

MINUTES

APRIL 8, 2014

STATEMENT

Notice of this April 8, 2014 Regular Meeting pursuant to the Open Public Meetings Act has been given by the Township Council in the following manner:

- ◆ A written notice was filed with the Burlington Township Clerk on January 8, 2014.
- ◆ A written notice was posted on the Burlington Township bulletin board and web site on January 8, 2014.
- ◆ A written notice was mailed to the Burlington County Times, the Courier Post and the Trenton Times via certified mail on January 4, 2014.

The Regular Meeting of the Township Council was held on April 8, 2014 at the Burlington Township Municipal Building. Those present were:

PRESIDENT:	George M. Kozub
COUNCIL MEMBERS:	Robert W. Jung Carl M. Schoenborn E.L. Pete Green Michael K. Cantwell Patricia M. Siboczy
ABSENT:	Sandra V. Stewart

Mr. Carnivale stated for the record that Councilwoman Stewart will not be available this evening.

President Kozub called the meeting to order and asked everyone to stand and join in the Pledge of Allegiance lead by Caden Carter.

CERTIFICATES OF RECOGNITION PRESENTED TO THE FOLLOWING:

- First Place Burlington Township 95 LB Cheerleading Squad New Jersey Cheer and Dance State Champions
- First Place Burlington Township Unlimited Cheerleading Squad New Jersey Cheer and Dance State Champions

President Kozub called on Mayor Carlin and Councilwoman Siboczy for handing out certificates to both cheerleading squads.

Mayor Carlin welcomed everyone to the municipal building and stated that tonight we are going to recognize the 1st Place Burlington Township 95 LB Cheerleading Squad New Jersey Cheer and Dance State Champions and the 1st Place Burlington Township Unlimited Cheerleading Squad New Jersey Cheer and Dance State Champions.

Mayor Carlin called on the Coaches from both teams to come forward and help with the presentation of certificates as follows:

CERTIFICATE OF RECOGNITION

April 8, 2014



Presented to

BURLINGTON TOWNSHIP 95LB CHEERLEADING SQUAD

Cache Brister	Madeline Hogan	Carmilia Vieux
Madison Brown	Amanda Matarese	Anaya Young
Zaniaya Carter	Corrine Miles	Coach Danica Dilligard
Taylor Carthan	Yasmeen Mora	Coach Cassandra Coleman
Tierra Clark	Emileigh Pidgeon	Coach Atanda Powell
Khrista Crawford	Caheil Powell	Coach Juanita Sullivan
Amaya Dowling	Aiyona Reddon	Coach Shameca Crawford
Spring Hagstrom	Tiyana Reynolds	Coach Tyler Dilligard, Jr.
		Coach Avani Coleman, Jr.

In recognition of your achieving **FIRST PLACE** in the New Jersey Cheer and Dance State Championships held on March 2, 2014. Your hard work and dedication to accomplish this distinction brings deserved pride to your community, your school, your recreation program and yourself. It is therefore with great pride that the Mayor and Council of Burlington Township is most pleased to present this recognition.

Presented on this 8th day of April in the year 2014.

Brian J. Carlin
Mayor

George M. Kozub
President of Council

Walter J. Carter
Administrator

CERTIFICATE OF RECOGNITION



Presented to

BURLINGTON TOWNSHIP UNLIMITED CHEERLEADING SQUAD

Kira Bhuta	Isabel Holman	Coach Lisa Clotter
Makayla Clark	Angelica Medina	Coach Tina Carpenter
Katie Davila	Nia Mills	Coach Camille Hyatt
Simone Duncan	A'Lia Morris	Coach Autumn Parker
Laurynn Fontno	Danielle Price	Coach Deborah Barbour
Skylar Green	Brittney Stidfole	Coach Kim Gaskin
Sydney Green	Alana Tyndall	Coach Sorina Haddock
Jayonna Haddock	Morgan Wormley	Coach Marcus Smith.

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Presented on this 8th day of April in the year 2014.

Brian J. Carlin
Mayor

George M. Kozub
President of Council

Walter J. Carter
Administrator

At this time, President Kozub called on Council for any comments.

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All Council Members individually congratulated all the cheerleaders for their outstanding accomplishment and thanked all the coaches, volunteers and parents for their dedication and support.

President Kozub called for a five-minute recess. After a brief recess during which photos were taken with Cheerleading Champions. President Kozub called the meeting back to order.

MOTION TO PAY BILLS

Motion made by Councilman Schoenborn, seconded by Councilman Green, to pay bills that have been approved.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.

NAYS: None.

ABSENT: Stewart.

President Kozub declared the motion carried.

ACCEPTANCE OF MINUTES

Regular Meeting - February 11, 2014

Regular Meeting - February 25, 2014

Motion made by Councilman Cantwell, seconded by Councilman Schoenborn, to approve minutes as submitted.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.

NAYS: None.

ABSENT: Stewart.

President Kozub declared the motion carried.

DISPOSITION OF BIDS RECEIVED

None

WRITTEN REPORTS OF OFFICIALS

1) Department of Engineering's report for the month of March 2014 shows total receipts of \$1,271.00, with the same remitted to the Treasurer.

2) Police Department's report for the month of March, 2014 shows total receipts of \$3,024.05 with the same remitted to the Treasurer.

3) Report of the Public Works Department for the month of March, 2014 shows total receipts of \$10,135.50, with the same remitted to the Treasurer.

4) Township Clerk's report for the month of March, 2014 shows total receipts of \$3,222.95 with \$3,547.95 disbursed.

5) Tax Collector's Report for the month of March, 2014 shows total receipts of \$1,985,670.09.

6) Construction Official's report for the month of March, 2014 shows total receipts of \$22,503.00, with the same remitted to the Treasurer.

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7) Report of the Planning Board and Zoning Board of Adjustment for the month of February, 2014 shows total receipts of \$3,122.41.

CORRESPONDENCE

1) Letter dated April 2, 2014 from Robert D. Bernardi, Burlington County Prosecutor addressed to Mayor and Council regarding Civil Forfeiture(s): Arthur Long Case No. 13-1198 check in the amount of \$163.00 contributive share for the Municipal Law Enforcement Trust Account (MLETA) of the Burlington Township Police Department.

PUBLIC PORTION

At this time, President Kozub opened the floor to the public for their views and comments.

TODD WHITMORE, TRUSTEE, TABERNACLE BAPTIST CHURCH: Mr. Whitmore spoke about the letter they sent on April 1, 2014 regarding the upcoming Habitat for Humanity Work Camps they will be holding during the week of June 29th through July 5th, 2014.

FRED HAM, TRUSTEE, TABERNACLE BAPTIST CHURCH: Mr. Handler also spoke about their home improvement projects for minor repairs such as gutters, rails, handicapped ramps and steps. He mentioned that they have been in touch with Mr. Wright, Construction Office for any of his input and they are also looking for sponsors for this program.

President Kozub thanked Mr. Whitmore and Mr. Handler for coming out this evening and explaining their program.

There being no other speakers, President Kozub closed the floor to the public.

PUBLIC HEARING ON THE 2014 BUDGET

At this time, President Kozub turned the floor over to the Auditor to read a summary of the budget.

Mr. Frenia stated that last month on March 11, 2011 the township budget was introduced and was properly advertised for this hearing. He explained that this is one of the years we are under a self-review. The State reviews our budget every three (3) years.

Mr. Frenia proceeded to read a summary of the budget.

President Kozub then opened the floor to the public for the public hearing on the budget.

There being none, President Kozub closed the floor to the public and called for a motion to adopt the budget for the year 2014.

RESOLUTION
2013-R-078

RESOLUTION ADOPTING THE 2013 BUDGET

Motion made by Councilman Jung, seconded by Councilman Schoenborn, to adopt this resolution.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

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President Kozub declared the motion carried.

At this time, President Kozub called on Mayor Carlin for his budget address as followings:

The 2014 Municipal Budget, as adopted tonight, represents the culmination of six months of planning, review and revision. I want to thank the Administration, particularly our Administrator, Walt Corter and Department Heads for their efforts in continuing to insure we deliver cost effective services to our residents.

The 2014 Budget is \$23,482,693.00. This is an increase of \$299,812.00 from the 2013 Municipal Budget of \$23,132,881.00. While there is an increase in this year's budget, the 2014 Budget is \$1,774,805.00 less than the 2007 Budget.

The Budget includes twenty-three (23) formal written Interlocal Services Agreements including an Agreement for a Joint Municipal Court with Burlington City, for Technology Services with the Burlington Township BOE, for a Qualified Purchasing Agent with the Fire District, for a Tax Assessor with Shamong and for Fuel Distribution with the Burlington Township Board of Education, the Fire District, Burlington City Municipal Government and their Board of Education. It also includes eight informal shared service arrangements that we are in the process of formalizing.

The Budget results in a 1.3 cent increase in the Local Purpose Tax. An average home of \$228,847.00 will pay \$1,137.88 in Local Purpose Tax. Under this budget, the owner of an average house in the Township will pay \$29.75 more in Local Purpose Tax in 2014.

The increase in 2014 is attributable to increased costs of doing business and the economic reality of reduced rates. Our costs go up like the costs of running a household, and like any household we attempt to find ways to operate while reducing the effects of those increase costs. *This year, we incurred increased costs as the result of the shared service agreements, much of which is offset by the revenue received under those agreements.* We see increased costs for health insurance, including a recapture of prior year's expenditures in our utility Budget. On the revenue side, this Budget relies less on contributions from surplus and the deferral of school taxes. In addition we realize the effect of decreased revenues as the result of successful tax appeals.

The 2014 Budget calls for 121.5 employees, an increase from 118.5 from last year. We will increase the number of employees in Municipal Court by two (2) to accommodate the increased case load resulting from the shared courts and in a depleted Public Works Department by one (1). This increase in personnel does not result in expenditures without accompanying new or existing revenue to offset the cost. As mentioned previously, the cost of the two (2) Municipal Court employees is offset by the revenue generated from the shared services agreement with the City. The cost of the additional Public Works employee is offset by the retirement of a longtime employee of the department, who will be replaced by two (2) new employees without increasing the cost from 2013. It should also be noted that the Budget calls for the hiring of three (3) replacement officers in the Police Department to replace outgoing officers. Again to keep where we are in perspective, the number of employees has been reduced

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from 171 in 2007 to 121.5 in 2014. This year's Budget addresses manpower concerns with a limited effect on our budget.

The Capital Budget, we will address our infrastructure by funding: Skeales Bridge Water Main Insulation System Replacement on Neck Road, Retrofit of Well #3, Replacement of Lake Avenue Water Main, Emergency Generators at Various Sewer Pump Stations (which we anticipate being funded by a low interest NJEIT Hurricane Sandy resiliency loan), replacement of a gravity sewer at the Pinewald Pump Station, replacement of deteriorated manholes throughout town, the mill and overlay of 4 municipal roadways (2 of which are contingent upon grant awards), the reconstruction and expansion of the parking lot at Skimmer Field, *as well as for additional lighting in that parking lot* and installation of emergency generator, at the Central Avenue Public Works Garage (which will be funded by a grant from NJOEM Hazard Mitigation Grant).

Decreased revenues as a result of reduced tax assessments due to tax appeals and the poor economy continue to be a problem in building a budget.

The ratables, or the value of the Township in 2009 was \$2,390,303,158.00. In 2013, the value of the Township was \$2,220,269,407.00 that is a loss of *(\$170,033,751 in value)*. \$13,129,600. This is driven by the housing market which has been in decline. The effect of tax appeals on our revenues is very evident from a review of the tax appeals in 2011 through 2013.

In 2011, there were 251 appeals filed. The loss of ratables from those appeals was \$9,094,628.00. The total revenue lost as the result of the tax appeals was \$421,465.63, which due to hold harmless provisions of the law was paid out of the municipal budget by cutting expenses and using surplus.

In 2012, there were 261 appeals filed despite the fact that a compliance plan was approved and implemented to address the most acutely overvalued properties. The loss of ratables from those appeals was \$13,260,000.00. The total revenue lost as the result of the tax appeals was \$385,550.40. While we did not have a revenue loss as a result of the compliance plan, we did lose ratables of \$136,850,989.00 which does have an impact on what can be levied upon in 2013.

In 2013, there were 181 appeals filed. The loss of ratables from those appeals was \$11,228,800.00. The total revenue lost as the result of the tax appeals was \$ 312,834.00. As of today there has been 87 appeals filed for 2014.

So you can see that as a result of successful tax appeals in 2011 through 2013 the Township had a combined post-budget revenue shortfall of \$1,092,850.00. The covering of those shortfalls has contributed to our ability to use surplus to balance the budget.

We do anticipate some relief as we go forward. We are moving forward with a revaluation of the Township that should provide a valuation of the community that is more consistent with the housing market. Additionally, we have Walmart development and the Riverwalk development moving forward which should add additional ratables to our tax base. The new Chick-Filet will begin to hit the books this year. We anticipate additional ratables from the Shoprite and the Burlington Coat Factory Warehouse in future years.

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I again call upon the Governor and the Legislature to fully fund the Energy Receipts Tax that are returned to municipalities at the rates contemplated under the statute. The Energy Receipts tax received by Burlington Township remains at 2002 levels.

I thank the Council for approving the Budget and as we go forward remain committed to exploring all options to provide cost-efficient municipal services to our residents.

At this time, President Kozub thanked his fellow Councilmen, the Mayor, the Administrator and all Department Head's for all their work preparing this fiscally responsible budget that will deliver effective cost and services to our residents.

ORDINANCES - SECOND READING

ORDINANCE
2014-OR-003

ORDINANCE AUTHORIZING THE MAYOR AND CLERK TO ENTER INTO A FIVE YEAR TAX EXEMPTION/PILOT AGREEMENT WITH ACP BURLINGTON, LLC FOR THE REHABILITATION OF BLOCK 116, LOT 2 ALSO KNOWN AS WISHING WELL PLAZA

President Kozub opened the floor to the public. There being no speakers, President Kozub closed the floor to the public.

Motion made by Councilman Schoenborn, seconded by Councilman Green, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

ORDINANCE
2014-OR-004

ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF BURLINGTON, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY, SPECIFICALLY CHAPTER 15 (HANDICAPPED PARKING SPACE)

President Kozub opened the floor to the public. There being no speakers, President Kozub closed the floor to the public.

Motion made by Councilman Cantwell, seconded by Councilman Green, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

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ORDINANCE
2014-OR-005

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF
NEW JERSEY AND SPECIFICALLY CHAPTER 40, SECTION
40-1 "LOSS CONTROL PROGRAM" ADOPTING THE 2014
REVISIONS TO THE EMPLOYEE HANDBOOK, EMPLOYEE
ADMINISTRATIVE PERSONNEL AND THE POLICIES AND
PROCEDURES MANUAL FOR THE TOWNSHIP OF
BURLINGTON'S LOSS CONTROL PLAN

President Kozub opened the floor to the public. There being no speakers, President Kozub closed the floor to the public.

Motion made by Councilman Schoenborn, seconded by Councilman Green, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

ORDINANCES - FIRST READING

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF BURLINGTON, COUNTY OF BURLINGTON AND STATE
OF NEW JERSEY SPECIFICALLY CHAPTER 108, ALARMS
AND ALARM SYSTEMS, §108-2 VIOLATIONS AND
PENALTIES ASSESSED FOR EXCESSIVE FALSE FIRE ALARMS

Motion made by Councilman Cantwell, seconded by Councilman Schoenborn, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on April 22, 2014 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF BURLINGTON ENTITLED "ADMINISTRATIVE CODE OF THE
TOWNSHIP OF BURLINGTON", MORE SPECIFICALLY
CHAPTER 20, SECTION 20-65, "SALARY SCHEDULES, A,
B, C, D AND E WITH 2014 UPDATES"

Motion made by Councilman Schoenborn, seconded by Councilwoman Siboczy, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on April 22, 2014 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.

NAYS: None.

ABSENT: Stewart.

President Kozub declared the motion carried.

RESOLUTIONS

President Kozub called on the Township Clerk to read all the resolutions before roll call vote is taken.

At this time, Mr. Carnivale read the following resolutions for adopting:

RESOLUTION
2014 -R-079

- A) RESOLUTION AUTHORIZING REFUNDS TO CERTAIN PROPERTY OWNERS WITHIN THE TOWNSHIP OF BURLINGTON

RESOLUTION
2014-R-080

- B) RESOLUTION AUTHORIZING THE TOWNSHIP OF BURLINGTON TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

RESOLUTION
2014-R-081

- C) RESOLUTION APPROVING ISSUANCE OF AN EVENT PERMIT FOR THE LUPUS FOUNDATION OF AMERICA TO HOLD A LUPUS AWARENESS WALK IN BURLINGTON TOWNSHIP

RESOLUTION
2014-082

- D) RESOLUTION AUTHORIZING AWARD OF CONTRACT AND THE SIGNING OF A PROFESSIONAL SERVICES AGREEMENT BY THE MAYOR AND TOWNSHIP CLERK FOR RICHARD C. BELLI, JR. OF THE GEORGE T. KOTCH LAW FIRM TO PROVIDE WORKERS' COMPENSATION ATTORNEY SERVICES FOR THE YEAR 2014

RESOLUTION
2014-R-083

- E) RESOLUTION AUTHORIZING AWARD OF CONTRACT AND THE SIGNING OF A PROFESSIONAL SERVICES AGREEMENT BY THE MAYOR AND TOWNSHIP CLERK FOR DAVID M. SERLIN AS TOWNSHIP SOLICITOR FOR THE YEAR 2014

RESOLUTION
2014-R-084

- F) RESOLUTION AUTHORIZING AWARD OF CONTRACT AND THE SIGNING OF A PROFESSIONAL SERVICES AGREEMENT BY THE MAYOR AND TOWNSHIP CLERK FOR McMANIMON, SCOTLAND AND BAUMANN, LLC AS BOND COUNSEL FOR THE YEAR 2014

RESOLUTION
2014-R-085

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G) RESOLUTION AUTHORIZING AWARD OF CONTRACT AND THE SIGNING OF A PROFESSIONAL SERVICES AGREEMENT BY THE MAYOR AND TOWNSHIP CLERK FOR JAMES R. DATZ AS LAND SURVEYOR FOR THE YEAR 2014

President Kozub called for a motion to adopt all resolution.

Motion made by Councilman Cantwell, seconded by Councilman Schoenborn to adopt all resolutions A through G.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

MOTIONS REQUIRED

None

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin welcomed Mrs. Joyce Howell from the audience, who is a member of our Zoning Board and the LaGorce Civic Association.

Mayor Carlin welcomed Shaun Patrick Murphy our new reporter assigned from the Burlington County Times.

Mayor Carlin also asked that everyone keep in their prayers the family and friends of Burlington Township Middle School student Siani McCurry, who passed away recently after a long hard battle with Leukemia.

Mayor Carlin reminded everyone of the upcoming "Clean-Up Day", which will be held on April 26, 2014.

Mayor Carlin thanked Council for all their hard work and consideration during the budget process adopting the 2014 Budget.

Mayor Carlin made the following appointments:

A) Permanent appointment of Eileen Liss as Housing Inspector/Zoning Officer in the Department of License and Inspection, effective February 12, 2014.

Mayor Carlin again thanked the Burlington Township Cheerleaders for coming out and this evening.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: No report.

DIRECTOR OF PUBLIC SAFETY: No report.

DIRECTOR OF RECREATION: No report.

TOWNSHIP ENGINEER: No report.

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CONSTRUCTION OFFICIAL: No report

TREASURER/CFO: No report.

TAX COLLECTOR: No report.

DIRECTOR OF PUBLIC WORKS: No report.

TOWNSHIP CLERK: No report.

Mayor Carlin also thanked the Department of Public Works, Department of Recreation and Department of Public Safety for the outstanding job they all did during the brutal winter we had. He also commented on the outstanding job our residents did with the handling of this difficult winter we had.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN JUNG: Councilman Jung thanked Administration and all the Department Heads for the great job they did preparing their budgets.

Councilman Jung again congratulated the Cheerleaders on their very successful season.

COUNCILMAN SCHOENBORN: Councilman Schoenborn again congratulated all the Cheerleaders; and also thanked all the Department Heads, Administrator and Mayor for preparing their budgets for the year 2014.

COUNCILMAN GREEN: Councilman Green thanked the Administrator, Clerk and all Departments Heads for all the work they did during the budget process for a job well done.

Councilman Green thanked Todd Whitmore and Fred Ham both Trustees from the Tabernacle Baptist Church for coming out and speaking about the upcoming Habitat for Humanity Work Camps that they will be holding.

Councilman Green offered his condolences to both the McCurry Family on the loss of their daughter, and the Scully Family from Florence.

Councilman Green thanked Mrs. Woolman, Joyce Howell and Mr. Murphy for coming out this evening.

COUNCILMAN CANTWELL: Councilman Cantwell offered his thoughts and prayers to the McCurry Family and Scully Family.

Councilman Cantwell thanked all departments who were involved in the budget process for a job well done.

COUNCILWOMAN SIBOCZY: Councilwoman Siboczy offered that same thoughts on everything that has been said.

Councilwoman Siboczy spoke about the passing of Siani McCurry and how her family and the students have shown so much faith and strength during this very difficult time.

PRESIDENT KOZUB: President Kozub thanked all the Commissioner's, Director's and township employees, who were involved in the planning and executing of the "Opening Day of Baseball" last Saturday.

President Kozub called for a motion to adjourn.

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MOTION TO ADJOURN

Motion made by Councilman Cantwell, seconded by Councilman Schoenborn to adjourn until the next Regular Meeting to be held on April 22, 2014 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Green, Cantwell, Siboczy and President Kozub.
NAYS: None.
ABSENT: Stewart.

President Kozub declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

George M. Kozub
President of Council