

**TOWNSHIP OF EDGEWATER PARK
MINUTES - JUNE 1, 2010**

Deputy Mayor Booker called the meeting to order at 7:00 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 and Mr. Joseph Pullion.
Absent: Mayor Kevin Johnson (Committee Members)

Also present: Mr. Robert Brian, Chief of Police (Closed and Public), Mrs. Linda Dougherty, Clerk/Administrator (Closed and Public), Mr. William Kearns, Solicitor (Closed and Public) and Mr. Rakesh Darji, Township Engineer (Public)

DISCUSSION(S)/PRESENTATION(S):

Eagle Scout Project; Mathew Jennings

Mathew Jennings presented his Eagle Scout Project to Township Committee. The project will entail the painting of house numbers on curbs to help emergency services; streets will include those that have been recently reconstructed.

Upon discussion Mr. Booker moved to permit Mathew Jennings to move forward with his Eagle Scout project appended hereto. Second: Mrs. Belgard

Township Committee advised that Mr. Jennings shall confer with the Mr. Brian, Chief of Police, the Township Engineer and Mrs. Dougherty prior to commencing with the project. Numbering method and paint shall be uniform. Mr. Jennings shall issue letters to residents prior to commencement of the project.

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

Nick Manousos: President, 45th Street Pub –

Mr. Manousos discussed with Township Committee that he is considering applying for a place to place transfer of liquor license to allow outside consumption/sales in conjunction with the installation of horse shoes pits behind the establishment and bordering the cemetery.

Mr. Brian, Chief of Police, discussed that he would like to see included with the application an outline to address safety measures and means to control activities and alcohol consumption. Mr. Darji, Township Engineer, discussed that a full blown site plan modification would not be necessary that a detailed sketch delineating the area and court construction would be sufficient.

Township Committee discussed that this is a function of the Planning Board but in general they are OK with the proposal with the understanding that any safety and control issues must be addressed.

Electronic Changeable Signs

Upon discussion consensus of Committee was to move forward with an ordinance permitting electronic signs to change messages but no flashing messages.

Noise Ordinance

Upon discussion further review is required.

Smoking of Recreation Grounds

Upon discussion consensus of Committee was to move forward with an ordinance prohibiting smoking of public grounds, but exclude parking lots.

REPORTS

Report from the Solicitor

Tax Abatement Program/Ordinance

Mr. Kearns discussed that the DCA advised that our ordinance on tax abatements is in proper form, but that we need to move forward to declare areas either in need of redevelopment or in need of rehabilitation in order to implement the ordinance. It is applicable in redevelopment areas already designated.

Upon discussion consensus of Committee was to recommend to the planning board to expand the area along Route 130 from Delanco Rd to Bridgeboro Rd. They further discussed that Mrs. Dougherty should reach out to Mark Remsa, County Economic and Development for assistance. Resolution authorizing the Planning Board to prepare a study should be prepared.

Report from the Engineer (appended)

New Jersey Transportation Trust Fund - NJ DOT 2010 Municipal Aid Grant – Ivy Road/Fern Lane Project

Upon discussion Mr. McElwee moved to authorize Mr. Darji to submit for a project extension for one year due to budgetary constraints. Second: Mrs. Belgard

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

Report from Municipal Clerk/Administrator (**appended**)

Report from the Superintendent of Public Works (**appended**)

Report from the Chief of Police (**appended**)

Any Other Reports – None

REPORT ACCEPTANCE

Moved by: Mr. Booker

Second: Mrs. Belgard

Further Discussion: None

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

AUTHORIZATIONS: NONE

APPOINTMENTS/RESIGNATIONS: NONE

FUNCTION APPLICATIONS:

Public Functions: NONE

Solicitor's Permit:

2010-14 McKinley Faulcon – Authorization to Solicit donations on behalf of the American Heart Association (letter of permission from owner submitted) from June 1, 2010 through September 30, 2010 at Pathmark; request fee waiver. All appropriate documentation have been filed, Application fee has been collected 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: Mr. McElwee Second: Mrs. Belgard

Further Discussion: Location of solicitation to be included in the minutes.

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

RESOLUTIONS

Motion to Approve Resolution No. 2010 -64 through 2010-67 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. Booker

Second: Mr. McElwee

Discussion: None

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

RESOLUTION NO. 2010-64

Resolution Authorizing Liquor License Submission to the Director of the Division of Alcoholic Beverage Control

WHEREAS, NJAC 13:2-4.1 states that no municipal issuing authority may issue, renew or transfer a license to or from any of its members, or issue, renew or transfer a license to or from any corporation, organization, or association in which any of its members is interested directly or indirectly; and

WHEREAS, NJAC 13:2-4.1 further states whenever the municipal issuing authority is prohibited from acting or is unable to reach a quorum due to individual conflicts of interest, application must be made to the Director of the Division of Alcoholic Beverage Control; and

WHEREAS, NJAC 13:2-4.1 requires submission of a issuing authorities resolution setting forth that the issuing authority has no objection to the renewal of the club license and it is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the license; and

WHEREAS, four members of Township Committee are members of the Edgewater Park B.P.O. Elk's Lodge #2550.

BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey as the Issuing Authority has no objection to the

renewal of the below mentioned club license and it is not aware of any circumstances or provisions of law or local ordinance which would prohibit the renewal of the license.

#0312-31-004-002 Edgewater Park B.P.O. 315 Green Street
Elks #2550

1. There are no violations of any kind against the above referenced licensees.
2. That all appropriate fees have been collected.
3. Director of the Division of Alcoholic Beverage Control may sign, issue and deliver license certificates in accordance with the foregoing on behalf of the issuing authority.
4. That the Chief of Police has no objection to the renewal of the liquor licenses.

RESOLUTION NO. 2010-65

Refund of Trust Account- Street Opening Permits

Resolution No. 2010-65 appended to the end of the minutes.

RESOLUTION NO. 2010-66:

Authorizing Change Order No.1 Net Decrease of Work for Robbins Water Service in regards to the Weimann Field Irrigation Well Installation

WHEREAS, the Township of Edgewater Park solicited bids for the installation of an Irrigation Well at the Weimann Field Sports Complex; and

WHEREAS, Robbins Water Service located at 462 Atsion Road, Shamong, NJ 08088 was awarded with a bid base price and alternate bids in the amount of \$37,210.00 on February 23, 2010 by Resolution 2010-40; and

WHEREAS, there is a need to decrease the contract price due to the final in quantities in place; and

WHEREAS, the Township Engineer recommended Change Order No. 1 with a letter dated May 11, 2010, a net decrease of \$7,300.00 from the previous contract amount of \$37,210.00 adjusting contract price to \$29,910.00.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, that the request for net decrease of \$7,300.00 for the project is approved.

RESOLUTION NO. 2010-67

AUTHORIZING AND DIRECTING THE TAX COLLECTOR TO ISSUE AND MAIL ESTIMATED 3RD QUARTER TAX BILLS, PURSUANT TO NJSA 54:4-66.2 et seq.

WHEREAS, the Township of Edgewater Park anticipates that the Annual Budget will not be adopted in time to mail the 2010 Tax Bill on a timely basis:

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

Deputy Mayor Booker opened this portion of the meeting to public comment

Dennis Robbins, 9 Crystal Drive, discussed that children are feeding the horses at Mrs. Moore property, located on Cooper Street. He has concerns about one of them being injured.

Noel Rainey, 7 Spring Lane, discussed that cars stop on Cooper Street to feed the animals. He further discussed that maybe a tree farm can be planted on the Cassidy's property across the street; the Township could then plant them in parks or within the public right of way.

Mary Varsaci, 1005 Bridgeboro Road, questioned is there is anything the police can do to control the noise coming from motor cycles; they are very load and all hours of the night. Mr. Brain, Chief of Police indicated that under Title 39 defective mufflers could be addressed and that he would advise the officers.

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

ANY OTHER BUSINESS:

Mrs. Belgard discussed that Mr. Mike Ianacone is interested in serving on the Senior Advisory Committee and that she would discuss the appointment with the Mayor.

CLOSED SESSION RESOLUTION NO. 2010- 68

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 ascertain legal advice concerning Sale of Public Property. 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. Pullion Time: 8:48PM

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: Mr. Booker Second: Mrs. Belgard Time: 10:00PM

Hearing no discussion:

Discussion: None

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

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

ANY OTHER BUSINESS: None

ADJOURN

Moved by: Mr. McElwee Second: Mr. Pullion Time: 10:00PM

Hearing no discussion:

Discussion: None

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

Kevin Johnson

Kevin Johnson, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator