

**TOWNSHIP OF EDGEWATER PARK  
MINUTES  
JUNE 15, 2010**

Mayor Johnson 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, Mr. Joseph Pullion, 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) Mrs. Margaret Peak, Chief Financial Officer (Public), and Ms. Tanyika Johns, Deputy Clerk (Public), Mr. Leo Midure, Tax Assessor (Public)

**DISCUSSION(S)/PRESENTATION(S):**

Revaluation Presentation

Leo Midure, Tax Assessor

George D'Angelo, Vital Communications Inc

Mr. Midure and Mr. D'Angelo gave a presentation to Township Committee and residents on the Revaluation process. The revaluation is a neutral revenue process; the purpose is to determine a fair market value. New assessments will be effective for the 2011 tax year. Vital Communication representatives will be going door to door to inspect the interior and exterior of each property; each representative will possess ID. Each resident will receive a letter regarding opinion of value in late November. At the residents requests an informal meeting will be arranged and another value opinion issued. If an agreement cannot be reached resident must file for an appeal prior to May 1<sup>st</sup>.

**OPEN TO THE PUBLIC FOR DISCUSSION ON THE REVALUATION ONLY:** The Mayor opened this portion of the meeting to public comment.

*Mr. Donald Stevens, 1644 Bridgeboro Road* discussed that many people are on fixed incomes and will be forced to move if taxes are raised.

*Noel Rainey, 7 Spring Lane* questioned properties that are currently used as farms but zone for industrial, residential etc how does the assessment handled for farm land.

Mr. Midure explained that when the property is sold there is a roll back of tax assessment; the land must be actively farmed.

*Mr. Larry Humm, 1114 Mt. Holly Road.* questioned if assessed values differ dramatically for similar homes where are the checks and balances, is a third party consulted.

Mr. Midure explained that various improvements and upgrades can modify an assessed value; if an agreement cannot be reached an avenue is through the County Tax Board and/or State Board. May 1<sup>st</sup> is the cut off for the revaluation appeal, after that April 1<sup>st</sup> is the deadline. This process is for tax assessment purposes; this is not an appraisal for an individual property which would be more detailed.

*Mrs. Marilyn Hopely, Cooper Valley Village* questioned the senior freeze and how the revaluation will affect that.

Ms. Johns, Tax Collector discussed that the revaluation should not affect any property that is currently qualified under the senior freeze program; the freeze is based on a dollar amount not a ratio.

*Mrs. Denise Westphal, 709 Green Street* questioned how the condition of a property affects the assessed value.

Mr. Midure and Mr. D'Angelo discussed that if two properties were identical, one property upgraded with new windows, kitchen etc the original home vs. the upgraded home will have a difference in value. Comparable sales are also taken into consideration.

*Dennis Robbins, 9 Crystal Drive* questioned the township's assessed value from 2009 to 2010. Mr. Midure advised that the Township overall assessed value dropped by approximately three million dollars due to mainly commercial and multi-dwelling appeals.

**CLOSE:** Hearing no one else wishing to speak on the revaluation only the Mayor closed this portion of the meeting to public comment.

## **REPORTS**

*The Report of the Municipal Clerk/Administrator is appended hereto.*

### **Burlington County Tipping Fees**

Upon discussion, Township Committee consented to send a formal letter concerning the tipping fees and pay with a manual check the amount of \$10,524.88 in pass tipping fees.

### **Cramps Liquor Store, Place to Place Transfer, Expansion of Premises**

Upon discussion, Township Committee wish to move forward with the expansion.

### **Budget Amendment**

Mrs. Belgard questioned whether the Township will be fined for not holding the meeting in time. Mrs. Peak there is no legislation which states when the budget has to be approved.

Any other Reports - There Were No Other Reports

## **REPORT ACCEPTANCE**

Moved by: Mr. Booker Second: Mr. Johnson  
Hearing no discussion:  
Roll Call: Mrs. Belgard - yes, Mr. Booker - yes, Mr. McElwee - yes, Mr. Pullion –yes, Mayor Johnson-yes

**AUTHORIZATIONS: NONE**

**APPOINTMENTS/RESIGNATIONS:**

Resignation: Crossing Guard, Joseph Figueroa, effective June 22, 2010.  
Moved by: Mr. Johnson Second: Mr. Pullion  
Hearing no discussion:  
Roll Call: Mrs. Belgard - yes, Mr. Booker - yes, Mr. McElwee - yes, Mr. Pullion –yes, Mayor Johnson-yes

**FUNCTION APPLICATIONS:**

*Public Functions: None*  
*Solicitor's Permit: None*

**RESOLUTIONS**

Motion to table Resolution No. 2010 – 46 and 2010-47 until July 6, 2010 meeting for further consideration due the inability of the Township to honor the salary increases proposed in the contracts; Resolutions were tabled at the May 18, 2010 meeting.

Moved by: Mr. Pullion Second: Mrs. Belgard  
Hearing no discussion:  
Roll Call: Mrs. Belgard - yes, Mr. Booker - yes, Mr. McElwee - yes, Mr. Pullion –yes, Mayor Johnson-yes

Motion to Approve Resolution No. 2010 -73 through 2010-75 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: Mrs. Belgard Second: Mr. Booker  
Hearing no discussion:  
Roll Call: Mrs. Belgard – abstain on Resolution No. 2010-73 yes to the remaining resolutions, Mr. Booker - yes, Mr. McElwee - yes, Mr. Pullion –yes, Mayor Johnson-yes

**Resolution No. 2010-73**

*Resolution Authorizing Liquor License Renewals for July 1, 2010 to June 30, 2011*

**BE IT RESOLVED** by the Township Committee of the Township of Edgewater Park, County of Burlington and State of New Jersey that:

1. Application having been duly made, the following are hereby adjudged to be entitled to the alcoholic beverage license for the licensed premise and the effective date of July 1, 2009:

**PLENARY RETAIL CONSUMPTION LICENSES - FEE \$2,000.00**

#0312-33-003-003 SMS Restaurant Inc. 4303 Route 130 South

#0312-33-005-005Kove Catering Inc 4313 Route 130 – Park Plaza

#0312-33-001-006 Edgewater Park Beverage Associates, Inc  
(Inactive License) 46 Newman Springs Rd  
Red Bank, NJ 07701

#0312-33-001-006: Application having been duly made, and the State of New Jersey, Division of Alcoholic Beverage Control, has granted a Special Ruling to permit consideration of the renewal application for Inactive License No. 0312-33-001-006 for the 2009-2010 and the 2010-2011 license term pursuant to N.J.S.A. 33:1-12.39.

**PLENARY RETAIL DISTRIBUTION LICENSE - FEE \$2,000.00**

#0312-44-002-003 Cramp's Liquor Store, Inc. 4267A S. Route 130  
t/a Cramp's Liquor Store

1. There have been no violations of any kind reported to the Township against the above referenced licensees.
2. The Municipal Clerk is hereby authorized and directed to sign, issue and deliver license certificates in accordance with the foregoing on behalf of Township Committee.
3. That the Chief of Police has no objection to the renewal of the liquor licenses.
4. Edgewater Park B.P.O. Elks #2550, whose mailing address is 315 Green Street, Edgewater Park, New Jersey 08010 license is a conflict license, approval for renewal has been submitted to the Director of Alcoholic Beverage Control; all applicable fees have been paid to the Township.

**RESOLUTION NO. 2010-74**

***Resolution Authorizing Approval Of Irrevocable Cash Deposit  
With Royal Auto Group***

**WHEREAS**, Royal Auto Group, located at 2018 Route 130 South, Edgewater Park, NJ wishes to post an Irrevocable Cash Deposit Letter No. 2010-1 in favor of the Township of Edgewater Park to guarantee the satisfactory maintenance of the improvements delineated in letter dated June 3, 2010 of the Township Engineers, ENVIRONMENTAL RESOLUTIONS, INC., by the applicant ROYAL AUTO GROUP, owner, AHMED BAYOUNNY;

**WHEREAS**, Royal Auto Group wishes to place such deposit with the Township in cash in the amount of \$5,478.30 in lieu of a letter of credit or maintenance guarantee;

**WHEREAS**, Township code section 16.32.030( c) provides for deposits in the form of cash or letter of credit;

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

The Chief Financial Officer may accept a cash deposit from Royal Auto Group, pursuant to the terms and conditions as outlined in the attached Irrevocable Deposit Letter No. 2010-1.

**RESOLUTION NO. 2010-75**

***A Resolution Authoring a Change in the Average Number of Hours of Employment for Employees for Participation in the SHBP***

State of New Jersey  
Department of Treasury  
Division of Pensions and Benefits  
State Health Benefits Program  
PO Box 299 Trenton, NJ 08625-0299

A **RESOLUTION** to authorize a change in the average number of hours of employment per week required for “full time” status for participation in the State Health Benefits Program in accordance with N.J.S.A. 52:14-17:26 and N.J.S.A. 52:14-17.46.2.

**BE IT RESOLVED:**

1. The Township of Edgewater Park 0477  
Corporate Name of Employer SHBP Number

a participating employer in the State Health Benefits Program, hereby designates 26 hours per week (average) as the minimum requirement for select full time employee status in accordance with N.J.S.A. 52:14-17:26 and N.J.S.A. 52:14-17.46.2.

2. This change in the number of hours of employment required for State Health Benefits Program, from 32.5 hours per week (average) to 26 hours per week (average) eligibility applies to:
- A. All Employees associated with Communications Workers of America, AFL-CIO Local 1036 Representing the Edgewater Park Township Clerical Workers.
  - B. All Employees of the Township of Edgewater Park associated with the Administrative Departments including but not limited to the Administrator’s Office, Clerk’s Office, Finance Office, Tax Collection Office and Land Use Office.
  - C. All other current and retired employees eligible for participation in the State Health Benefits Program under the previous full-time hours of employer definition will be permitted to continue coverage in the Program at the current status of 32.5 hours per week (average) as the minimum requirement for full time status in accordance with N.J.A.C. 17:9-4.6.
3. This resolution shall take effect immediately and the aforementioned change in full time hours shall be effective as of August 1, 2010 or as soon thereafter as it may be effectuated pursuant to the statues and regulations.

Township of Edgewater Park)  
Corporate Name of Employer

400 Delanco Road  
Address

on the 15<sup>th</sup> day of June, 2010

Edgewater Park, NJ 08010

**ORDINANCES: NONE**

## **REPORT OF OFFICIALS**

### ***Committeeman McElwee:***

**Liaison to EPAA:** Mr. McElwee updated Committee on EPAA's monthly report; appended to the end of the minutes.

Mr. McElwee further discussed that he attended the DARE graduation at Ridgway School and commended the police department for a job well done.

**Liaison to Environmental:** Mr. McElwee discussed that the Environmental Committee is in need of volunteers if any resident is interested please contact him or the main office.

### ***Committeewoman Belgard:***

**Liaison to Senior Advisory:** Mrs. Belgard reported that there is no meeting for the months of June and July regular meetings will resume in August.

**Liaison to Planning Board:** Mrs. Belgard reported that there is a Planning Board meeting this Thursday night with a shed application on the agenda.

### ***Committeeman Booker:***

**Liaison to the School Board:** Mr. Booker reported that the School Board accepted the recommended total reduction submitted by Township Committee and adopted their budget with an approximate \$471,000 reduction; areas of reduction are under review and will be determined by the School Board.

### ***Mayor Johnson:***

Mayor Johnson discussed that he would like to continue with the Community Day event this fall; meetings will be held within the next few weeks to determine interest. If anyone would like to assist please let him know.

## **APPROVAL OF BILLS**

Approval of Bills from June 2, 2010 through June 11, 2010

Moved by: Mr. Johnson Second: Mr. Booker

Hearing no discussion:

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

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

Mr. Pete Affinito, General Counsel for the Order of Police, Burlington County questioned if the Township plans to lay off two police officers on June 28<sup>th</sup>.

Mr. Kearns discussed that layoffs are scheduled and in place for June 28<sup>th</sup>.

Township Committee discussed that a layoff plan was submitted and approved by Civil Service for police, administrative and public works departments; if the unions chose to reopen their contracts negotiations are ongoing.

Larry Sterns, Retired Police Officer Delanco Township discussed that the proposed reduction in force is going back 20 years; there has been an increase in crime. He recommended an independent audit be performed.

Township Committee discussed that the budgetary constraints are not isolated to Edgewater Park. The budget has been thoroughly reviewed and welcomes an independent audit. This has been a very difficult process and welcomes any assistance.

Noel Rainey, 7 Spring Lane discussed that the township should issue a press release; many other municipalities have had articles in the paper discussing their layoffs.

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

**ANY OTHER BUSINESS**

***Resolution No. 2010-76  
Closed Session***

*Where it is necessary to ascertain legal advice and discuss matters concerning personnel and contractual obligations. 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. Booker                      Time: 8:00PM

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: Mrs. Belgard                      Second: Mr. Booker                      Time: 9:25PM

Hearing no discussion:

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

**RE ROLL CALL:** Mrs. Belgard Mr. Booker Mr. McElwee Mr. Pullion Mayor Johnson

**THERE WAS NO OTHER BUSINESS**

**ADJOURN**

Moved by: Mr. McElwee                      Second: Mr. Pullion                      Time: 9:25PM

Hearing no discussion:

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

Kevin Johnson, Mayor

Linda M. Dougherty, RMC/Administrator