
McElwee -yes

John McElwee

John McElwee, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator