

**TOWNSHIP OF EDGEWATER PARK
MINUTES-JUNE 7, 2011**

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 11, 2011.
- B. By e-mailing written notice to the Burlington County Times and Courier Post on January 11 2011.
- C. By filing written notice with the Clerk of the Township of Edgewater Park on January 11, 2011.

Present: Mrs. Aimee Belgard, Mr. Scott Kercher, Mr. John McElwee, Mr. Joseph Pullion, Mayor Darrell Booker (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) Mrs. Linda M. Dougherty, Clerk/Administrator (Public and Closed), Mr. Rakesh Darji, Township Engineer (Public), and Mr. Tim Kaluhiokalani, Landscape Engineer (Public).

DISCUSSION(S)/PRESENTATION(S):

Woodlake Park Improvements: Mr. Darji, ERI and Mr. Kaluhiokalani, ERI gave a presentation on the improvements to Woodlake Park which included an inventory of dead and alive trees, the planting of trees and shrubs, meadow areas, and park benches. The park is also included in the Heritage Trail Project; a pathway connecting the park to Warren Street is included in the plans. Mr. Kaluhiokalani also presented a detailed drawing of the park.

Mayor Booker opened to meeting to the public for comment to the park improvement plan.

Mrs. Pat Johnson, Women's Club requested the existing park bench dedicated by the

Women's Club be incorporated into the new park design; the Women's Club will cover the cost of upgrading the bench.

Upon discussion, Township Committee accepted the offer and requested that they advise Mrs. Dougherty as to the improvements.

Mr. John Milloy, 405 Delanco Road, questioned whether the project was covered by a grant and the continual maintenance of the grassy areas.

Township Committee discussed that the Township received a \$250,000 park improvement grant from Burlington County; the project will have additional costs which will be funded through the open space trust account.

Mr. Darji and Mr. Kaluhiokalani discussed that the park is designed for low maintenance and the plants selected are appropriate for the area. There will be a period of plant establishment that will require maintenance.

Mr. Eric Baratta, 421 Summer Avenue, commented he had a preference for native species of trees for their appearance and wildlife habitation. Mr. Baratta also questioned whether shrubs were being planted. He further commented on a maintenance contract for the meadow area for the first couple of years.

Mr. Darji stated the he would provide a list of species prior to the finalization of the plan.

Mr. Noel Rainey, 7 Spring Lane, commented the trees and shade in the park are on the advice from the NJ Forestry and local residents. Mr. Rainey further commented the meadows are maintenance free after approximately one year and if anyone wants to see an example of the meadow they can visit Pennington Park in Delanco. The plan was presented to the Environmental Committee and thought it was a well thought out plan.

Mr. Rainey also invited residents to attend the next Environmental Committee meeting on June 14th; the Committee meets the second Tuesday of each month at 7:30PM.

Ms. Pat Johnson, 320 S. Harrison Ave., questioned whether the heritage trail goes over the railroad tracks.

Mr. Kaluhiokalani discussed that the trail comes out on the other side of the tracks.

Mr. Jim Alexander, 1131 Railroad Ave. commented he has donated several trees to township parks that have done very well; it is good to plant trees directly from the same area. His business is a good outlet to purchase trees and he is willing to work with the contractor on the project.

Upon discussion, consensus of Committee was to have Mr. Alexander submit a list of trees to the township; also requested the same from Mr. May's tree farm.

Committee further directed Mr. Darji to include the preference of purchasing trees from a local provider to be included in the bid specifications.

Mrs. Belgard questioned the surface of the path.

Mr. Darji reported the different synthetic surfaces cost were prohibitive and higher maintenance.

Mr. McElwee questioned whether a gazebo or barbeque area.

Mr. Darji discussed that the park is a passive park; the cost for a gazebo would run approximately \$40,000 to \$50,000.

Mrs. Connie Yaffe, 118 Lafayette Road, commented she agrees with the concept of the plan as it exists; expressed concerns about safety and a gate.

Mr. Darji stated there would be a 4 foot wide pedestrian gate at the entrance off York Street that would be locked overnight.

Mrs. Myra Rupp, 119 Lafayette commented she likes the concept of the park and does not want gazebos or barbeque pits. Mrs. Rupp stated the park needs more shade; the park is used by people walking and jogging in the morning and evening.

Township Committee discussed whether the dog fountains could be part of bid and not an alternative.

Mr. Darji indicated that he could review the costs to see if a fountain could be included in the base bid.

Mr. John Malloy, 405 Delanco Road, questioned whether hunting would be restrictive.

Mr. Brian reported that hunting is prohibited and that includes a bow or gun.

Mr. Kaluhiokalani left at 7:45 PM.

APPOINTMENTS/RESIGNATIONS: None

REPORTS

The Solicitor did not have a report for this month.

Report from the Engineer is appended hereto.

Tea 21 Project

Upon discussion, Township Committee authorized Mr. Darji to forward information to release of the last payment for the Tea 21 Grant.

Ivy Road Project

Upon discussion, Township Committee authorized Mr. Darji to move forward with the design, engineering services and survey for the project; cost to perform this service is \$39,750.00. Resolution affirming the service to be placed on the June 21st meeting agenda.

Road Evaluation

Mr. Darji stated the road evaluation is almost complete and the worse roads in Edgewater Park are Mt. Holly Road and Ivy Road and the best roads are in Silver Park West. A full report will be presented to Committee at the July meeting.

Report from Municipal Clerk/Administrator is appended hereto.

Animal Control

Upon discussion, Township Committee authorized Mrs. Dougherty to change the dog ordinance of the number of pets allowed to four animals combined and the length a litter can remain in the home for 90 days without the issuance of a permit.

Cat Licensing

Upon discussion, Township Committee authorized Mrs. Dougherty to move forward with the cat licensing ordinance.

Special Officer

Upon discussion, Township Committee authorized Mr. Brian to move forward with the hiring process of two special police officers.

Report from the Superintendent of Public Works is appended hereto.

Report from the Chief of Police is appended hereto.

Other Report: None

REPORT ACCEPTANCE

Moved by: Mr. Pullion Second: Mr. Kercher

Hearing no discussion:

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

AUTHORIZATIONS/CONSIDERATIONS: NONE

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. Any item requiring consideration by separate roll call vote will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.

Moved by: Mrs. Belgard Second: Mr. Kercher

Hearing no discussion:

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

Raffle Applications: NONE

Public Functions: NONE

Solicitor's Permit:

Affirming the Approval of: Terri Birney on Behalf of EPAA to Solicit Donations at Pathmark on 5/28/11; 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. Pullion

Second: Mrs. Belgard

Hearing no discussion:

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

RESOLUTIONS

CONSENT AGENDA

Motion to Approve Resolution No. 2011-77 through 2011-81 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. McElwee

Second: Mrs. Belgard

Hearing no discussion:

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

Resolution No. 2011-77 *CHAPTER 159 RESOLUTION* *Clean Communities Grant 2011*

WHEREAS, N.J.S.A. 40A:87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Edgewater Park in the County of Burlington, New Jersey, hereby requests the Director of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$13,828.87, which item is now available from the State of New Jersey, Clean Communities Grant 2011, the amount of \$13,828.87;

BE IT FURTHER RESOLVED, that the like sum of \$ 13,828.87 is hereby appropriated under the caption Domestic Violence; and

BE IT FURTHER RESOLVED, that the above is the result of funds from State of New Jersey, Clean Communities Grant 2011 in the amount of \$13,828.87;

RESOLUTION NO. 2011-78 *Resolution Authorizing Refund Of Overpayment* *Due to Double Payment of 2011 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 1201.05 Lot 6
Joseph H. Torres
450 S Arthur Dr.
Edgewater Park, NJ 08010
\$511.09
Double Payment

Block 1805 Lot 2
Talamas Almonord
PO Box 35
Beverly, NJ 08010
\$1,206.11
Double Payment

Block 502.01 Lot 1 Qual C5H01
Walter Platt
275 Green Street 5H1
Edgewater Park, NJ 08010
\$652.20
100% Totally Disable Vet

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. 2011-79
Resolution Authorizing the 2011 Tax Sale

WHEREAS, it is the desire of the Tax Collector of the Township of Edgewater Park to conduct the 2010 tax sale of the prior years delinquent taxes, assessments, municipal utility charges and other municipal charges; and

WHEREAS, R.S. 54:5-26 states that in lieu of any two publications, notice to the property owner and to any person or entity, entitle to notice of the foreclosure pursuant to section 20 of P.L. 1948.C96 cc, 54:5-104.48 may be given by regular or certified mail, the cost of which shall be added to the cost of sale in addition to those provided in R.S. 54:5-38 not to exceed \$25.00 (twenty-five dollars) for each notice for a particular property, Failure of property owner to receive notice of tax sale properly mailed by the Tax Collector shall not constitute grounds to void subsequent tax sale.

NOW THERE FOR BE IT RESOLVED BY THE Township Committee of the Township of Edgewater Park, assembled in public session on this 7th day of June 2011 that the Tax Collector is hereby authorized to conduct the annual tax sale of prior year delinquencies.

RESOLUTION NO. 2011-80
*Resolution of the Township Committee of the Township of Edgewater Park
Authorizing the Execution of a Contract for the
Purchase and Installation of an Addressable Fire Alarm System*

WHEREAS, the Township Committee of the Township of Edgewater Park is desirous awarding a contract for the Purchase and Installation of an Addressable Fire Alarm System; and

WHEREAS, in order to make this determination it is was deemed necessary to go out on competitive quote, and this contractor was low quote in the base amount of \$13,250.00; and

WHEREAS, duct detectors also need to be installed to connect to the HVAC system in the amount of approximately \$595.00 per connection; and

WHEREAS, the Township Committee is desirous of entering into a contract for Central Monitoring with 24 hour test in the amount of \$29.95 per month, payable in quarterly installments. This Monitoring Agreement shall be automatically extended for additional terms of one (1) year upon the same terms and conditions provided that either party may give notice of termination of the within 60 days preceding the contract year.

WHEREAS, funds are available for this purpose; and

WHEREAS, this resolution and the above-mentioned specifications will be on file and available for public inspection in the Office of the Clerk of the Township of Edgewater Park.

BE IT RESOLVED, the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, will award said contract to All Systems Go, P.O. Box 5125, Delanco, NJ 08075 and

BE IT FURTHER RESOLVED that Linda M. Dougherty, Municipal Clerk/Administrator is hereby authorized to execute said contract.

RESOLUTION NO. 2011-81
Refund of General Account--Transient Permit

WHEREAS, there are certain moneys in the General Account of the Township of Edgewater Park; and

WHEREAS, there has been a request by the Municipal Clerk for a refund of a transient permit application fee; and

WHEREAS, the Municipal Clerk has researched the request and has found that the refund is justified; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, that the following moneys in the General Account be refunded to the following applicant:

Leon Alexander
Slims Backyard Barbecue
106 Warwick Road
West Windsor, NJ 08550
\$250.00

BE IT FURTHER RESOLVED by the Township Committee that the Chief Financial Officer is hereby directed to draw a check in the above stated amount for said refund.

ORDINANCES:

Ordinance No. 2011-5: (Second Reading and Public Hearing)

AN ORDINANCE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, REGULATING THE OPERATION OF AUTOCABS AND TAXICABS PURSUANT TO NJSA 48:16-1 ET SEQ AND CREATING CHAPTER 5.10 ENTITLED TAXICABS AND AUTOCABS LICENSING, REGULATION AND ENFORCEMENT

WHEREAS, the New Jersey State Legislature has granted local Municipalities the exclusive authority to regulate taxicabs under N.J.S.A. 48:16-1 et seq; and

WHEREAS, Edgewater Park Township is desirous of establishing a municipal license for the operation of a taxicabs and autocabs in Edgewater Park Township;

NOW, THEREFORE, BE IT ORDAINED BY THE Township COMMITTEE OF THE TOWNSHIP OF EDGEWATER PARK, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

Chapter 5.10 Taxicabs and Autocabs Licensing, Regulation and Enforcement

The use and operation of taxicabs and auto cabs, as defined herein, shall be in accordance with N.J.S.A. 48:16-1 et seq.

Section 5.10.010 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

PERSON

Any individual, copartnership, association, corporation or joint stock company, their lessees, trustees or receivers appointed by any court whatsoever.

STREET

Includes any street, road, avenue, park, parkway, highway or other public place.

TAXICAB

Includes any public vehicle propelled by mechanical power, commonly called "taxi," engaged in the business of carrying passengers for hire and which particularly accepts and discharges such passengers as may offer themselves for transportation from points or places within the township. It shall not include taxis that only discharge passengers within the township, but shall include taxis that only pick up passengers within the township.

AUTOCABS

Autocab means limousine or livery service.

LIMOUSINE

Limousine or livery service means and includes the business of carrying passengers for hire by limousines.

Any automobile or motor car used in the business of carrying passengers for hire to provide prearranged passenger transportation at a premium fare on a dedicated, nonscheduled, charter basis that is not conducted on a regular route and with a seating capacity in no event more than 14 passengers, not including the driver, provided, that such a vehicle shall not have a seating capacity in excess of four passengers, not including the driver, beyond the maximum passenger seating capacity of the vehicle, not including the driver, at the time of manufacture. Nothing in this definition contained shall be construed to include taxicabs, hotel buses, buses employed solely in transporting school children or teachers, vehicles owned and operated directly or indirectly by businesses engaged in the practice of mortuary science when those vehicles are used exclusively for providing transportation related to the provision of funeral services, autobuses which are subject to the jurisdiction of the Department of Transportation or interstate autobuses required by federal or State law or regulations of the Department of Transportation to carry insurance against loss from liability imposed by law on account of bodily injury or death.

Section 5.10.020 Licenses required.

A.

Municipal Approval. No person shall operate any taxicab and/or autocab upon any street within the Township of Edgewater Park until the owner satisfies the licensing requirements set forth hereinafter and receives consent of the Township Committee.

B.

No person shall operate any taxicab and/or autocab upon any street within the Township of Edgewater Park unless both the taxicab and the driver and autocab and driver thereof are licensed pursuant to the terms of this chapter and conform to all of the provisions hereof and such person shall have complied with the laws of the State of New Jersey relating to taxicabs and/or autocabs and/or limousine services.

Section 5.10.030 Application for taxicab and/or autocab owner's license.

A.

Every application for a taxicab and/or autocab license shall be made in writing to the Township Clerk and shall set forth the full name and address of the owner, lessee or bailee of the taxicab and/or autocab to be licensed, the make and character of taxicab and/or autocab, the length of time it has been in use, the number of persons said vehicle is suitable for carrying, the motor and serial number thereof and the place where it may be inspected by the Township Administrator, Chief of Police and/or the assigned designee. The applicant for a taxicab and/or autocab license shall present to the Township Clerk proof of registration for the vehicle, setting forth the name and address of the person to whom the vehicle is registered.

(1)

If the applicant is an individual or co partnership, said application shall state also whether or not the applicant or applicants have ever been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of conviction, the date thereof and the punishment therefore.

(2)

If the applicant is a corporation, said application shall set forth the names and addresses of its officers, directors or stockholders and shall also state whether or not said officers, directors or stockholders have been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of the conviction, the date thereof and the punishment therefore.

B.

Each owner's license application shall be accompanied by a nonrefundable license fee of \$50 and a license fee of \$50.00 for each taxicab and/or autocab to be licensed.

C.

There shall be submitted with each application a schedule of the rates, fees or charges proposed to be made for the use within the Township of Edgewater Park of such taxicabs and/or autocabs to be licensed.

Section 5.10.040 Eligibility for license.

No taxicab and/or autocab owner's license or taxicab and/or autocab driver's license shall be issued to an individual who has been convicted of a crime involving moral turpitude, or to a copartnership unless none of whom has been convicted of a crime involving moral turpitude, or to a corporation unless each of said officers none of whom has been convicted of a crime involving moral turpitude.

Section 5.10.050 Required insurance.

Prior to the issuance of a taxicab license to an applicant under the above-entitled ordinance, each applicant shall file with the Township Clerk an insurance policy of a company duly licensed to transact business under the insurance laws of this State to satisfy all claims pursuant to NJSA 48:16-3.

Prior to the issuance of a autocab license to an applicant under the above-entitled ordinance, each applicant shall file with the Township Clerk an insurance policy of a company duly licensed to transact business under the insurance laws of this State to satisfy all claims pursuant to NJSA 48:16-14.

Section 5.10.060 Power of Attorney

The owner of the taxicab shall execute and deliver to the Township Clerk concurrently with the filing of a insurance policy or bond, as per sections N.J.S.A 48:16-3 and 48:16-4, a power of attorney, wherein and whereby the owner shall appoint the Chief Financial Officer as his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy or bond filed.

The owner of a limousine shall execute and deliver to the Division of Motor Vehicles, concurrently with the filing of a insurance policy as per N.J.S.A, R.S.48:16-14, a power of attorney, wherein and whereby the owner shall appoint the Director of the Division of Motor Vehicles his true and lawful attorney for the purpose of acknowledging service of any process out of a court of competent jurisdiction to be served against the insured by virtue of the indemnity granted under the insurance policy filed. Proof of filing shall be submitted concurrently with the Township Clerk.

Section 5.10.070 Issuance of license card to taxicab and/or autocab licensees; transfer of license; posting of fares.

Upon the granting of a taxicab and/or autocab license, there shall be issued to the applicant a card setting forth the name and address of the licensee, the number of the license, the make and character of the vehicle licensed, together with the maximum number of passengers to be carried therein at any one time. Said license card shall be signed by the Chief of Police and shall at all times be prominently displayed in the interior of the vehicle so licensed. There shall also be displayed in the interior of said vehicle a statement or schedule of the charges for the use thereof. Any taxicab and/or autocab license issued pursuant to this chapter may be transferred to another vehicle owned or in the custody of the same licensee, upon approval of the Township Clerk after proper application is made therefore and payment of a transfer fee of \$20.

Section 5.10.080 Application for taxicab and/or autocab driver's license; investigation.

Every application for a taxicab and/or autocab driver's license shall be made to the Township Clerk and shall set forth the full name and address of the applicant, date of birth, social security number, whether or not he or she has ever been convicted of a crime, and if so, the crime of which he or she has been convicted, the place of conviction, the date thereof and the punishment therefore. Such applicant shall also furnish his or her driver's license number and satisfactory evidence that said license is not now or has been previously revoked. Each applicant for the taxicab and/or autocab driver's license shall, at the time of filing his application, consent to a criminal history investigation by the New Jersey State Police in order to secure reports from any agency it may deem desirable or necessary with respect to said application. Each applicant for a taxicab and/or autocab driver's license shall file with his or her application three photographs, approximately 1 1/2 inches by 1 1/2 inches, clearly depicting the facial features of the applicant, each of which photographs shall thereupon become the property of the township and be retained with the application form unless the application shall be granted and the license issued, in which event one of such photographs shall be permanently affixed to the license card issued to said taxicab and/or autocab driver, one shall be retained by the Township Clerk and one shall be delivered to the New Jersey State Police. Each of said photographs shall be signed on the back thereof by the applicant and shall bear the date upon which they were taken, which shall be not more than 30 days prior to the date of the application. A nonrefundable license fee of \$50 shall accompany each application for a taxicab and/or autocab driver's license.

Section 5.10.090 Issuance of license card to taxicab and/or autocab drivers; display.

If the application for a taxicab and/or autocab driver's license shall be granted, there shall be issued to the applicant a license card setting forth the number of the license, the name and address of the licensee and his or her age. Said license card shall be signed by the Chief of Police and shall at all times be permanently displayed and adequately protected in the interior of any taxicab operated by the licensee so that the face thereof shall at all times be in full view of and plainly legible to any person seated on the rear seat of such taxicab and/or autocab.

Section 5.10.100 Denial of license; appeal.

Any applicant who is denied a license under this chapter may appeal to the Township Committee within 10 days of his notification of denial at which time the Township Committee will hold a hearing for the aggrieved party to determine the validity of the denial of the application, at which time the Township Committee may affirm or reverse the actions. No application shall be accepted from an applicant who was denied a license and no license shall be issued to said applicant unless the condition or conditions have changed sufficient to warrant a new license. The application shall set forth whether the applicant has previously filed an application for a license and whether said license was denied.

Section 5.10.110 Verification of application.

Every application for a taxicab and/or autocab owner's license or taxicab and/or autocab driver's license shall be verified by the oath of the applicant or of an officer thereof if the applicant is a corporation.

Section 5.10.120 Expiration of license; renewal.

Every license issued pursuant to the terms of this chapter shall expire at 12:00 midnight on the 30th day of June of each year, unless sooner surrendered, suspended or revoked; provided, however, that if an application for a renewal shall have been filed on or before June 30, said taxicab and/or autocab may be operated and said taxicab and/or autocab driver may operate a taxicab, pending the issuance of a new license or licenses, until the 15th day of July next succeeding. No license fee payable under this chapter shall be prorated nor shall any part thereof be refunded for any reason. Applications for a renewal of any license shall be processed as if an application for a new license.

Section 5.10.130 Vehicle markings.

Every taxicab so licensed shall have printed or marked on both sides thereof or shall have affixed to the top thereof a sign, light or device bearing the word "taxi" or "cab" or the name of the operating owner along with the word "taxi" or "cab" or "taxicab."

Section 5.10.140 Revocation of license.

The Township Committee, after notice and hearing, may revoke or suspend any license issued pursuant to this chapter if the licensee has been once convicted of a crime in this or any other jurisdiction or has been convicted of being a disorderly person or of a violation of Title 39, Motor Vehicles and Traffic Regulations, of the Revised Statutes of New Jersey, or if the licensee violates any provision of this chapter or has any judgment unsatisfied against him, her or it arising out of any automobile accident for the space of 30 days, or if the licensee has made false answers in his, her or its application for such license or any renewal thereof, or if the licensee has failed or fails to render reasonably safe, proper or adequate taxicab service, or if the licensee has not complied fully with all the requirements of this chapter with respect to such license. Any taxicab driver's license may be revoked or suspended by the Township Committee, after notice and hearing, if the licensee has in any degree contributed to any injury to person or damage to property arising out of the negligent operation of a motor vehicle, or if said taxicab driver shall have any communicable or contagious disease. Any taxicab license

may be revoked or suspended by the Township Committee, after notice and hearing, if the taxicab licensed is dangerous to the safety or health of occupants or others by reason of unsafe or unsanitary conditions, or if the financial responsibility of the owner, lessee or bailee has fallen below the requirements hereinbefore set forth, or if said licensed taxicab shall be used for any improper, immoral or illegal business or purpose.

Section 5.10.150 Violations and penalties.

Any person who shall violate any of the provisions of this chapter shall, upon conviction, be punished either by imprisonment in the county jail or in any place provided by the municipality for the detention of prisoners for a term not exceeding 90 days or by a fine not exceeding \$1,000, or both, in the discretion of the court. In default of the payment of any fine imposed under this chapter, any person convicted of a violation hereof may, in the discretion of the court by whom said person was convicted, be imprisoned in the county jail or place of detention provided by the municipality for any term not exceeding 90 days.

Section 5.10.160 Repealer, Severability and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Moved by: Mr. Pullion Second: Mr. Kercher

Hearing no discussion:

OPEN TO THE PUBLIC: The Mayor opened this portion of the meeting to public comment to Ordinance No. 2011-5 Only.

CLOSE: Hearing no one wishing to speak the Mayor closed this portion of the meeting to public comment Ordinance No. 2011-5 Only.

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

REPORT OF OFFICIALS

Committeeman Kercher:

Liaison to the Environmental:

Mr. Kercher reported the next meeting for the Environmental Committee is June 14th at 7:30 PM. Everyone is welcome to attend the meeting; the discussion will continue regarding the improvements to Woodlake Park.

Liaison to the School Board:

Mr. Kercher reported the next meeting is on June 28th at Jacques School at 6:30 PM. Mr. Kercher also reported that last Friday was Mighty Max's Birthday Party at Magowan and it was a great community event.

Mr. Noel Rainey, 7 Spring Lane, questioned whether the Township received the paint for Woodlane Road.

Mr. Painter reported that the Township just submitted the documents to the County under a shared services program; street paint was included.

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

ANY OTHER BUSINESS - None

Resolution No. 2011-82

Closed Session

Where it is necessary to discuss 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. Pullion Second: Mrs. Belgard Time: 8:37PM

Hearing no discussion:

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

ANY OTHER BUSINESS - None

ADJOURN

Moved by: Mayor Booker Second: Mr. Kercher Time: 10:10PM

Hearing no discussion:

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

Darrell Booker

Darrell Booker, Mayor

Linda M. Dougherty

Linda M. Dougherty, RMC/Administrator