

**TOWNSHIP OF EDGEWATER PARK  
MINUTES-AUGUST 16, 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. Aubrey Painter, Superintendent of Public Works (Public), Mr. William Kearns, Solicitor (Public and Closed) Linda M. Dougherty, Clerk/Administrator (Public and Closed), Mr. Rakesh Darji, Township Engineer (Public) and Tanyika Johns, Deputy Clerk (Public)

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

*YMCA, Pioneering Healthy Communities (PHC) Grant.*

Mayor Booker presented information pertaining to a potential YMCA grant for exercise stations that promote fitness and wellness. Burlington City did a similar project at the promenade. Mayor Booker further discussed that the potential grant award is \$20,000 to \$25,000.

Upon further discussion consensus of Committee was to direct the wellness project to Wood Lake Park. The concept would be a great addition to the park's jogging trails and proposed upgrades.

**APPOINTMENTS/RESIGNATIONS:**

**Resignation:** Marci Chafin, Substitute Crossing Guard, effective July 18, 2011.

**Appointment:** Dawn Weaver, Substitute Crossing Guards, effective August 16, 2011, Rate \$17.71 per post, contingent upon successful passage of drug pre-employment

screening test.

Moved by: Mayor Booker

Second: Mr. McElwee

Hearing no discussion:

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

## **REPORTS**

*Report from the Engineer is appended hereto.*

### **Presentation NJDOT State Aid-Ivy Road/Fern Lane Project**

Mr. Darji gave a presentation for the Ivy Road/Fern Lane Project

Upon discussion, Township Committee authorized the Mrs. Dougherty to notify the Ivy and Fern Road residents to complete any improvements to sewers before the road is opened. Residents would have the option to put in a temporary patch and have the guarantee fee waived.

### **DOT Grant Application**

Mr. Darji discussed that there are three grant opportunities that the Township can apply for: NJ DOT Roadway Improvements, Safe Routes to Transit and NJ DOT Bikeway Grant Program.

Upon discussion Mayor Booker moved to submit a grant application for Roadway Improvements to Cardinal Road and Jamestown Road, Safe Routes to Transit Program for improvements to the Stevenson/East Franklin Avenue pathway, and potential application under the Bikeway Program for Roosevelt Park; Roosevelt Park application to be further reviewed by Mr. Darji and Mrs. Dougherty for discussion at the Sept 6<sup>th</sup> meeting. Second by: Mr. Pullion

Hearing no further discussion;

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

*Report from Municipal Clerk/Administrator is appended hereto.*

### **Best Practices Checklist**

Upon discussion, Township Committee agreed to have a resolution at the September meeting to mandate township committee to attend basic courses on responsibilities and obligations in local government. Mr. Kearns suggested including comment that all committee members attend training courses voluntarily/.

### **Administration Computers and Server**

Upon discussion consensus of Committee was to have an evaluation performed by United Computer Sales and Service.

*The Solicitor's report for discussion in closed session only.*

*Report from the Superintendent of Public Works is appended hereto.*

*Report from the Chief of Police is appended hereto.*

**REPORT ACCEPTANCE**

Moved by: Mrs. Belgard

Second: Mayor Booker

Hearing no discussion:

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

**AUTHORIZATIONS/CONSIDERATIONS:**

**2011 Best Practice Checklist:**

Discussion: Review and Presentation of 2011 Best Practice Checklist by the CFO

Margaret Peak and Linda Dougherty, Municipal Clerk/Administrator

**The Mayor opened this portion of the meeting to the public for a public hearing on the 2011 Best Practice Checklist Only:**

**Hearing no one wishing to speak the Mayor Closed this portion of the meeting to the public.**

**RAFFLE APPLICATION:**

Raffle License No.: 2011-6; Victor for The NRA Foundation

Request for 50/50 cash prize for function at 4313 Rte 130 S, Kove Catering on 9/24/11 4PM-11 PM. Township fees 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. Kercher

Second: Mr. McElwee

Hearing no discussion:

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

**TAXI CAB LIMOUSINE LIVERY SERVICE:**

Taxicab Limousine Livery Service Owner's License.: 2011-1; Al Kareem Lundy for Star Car One LLC; July 1, 2011 – June 30, 2012 Township fees 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. Kercher

Second: Mr. McElwee

Hearing no discussion:

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

Taxicab Limousine Livery Service Driver's License: 2011-1; Al\_Kareem Lundy for Star Car One LLC; July 1, 2011 – June 30, 2012 Township fees 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: Mayor Booker

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. 2011-97 through 2011-107 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: Mr. Pullion

Hearing no discussion:

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

### **RESOLUTION NO. 2011-97**

*Resolution Of The Township Committee Of The Township Of Edgewater Park  
Acknowledging Review Of The 2011 Best Practice Checklist*

**WHEREAS**, the Division of Local Government Services issued Local Finance Notice 2011-18R which details information on the best practice checklist; and

**WHEREAS**, the Division now requires that the governing body is aware of and has acknowledged the best practice checklist; and

**WHEREAS**, the Township Committee held a public hearing on the 2011 Best Practice Checklist on August 18, 2011; and

**WHEREAS**, the best practice checklist is hereby attached.

**NOW, THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Edgewater Park have reviewed and acknowledged the 2011 best practice checklist.

### **RESOLUTION NO. 2011-98**

*Resolution of the Township of Edgewater Park, County of Burlington,  
and State of New Jersey Authorizing the Mayor and Clerk to Enter  
Into a Contract with the Township Registered Municipal Clerk*

**WHEREAS**, the Township wishes to enter into a contract of employment with the Township's Clerk, Linda M. Dougherty, effective April 1, 2010 through December 31, 2014.

**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 Clerk of the TOWNSHIP OF EDGEWATER PARK are hereby authorized to enter into an Agreement with the EDGEWATER PARK TOWNSHIP CLERK, a copy of which is attached hereto, effective as of April 1, 2010.

**RESOLUTION NO. 2011-99**

*Resolution of the Township of Edgewater Park, County of Burlington,  
and State of New Jersey Authorizing the Mayor and Clerk to Enter  
Into a Contract with the Township Administrator*

**WHEREAS**, the Township wishes to enter into a contract of employment with the Township's Administrator, Linda M. Dougherty, effective April 1, 2010 through December 31, 2014.

**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 Clerk of the TOWNSHIP OF EDGEWATER PARK are hereby authorized to enter into an Agreement with the EDGEWATER PARK TOWNSHIP CLERK/ADMINISTRATOR, a copy of which is attached hereto, effective April 1, 2010.

**RESOLUTION NO. 2011-100**

*Resolution Opposing S-2950 and A-4128  
Which Would Allow for Modification to Land Use Approvals  
Because of Changed Economics*

**WHEREAS**, S-2950 and A-4128 provide a two-year window in which any development approval granted before 2006 or now in foreclosure or subject to a deed in lieu can apply for, and receive approval for, a use which is not permitted by ordinance, without the need for a use variance or otherwise complying with the zoning ordinance of the municipality; and

**WHEREAS**, a fundamental premise of land use law and sound planning is that land use decisions, including approvals of development applications and zoning, are made on the basis of the characteristics of the land, its environment, any unique characteristics, and what is in the best interest of the public, and not based on who happens to own the land; and

**WHEREAS**, S-2950 and A-4128 also establishes an expedited approval process, requiring the land use board to determine completeness of the application within 30 days, and then 60 days from the determination of completeness to rule on the application; and

**WHEREAS**, this time frame is insufficient considering what may be proposed, and it is inequitable to require an expedited process for a proposed "adaptive application" while other pending applications are accorded lower priority; and

**WHEREAS**, S-2950 and A-4128 put no standards in place for the local land use board to apply, other than proof that the approval is no longer economically viable, which is inadequately defined; and

**WHEREAS**, the lack of standards would expose any approval or denial by the municipality to possible legal challenge;

**NOW, THEREFORE, BE IT RESOLVED** by the Township of Edgewater Park that enactment of S-2950 and A-4128 would usurp, undermine, and overturn local zoning by effectively rescinding all applicable zoning of the property, and provide no adequate public safeguards; and

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of Edgewater Park strongly opposes S-2950 and A-4128; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be transmitted to the Governor of the State of New Jersey, Senator Diane Allen, Assemblyman Herbert Conaway, Assemblyman Jack Connors, members of the Senate Community and Urban Affairs Committee, the members of the Assembly Housing and Local Government Committee, Senator Steven Oroho, Assemblyman Albert Coutinho and the New Jersey State League of Municipalities.

**RESOLUTION NO. 2011-101**

*Resolution Authorizing the Cancellation of Totally Disabled Veteran for James J Carr Located at Block 404.08 Lot 11 Qualifier CL001 Tax Year 2011 and Thereafter and Refunding Taxes Paid*

**WHEREAS**, the owner of real property located at Block 404.08 Lot 11 Qualifier CL001 has made application for a Totally Disabled Veteran to the Edgewater Park Tax Assessor which has been accepted in accordance with N.J.S.A. 54:4-3.30 A and 54:4-3.32, and

**WHEREAS**, the Edgewater Park Tax Assessor has approved the cancellation of taxes for 2011 on real property located at Cooper Valley Village L1, Edgewater Park, NJ 08010, Block 404.08 Lot 11 Qualifier CL001; and

**WHEREAS**, the Edgewater Park Tax Assessor and Tax Collector have also approved the refunding of taxes already paid from May 1, 2011 the date of disability:

2011 property and county taxes for 65 days  
\$742.72 divided 90 days times 60 days  
Prorated 2<sup>nd</sup> Quarter of 2011  
**\$495.15**

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, hereby approves the real owner of real property, James J. Carr, located at Block 404.08 Lot 11 Qualifier CL001, for Total Disabled Veteran status, for the cancellation of taxes for 2011 and thereafter, for the cancelling taxes , for the cancellation of taxes for 2011 and thereafter, for the refunding of taxes paid in 2011 for \$495.15.

**BE IT FURTHER RESOLVED** that copies of said resolution be forwarded to the Tax Collector, the Treasurer and the County Board of Taxation for their information and any appropriate action.

**RESOLUTION NO. 2011-102**

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park*

**WHEREAS**, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

**WHEREAS**, section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real properties; and

**WHEREAS**, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

**WHEREAS**, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of August 2011, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**GERARD & BARBARA NIERODZIK  
BLOCK: 312 LOT: 4**

**ALSO KNOW AS: 717 GREEN STREET**

Clean up and lawn maintenance

Amount: \$260.96

are hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

**BE IT FURTHER 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. 2011-103**

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park*

**WHEREAS**, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

**WHEREAS**, section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real properties; and

**WHEREAS**, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

**WHEREAS**, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of August 2011, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**CRAIG AND GWENDOLYN SILLS  
BLOCK: 502 LOT: 1.07**

**ALSO KNOW AS: 325 GREEN STREET**

Clean up and lawn maintenance

Amount: \$260.96

are hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

**BE IT FURTHER 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. 2011-104**

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park*

**WHEREAS**, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

**WHEREAS**, section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real properties; and

**WHEREAS**, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

**WHEREAS**, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of August 2011, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**TROY BROWNING  
BLOCK: 1405 LOT: 22**

**ALSO KNOW AS: 216 LINCOLN AVE.**

Clean up and lawn maintenance

Amount: \$260.96

are hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

**BE IT FURTHER 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. 2011-105**

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park*

**WHEREAS**, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

**WHEREAS**, section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real properties; and

**WHEREAS**, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

**WHEREAS**, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of August 2011, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**KANAVEL, MARYANN ETALS  
BLOCK: 1803 LOT: 18**

**ALSO KNOW AS: 218 REGENCY ROAD**

Clean up and lawn maintenance

Amount: \$260.96

are hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

**BE IT FURTHER 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. 2011-106**

*Resolution Authorizing Liens Against Real Property for the Abatement Of Certain Conditions In Accordance with the Property Maintenance Code of the Township of Edgewater Park*

**WHEREAS**, the New Jersey State Uniform Construction Code provides for fines to be imposed by the Construction Official; and

**WHEREAS**, section 8.44.610 of the General Ordinance of the Township of Edgewater Park provides for abatement of certain conditions, and Section 8.44.620 provides that the cost of any abatement shall become a lien against real properties; and

**WHEREAS**, the Property Maintenance Inspector has cited the below mentioned property and has imposed fines and expenses for repair on said property per the attached list; and

**WHEREAS**, Section 8.44.620 of the Edgewater Park Township Municipal Code further provides that the Township Committee, must by Resolution, approved the expenses and costs that they shall thereafter become a lien against the property listed and shall be collectible as provided by law; and

**NOW THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Edgewater Park, assembled in public session this 18<sup>th</sup> day of August 2011, that the fines and expenses certified by the Property Maintenance Inspector and listed as follows:

**PAUL FOGARTY  
BLOCK: 327 LOT: 4**

**ALSO KNOW AS: 1022 MT. HOLLY ROAD**  
Clean up and lawn maintenance  
Amount: \$260.96

are hereby approved and certified to the Tax Collector of the Township of Edgewater Park as liens against the specific property listed and to draw interest as tax liens as provided by law; and

**BE IT FURTHER 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. 2011-107**  
*Sale Of Various Personal Property No Longer Needed For Public Use*

WHEREAS, the Township Committee of the Township of Edgewater Park has in its possession various items not needed for public use; and

WHEREAS, the Township of Edgewater Park desires to expose same for public sale, pursuant to N.J.S.A. 40A: 11-36:

- 34 Assorted Unclaimed Bicycles
- 9 Gateway Laptop computers
- 1 Optimus Monitor and computer
- 3 Brother Type writers
- 1 Brother Intellifax
- 1 Panasonic Camera
- 2 Monitors
- 1 Panasonic VCR
- 2 Various Printers
- 2 Walk behind mowers, 52" cut 18 Hp
- 1 Landscape trailer 6' x 13'
- 1 1997 Ford Crown Victoria
- 1 1990 Chevrolet Caprice
- 1 2001 Dodge Durango

WHEREAS, all items are in "As Is Condition" and there are no warranties expressed or implied, regarding these items; and

WHEREAS, the auction will be held on September 24, 2011 at 8:00 AM or sometime shortly thereafter; the public may inspect items on September 24, 2011 starting at 7:30AM at the Edgewater Park, Public Works Garage, 400 Delanco Road, Edgewater Park, NJ 08010.

NOW THEREFORE BE IT RESOLVED BY Township Committee of the TOWNSHIP OF EDGEWATER PARK, New Jersey, that said items be exposed for public sale, pursuant to N.J.S.A. 40A: 11-36, to the highest bidder. The TOWNSHIP OF EDGEWATER PARK shall reserve the right to accept the highest bid or reject all bids. Notice of said sale shall be published once in the official newspaper of the Township pursuant to Statue. Such sale shall occur not less than seven (7) days nor more than fourteen (14) days after publication.

**ORDINANCES:**

**ORDINANCE NO. 2011-6**

*An Ordinance of the Township of Edgewater Park, County of Burlington, State of New Jersey, Amending Chapter 6.08 and Ordinance No. 9-2007 of the Edgewater Park Township Municipal Code Entitled "Domestic Animals"*

**(First Reading )**

This ordinance will be consider for adoption of final reading after a public hearing to be held on September 20, 2011 at 7:00 PM, or shortly thereafter, and place to which such meeting may be adjourned, in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. At which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance. During the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

**WHEREAS**, the Township Committee of the Township of Edgewater Park determined that there is a need to amend Chapter 6.08 and Ordinance No. 9-2007 of the Municipal Code Entitled "Domestic Animals" which established the rules, regulations and licensing of domestic animals.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Edgewater Park, County of Burlington, and State of New Jersey, that the Township Code of the Township of Edgewater Park is hereby amended as follows:

**SECTION ONE:** SECTION 6.08.080 Entitled Cats – "*Public nuisance when*" is Hereby Repealed.

**SECTION TWO:** SECTION 6.08.100 Entitled Limit on number of dogs and cats in a residence is Hereby Repealed And Replaced With The Following:

6.08.100 Limit on number of dogs and cats in a residence.

A. Not more than four dogs or four cats, or any combination thereof not exceeding four, shall be allowed in any residence. Any residence may contain only a total of four dogs or cats altogether, except that a litter or portion thereof may be kept for a period of 90 days without a permit issued by the board of health annually in conjunction with the issuance of dog and/or cat licenses. The cost of the permit shall be one hundred (\$100.00) dollars. The issuance of the permit shall be subject to the following:

1. The residential premises shall have a fenced yard or penned area sufficient in size in relation to the amount of dogs being kept.

2. The residential premises and yard area shall be kept in a sanitary manner.
  3. The residential premises shall be inspected by the Burlington County Health Department and the Animal Control Officer.
- B. Any violation of subsection A of this section will result in revocation of the aforesaid permit. Notice of the township's intention to revoke a permit must be given to the alleged violator, who must be given an opportunity to be heard before the board of health.
- C. Those persons (as defined in Section 6.08.010) who, at the time the ordinance codified in this section becomes effective, have in their possession dogs or cats exceeding the number permitted in the township shall be exempt from the requirements of this chapter for the lifetime of those animals; however, upon the deaths of those animals, those persons shall be subject to the requirements of this chapter with respect to any replacement animals.
- D. The provisions of this chapter shall not apply to licensed premises where cats and/or dogs are kept for breeding, sale and/or boarding.

SECTION THREE: Chapter 6.08 Entitled “Domestic Animals”, Section 6.08.030: “Dog License and registration tag: fee and expiration – Exception” is Hereby Repealed And Replaced With The Following:

Section: 6.08.030 Dog license and registration tag: fee and expiration— Exception.

- A. Persons applying for a license and registration tag shall pay the sum of sixteen dollars and eighty cents (\$16.80) for the license and one dollar (\$1.00) for the registration and twenty cents (\$.20) for the pilot clinic fee payable by the municipality to the state of New Jersey for each dog, effective January 1st, 2012 and thereafter. In addition, there will be a three dollar (\$3.00) charge for each unneutered dog payable by the municipality to the state of New Jersey. Said licenses, registration tags and renewals thereof shall expire the last day of January of each year.  
Persons applying for the renewal of a license and registration tag after the last day of January of each year shall pay an additional sum of ten dollar (\$10.00) to defray the administrative costs incurred by the township as a result of a late renewal.
- B. Dogs used as guides for blind persons and commonly known as “seeing eye dogs” shall be licensed and registered as other dogs hereinbefore provided for, in accordance with the provisions of NJSA 4:19-15.3 and shall not be required to pay any municipal license fee therefor.

SECTION FOUR: SECTION 6.08.180 Entitled: Violations and penalties is Hereby Repealed and Replaced with Section 1.08.010 of the Edgewater Park Township Code Establishing Penalties for Violation of Any Provision of the Edgewater Park Township Code or Any Ordinance of the Township of Edgewater Park for Which No Other Specific Penalty is Provided as adopted by Ordinance No. 07-2006 on February 21, 2006.

SECTION FIVE: The following Sections regulating the licensing and regulations Of cats are Hereby Created:

6.09.020 Cat license and registration fee required.

Any person who shall own, keep or harbor a cat of licensing age shall, in the month of April of each year, apply for and procure from the township clerk a license and official metal registration tag for each such cat and shall place on each such cat a collar or harness with said registration tag securely fastened thereto.

6.09.030 Cat license and registration tag: fee and expiration.

Persons applying for a cat license and registration tag shall pay the sum of eighteen dollars (\$18.00) for the license payable to the Township of Edgewater Park, effective April 1st, 2012 and thereafter. In addition, there will be a three-dollar (\$3.00) charge for each unneutered cat payable to the Township of Edgewater Park. Said licenses, registration tags and renewals thereof shall expire the last day of March of each year.

Persons applying for the renewal of a license and registration tag after the last day of April of each year shall pay an additional sum of ten dollar (\$10.00) to defray the administrative costs incurred by the township as a result of a late renewal.

6.09.040 Licensing time limits.

The owner of any newly acquired cat of licensing age or any cat which attains licensing age shall make applications for and procure a license and registration tag for such cat within ten days after the acquisition or age attainment. A cat of licensing age shall be any cat which has attained the age of three months or which possesses a set of permanent teeth, whichever is sooner. There shall be no adjustment of the license or registration fee for licenses or registration tags issued and valid for a fractional portion of the license year.

6.09.050 Time limit for cat brought into township.

Any person who shall bring a cat into this township from another jurisdiction or state shall apply for a license and registration tag for said cat within thirty days.

6.09.060 Annual canvass.

Promptly after May 1st of each year, a canvass shall be made of all cats owned, kept or harbored in the township.

6.09.070 Cats—General regulations.

Every person owning, keeping or harboring any cat in this township shall:

- A. Prevent such cat from injuring or damaging any vegetable garden, flower garden, lawn, plant, tree, shrubbery, grounds of other property of any person other than the person owning, keeping or harboring such cat.
- B. Prevent such cat from worrying, wounding or killing any other dog or other domestic

Animal.

- C. Prevent such cat from becoming a public nuisance.
- D. Prevent such cat, if it is a female and in season, from being off the grounds or property of the person owning, keeping or harboring such dog.
- E. Prevent such cat from soiling, defiling or defecating on any common thoroughfare, sidewalk, passageway, bypath, play area, park or any place where people congregate or walk or upon any public property whatsoever and upon any private property without the permission of the owner of said property. Any person responsible under this code for such cat who defecates at the aforesaid locations shall immediately and in a sanitary fashion remove and dispose of all feces deposited by such cat in a sealed nonabsorbent leakproof container.

6.09.080 Cats—Public nuisance when.

A cat shall be considered a public nuisance if it has no known owner or if it has no known place of care or shelter or if it habitually trespasses upon or damages either private or public property or annoys or harms lawful users or occupants thereof.

6.09.090 Limit on number of dogs and cats in a residence.  
Refer to Section 6.08.100: Limit on number of dogs and cats in a residence.

6.09.100 Impoundment and disposition of certain cats— Notice.

- A. The chief of police/chief law enforcement officer or the animal control officer appointed by the township committee shall take into custody and impound or cause to be taken into custody and impounded and thereafter destroyed or disposed of as provided in this chapter:
  - 1. Any cat on the premises of the person owning, keeping or harboring said cat without a current registration tag on its collar or harness.
  - 2. Any cat off the premises of the person owning, keeping or harboring said cat without a current registration tag on its collar or harness.
  - 3. Any female cat in season off the premises of the person owning, keeping or harboring said cat.
  - 4. Any cat, whether licensed or not, that shall be found running at large upon any public street or other public place at any time, or that shall be found at any time doing any of the other things prohibited in Section 6.09.070 of this chapter and which the person owning, keeping or harboring said cat is required by this chapter to prevent.
- B. If any cat so seized wears a collar or harness having inscribed thereon or attached thereto the name and address of any person or a registration tag, or the owner or the person keeping or harboring said cat is known, the chief of police/chief law enforcement officer or animal control officer or any person

authorized by him/her in that behalf, shall forthwith serve on the person whose address is given on the collar or harness or on the owner or person keeping or harboring said cat, if known, a notice in writing stating that the cat has been seized and will be liable to be disposed of or destroyed if not claimed within seven days after the service of the notice.

- C. A notice under this section may be served:
1. By delivering it to the person on whom it is to be served.
  2. By leaving it at such person's usual or last known place of abode or at the address shown on the collar or harness.
  3. By forwarding it by mail addressed to such person at his usual or last known place of abode or to the address shown on the collar or harness.
- D. When any cat so seized has been detained for seven days after notice, when notice can be given as above set forth, or has been detained for seven days or seizure when no notice has been given as above set forth, and if the owner or person keeping or harboring said cat has not claimed said cat and paid all expenses incurred by reason of its detention, including maintenance costs as set by resolution or contract by the township committee, and if said cat be unlicensed at the time of seizure and the owner or person keeping or harboring said cat has not produced a license and registration tag for said cat, the chief of police/chief law enforcement officer, township administrator or the animal control officer may cause said cat to be destroyed in a matter causing as little pain as possible.

6.09.110 Cat Bite or Scratch —Quarantine— Release authorization.

When a cat has attacked, bitten and injured a human being, the chief of police/chief law enforcement officer or animal control officer shall impound the cat for a period of ten days or may order the owner of the cat to quarantine the cat on the owner's premises or in a veterinary clinic for ten days. At the end of the aforesaid ten-day period, any cat under impoundment or quarantine shall be examined by a licensed veterinarian who shall ascertain that the cat is free of rabies and shall issue a certificate to that effect, which certificate must be presented to the local board of health or animal control officer before the cat can be released from impoundment or quarantine. A copy of the said certificate shall be provided by the local board of health to each person bitten or otherwise injured by the cat. The owner shall be responsible for reimbursement of any costs borne by the township with respect to the cat's impoundment, quarantine and examination by a veterinarian (including the issuance of a certificate, as aforesaid). A cat which is found to be rabid or who is not reclaimed at the end of the period of impoundment or quarantine may be disposed of humanely by order of the chief of police/chief law enforcement officer or the animal control officer.

6.09.120 Right of entry.

Any officer or agent authorized or empowered to perform any duty under this chapter is hereby authorized to go upon any premises to seize for impounding any cat which he may lawfully seize and impound when such officer is in immediate pursuit of such cat or cats, except upon the premises of the owner of the cat if said owner is present and forbids the same.

6.09.130 Interference with officers prohibited.

No person shall hinder, molest or interfere with anyone performing any duty which he is authorized or empowered to perform under this chapter.

6.09.140 Humane treatment required.

Any person who shall own, keep or harbor a cat shall provide it with proper and adequate food and water, proper shelter and protection from the weather and with humane care and treatment. No person shall inhumanely beat, ill-treat, torment or otherwise abuse a cat.

6.09.150 Township policy.

It is declared to be policy of the township to:

- A. Provide a central agency for the rapid reuniting of lost cats and their owners.
- B. Provide facilities for the quick removal of unwanted cats from the community.
- C. Enable as many unclaimed cats as possible to be placed in new homes and provide for the humane destruction of unwanted cats.
- D. Provide clean, comfortable shelter and adequate food and water for the animals impounded.
- E. Protect the rights of cat owners.
- F. Provide protection of the rights of citizens of the community against careless or thoughtless cat owners.

6.09.160 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.

Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

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

**REPORT OF OFFICIALS**

***Committeeman Kercher:***

Liaison to the Environmental:

Mr. Kercher reported the next meeting for the Environmental Committee is September 13<sup>th</sup> at 7:30 PM. Everyone is welcome to attend the meeting;

Liaison to the School Board:

Mr. Kercher reported that there was a meeting tonight at 6PM at the Jacques School.

***Committee Tom Pullion:***

Mr. Pullion thanked Mr. Darji and Mrs. Dougherty for their help with the Bottom Dollar Food application.

Mrs. Dougherty further reported on the progress of the TWA Permit application. Mrs. Dougherty also thanked Mr. Darji for his help with the TWA Permit requirements.

Mrs. Dougherty further reported Edgewater Crossings will be submitting a revised site plan to include a solar field.

***Committeewoman Belgard:***

Liaison to Senior Advisory:

Mrs. Belgard reported Senior Advisory will be resuming their meetings again on September 14<sup>th</sup> at 3:00 PM at the Municipal Building.

Liaison to Planning Board:

Mrs. Belgard reported Planning Board will meet Thursday August 18<sup>th</sup> at 7:00 PM.

***Committeeman McElwee:***

Liaison to Neighborhood Watch:

Mr. McElwee reported that there will not be a meeting in August and that the next meeting will be on September 22<sup>th</sup> at 6:30 PM. The Meaning of the United States Flag Folding Ceremony will be presented by Veteran Guard, 3<sup>rd</sup> Regiment Infantry NGP. Mr. McElwee further commented that Neighborhood Watch is planning an upcoming skating party event.

Mrs. Belgard discussed that National Night Out went well; thanked and acknowledged Neighborhood Watch members for their participation.

Mr. McElwee further reported the Neighborhood Watch made a \$500.00 donation to the Ridgway Dare program.

Liaison to EPAA:

Mr. McElwee advised that the next meeting for EPAA is Tuesday, September 13<sup>th</sup> at the 45<sup>th</sup> Street Pub. The reported is appended hereto.

***Mayor Booker:***

Mayor Booker thanked Mr. Darji for his diligence with the issue with developments.

Mayor Booker further thanked Neighborhood Watch; he has heard a lot of positive feedback throughout the community.

**APPROVAL OF BILLS**

*Approval of Bills* from July 15, 2011 through August 11, 2011

Moved by: Mayor Booker Second: Mrs. Belgard

Discussion: Mrs. Belgard questioned the recycling invoice payment.

Mr. Painter stated the payment is for the yellow 32 gallon comingle buckets for plastic and glass. He further discussed that we submitted an order for the larger blue containers; the County will no longer share/offset the cost; price will increase to 100% of the cost in 2012.

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

**APPROVAL OF MINUTES:** May 17, 2011 (open and closed), June 7, 2011 (open and closed), June 21, 2011 (open and closed) and June 29, 2011 (open and closed).

Moved by: Mrs. Belgard Second: Mr. McElwee

Hearing no discussion:

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

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

*Mr. Dennis Robbins 9 Crystal Drive and member of the Environmental Committee, reported there is a Core Training in October and requested approval for training. Upon discussion consensus of Committee was to approve the request; they further directed Mr. Painter to also send someone from the Public Works Dept.*

*Mr. Robbins further commented six other counties are already comingling in blue buckets.*

**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. 2011-108:**

Closed Session

*Where it is necessary to discuss sale of public property; Block: 1202 Lot 4.01. Where it is necessary to discuss matters concerning personnel and contractual obligations. Where it is necessary to discuss matters concerning professional services contracts relating to Green Energy. 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

