

MINUTES

JUNE 25, 2013

STATEMENT

Notice of this June 25, 2013 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 3, 2013.
- ◆ A written notice was posted on the Burlington Township bulletin board and web site on January 3, 2013.
- ◆ A written notice was mailed to the Burlington County Times, the Courier Post and the Trenton Times via certified mail on January 3, 2013.

The Regular Meeting of the Township Council was held on June 25, 2013 at the Burlington Township Municipal Building. Those present were:

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

For the record, Mr. Carnivale stated that Councilwoman Siboczy and Councilman Green will not be available this evening.

President Cantwell called the meeting to order and asked everyone to stand and join in the Pledge of Allegiance. After the salute to the flag Mr. Cantwell asked everyone to remain standing and observe a moment of silence in honor of Mary M. Osborne, Crossing Guard, who recently passed away.

At this time, President Cantwell called on Mayor Carlin for the following presentation.

CERTIFICATES OF RECOGNITION PRESENTED TO BURLINGTON TOWNSHIP LIGHTNING U-15 FLIGHT 2 SOCCER TEAM

At this time, Mayor Carlin welcomed everyone and stated that tonight we again have the opportunity to recognize our young people by congratulating and recognizing the Lightning U-15 Flight 2 Spring Champion Soccer Team tonight.

Mayor Carlin read the following for the record:

The Lightning finished tied for First Place in the U-15 Flight 2 Spring South Jersey Soccer League.

They finished with a record 8-1-1, with 26 goals scored for and giving up 7.

Their season was an adventure. However collectively, this team overcame many hurdles to succeed.

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They started with the prospect of three former players who returned from out of town.

They had two goal keepers lined up. Unfortunately they had other commitments during the season that limited their availability.

Despite these hardships, players took one for the team and stepped into the nets.

They had a series of injuries. One player even played the last game of the season with his wrist bubble wrapped.

Coach Oliver indicated that with a lot of lineup shuffling, teamwork, flexibility and superior play by the entire TEAM they were able to succeed and win the conference title.

At this time, Mayor Carlin congratulated everyone involved and introduced and thanked Commissioner Matt Senni for his involvement with the soccer program. He also introduced our new Director of Recreation, Mr. Fuzzy Fazekas.

Mayor Carlin read the following Certificate of Recognition for the record and called Coach Joe Oliver to come forward and help with the presentation of the trophies and certificates.

<h1>CERTIFICATE OF RECOGNITION</h1>		
		
<p><i>Presented to</i></p> <h2>BURLINGTON TOWNSHIP LIGHTNING U-15 FLIGHT 2</h2>		
John Aloia Christopher Certo Joshua Cover Sean Devaney Justin Godfrey	Ryan Komiskey Matthew Mellin Tyler Mitchell Jacob Moir Shaun Oliver	Grant Schiller Chase Spadaccino Justin Wright Joe Oliver, Head Coach Mark Chedda, Assist. Coach
<p><i>The Mayor and Council are proud to recognize your success and achievement in being the SOUTH JERSEY SOCCER LEAGUE SPRING CONFERENCE CHAMPIONS</i></p>		
<p><i>Presented on this 25th day of June in the year 2013</i></p>		
<p><i>Brian J. Carlin</i> Mayor</p>	<p><i>Michael K. Cantwell</i> President of Council</p>	<p><i>Walter J. Carter</i> Administrator</p>

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

All Council Members individually congratulated the soccer player for their outstanding season and thanked all the coaches, volunteers and parents for their dedication of the sports.

President Cantwell called for a five-minute recess. After a brief recess during which photos were taken with the soccer team. President Cantwell called the meeting back to order.

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MOTION TO PAY BILLS

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

On roll call the following vote was recorded:

AYES: Jung, Stewart, Schoenborn, Kozub and President Cantwell

NAYS: None.

ABSENT: Siboczy, Green.

President Cantwell declared the motion carried.

ACCEPTANCE OF MINUTES

Regular Meeting - May 28, 2013

Regular Meeting - June 11, 2013

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

On roll call the following vote was recorded:

AYES: Jung, Stewart, Schoenborn, Kozub and President Cantwell

NAYS: None.

ABSENT: Siboczy, Green.

President Cantwell declared the motion carried.

DISPOSITION OF BIDS RECEIVED

None

WRITTEN REPORTS OF OFFICIALS

1) Township Clerk's report for the month of May 2013 shows total receipts of \$1,561.32 with \$1,311.18 disbursed.

2) Municipal Court's report for the month of May 2013 shows total receipts of \$53,287.25 and all interest remitted to the Treasurer.

3) Report of the Public Works Department for the month of May 2013 shows total receipts of \$577,525.89, with the same remitted to the Treasurer.

4) Report of the Planning Board and Zoning Board of Adjustment for the month of April 2013 shows total receipts of \$1,484.88.

5) Report of the Planning Board and Zoning Board of Adjustment for the month of May 2013 shows total receipts of \$8,534.00.

6) Department of Engineering's report for the month of May 2013 shows total receipts of \$260.03 with the same remitted to the Treasurer.

CORRESPONDENCE

1) Letter dated June 22, 2013 from Diane Flannery Cook addressed to Mr. Walter J. Corter, Township Administrator regarding her resignation from the position of Burlington Township Recreation Commission.

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Mr. Carnivale stated that this would require a motion from the Governing Body to accept with regrets.

Motion made by Councilman Schoenborn, seconded by Councilman Jung, to accept with regrets.

On roll call the following vote was recorded:

AYES: Jung, Stewart, Schoenborn, Kozub and President Cantwell

NAYS: None.

ABSENT: Siboczy, Green.

President Cantwell declared the motion carried.

2) Letter dated June 11, 2013 from Walter J. Tafe, Director, Military and Veterans Services, Burlington County Board of Chosen Freeholders addressed to Mayor Brian J. Carlin sending a letter of appreciation on behalf of the Board of Chosen Freeholders, Director Joseph Donnelly, the Veterans Advisory Committee, and the Military and Veterans Services Office stating their sincere appreciation for the outstanding support the Department of Public Works, and Director Gary Snyder provided for the annual Memorial Day Ceremony held on May 30, 2013.

3) Letter dated June 17, 2013 from Robert D. Bernardi, Burlington County Prosecutor addressed to Mayor and Council regarding Civil Forfeiture(s): Marquis Young Case No. 12-1567 check in the amount of \$315.00 contributive share for the Municipal Law Enforcement Trust Account (MLETA) of the Burlington Township Police Department.

PUBLIC PORTION

President Cantwell opened the floor to the public for their views and comments.

MRS. PATRICIA MITCHELL, 13 SPRUCE ROAD: Mrs. Mitchell stated that for the last ten years, since about 2003, she has had questions about the swale in her backyard that is on her property. She stated that she would like to know if anything can be done. She then stated that she found a letter from Wentworth Builders regarding grading at that time and she would like to know if anything was ever done.

Mayor Carlin asked Mrs. Mitchell if she could let Scott Hatfield the Township Engineer make a copy of that letter so that he and Mr. Corter the Township Administrator can look into this and get back to her with an answer.

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

ORDINANCES - SECOND READING

ORDINANCE
2013-OR-017

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS AND ACQUISITIONS BY THE TOWNSHIP
OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW
JERSEY, APPROPRIATING \$533,700 AND AUTHORIZING THE
ISSUANCE OF \$507,200 BONDS OR NOTES TO
FINANCE A PORTION OF THE COST

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

Motion made by Councilwoman Stewart, seconded by Councilman Kozub, to adopt this ordinance on second reading.

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On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-018

ORDINANCE APPROPRIATING \$100,000 FROM THE SEWER CAPITAL SURPLUS FUND FOR THE ACQUISITION OF A TRUCK WITH A PLOW AND A CONTROLLER WITH AN ULTRAVIOLET PANEL CONVERSION BY THE TOWNSHIP OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY

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

Motion made by Councilman Jung, seconded by Councilwoman Stewart, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-019

BOND ORDINANCE PROVIDING FOR THE 2013 ROAD PROGRAM IN AN BY THE TOWNSHIP OF BURLINGTON, NEW JERSEY, APPROPRIATING \$730,500 AND AUTHORIZING THE ISSUANCE OF \$708,500 BONDS OR NOTES TO FINANCE A PORTION OF THE COST

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

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-020

BOND ORDINANCE PROVIDING FOR WATER UTILITY IMPROVEMENTS AND ACQUISITIONS BY THE TOWNSHIP

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OF BURLINGTON, IN THE COUNTY OF BURLINGTON,
NEW JERSEY, APPROPRIATING \$589,500 AND AUTHORIZING
THE ISSUANCE OF \$589,500 BONDS OR NOTES TO FINANCE
A PORTION OF THE COST

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

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-021

ORDINANCE APPROPRIATING \$50,000 FROM THE DEVELOPERS'
RECREATION FUND FOR VARIOUS RECREATION-RELATED
IMPROVEMENTS IN AND BY THE TOWNSHIP OF BURLINGTON,
IN THE COUNTY OF BURLINGTON, NEW JERSEY

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

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-022

AN ORDINANCE VACATING AND EXTINGUISHING
THE PUBLIC RIGHTS WITH RESPECT TO A PORTION OF
THE MONROE AVENUE RIGHT-OF-WAY LOCATED BETWEEN
CENTRAL AND DEVLIN AVENUES IN THE TOWNSHIP OF
BURLINGTON, COUNTY OF BURLINGTON AND STATE OF

NEW JERSEY SUBJECT TO CERTAIN TERMS AND CONDITIONS

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

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

On roll call the following vote was recorded:

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AYES: Jung, Stewart, Schoenborn, Kozub and President Cantwell

NAYS: None.

ABSENT: Siboczy, Green.

President Cantwell declared the motion carried.

ORDINANCES - FIRST READING

None

RESOLUTIONS

President Cantwell announced that resolution F has been removed from the agenda until funding is secured, as per the CFO. President Cantwell then called on the Township Clerk to read all the resolutions before roll call vote is taken.

A) RESOLUTION 2013-R-130

RESOLUTION AUTHORIZING LEAVE OF ABSENCE FOR ANNUAL MILITARY TRAINING (*Long*)

B) RESOLUTION 2013-R-131

RESOLUTION AUTHORIZING LEAVE OF ABSENCE FOR ACTIVE DUTY MILITARY TRAINING (*Bremer*)

C) RESOLUTION 2013-R-132

RESOLUTION RENEWING PLENARY RETAIL CONSUMPTION LIQUOR LICENSE #0306-33-004-006 FOR THE YEAR JULY 1, 2013 TO JUNE 30 2014 FOR RARE HOSPITALITY INTERNATIONAL, INC. T/A LONGHORN STEAKHOUSE

D) RESOLUTION 2013-R-133

RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO AN AGREEMENT WITH EASTERN ARMORED SERVICES, INC.

E) RESOLUTION 2013-R-134

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

F) RESOLUTION

Mr. Carnivale stated that as indicated by the President of Council resolution F has been removed from the consent agenda. He stated that Council will not be voting for resolution "F" this evening when they make their consent vote.

G) RESOLUTION 2013-R-135

RESOLUTION APPROVING ISSUANCE OF AN EVENT PERMIT FOR THE RAIDERS DRUM & BUGLE CORPS TO HOLD A CONCERT AT THE BURLINGTON CENTER MALL

President Cantwell called for a motion to adopt all resolution.

Motion made by Councilman Schoenborn, seconded by Councilman Jung, to adopt all the resolutions listed A through E and G.

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On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

MOTIONS REQUIRED

None

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin offered his condolences to the family of Mary Osborne, who was a Crossing Guard with Burlington Township for many years serving her community. Unfortunately, she passed away suddenly on Monday, 6/24/2013, doing the job she loved at the Young School.

Mayor Carlin thanked Diane Flannery Cook for her service to the community as a Recreation Commissioner and for the many years she served as a Regular Member of the Recreation Commission.

Mayor Carlin stated that we received another letter from COAH regarding the submission of our certification for the fourth time. He stated that we will again be taking the same stand as in the past.

Mayor Carlin mentioned that he sent a thank you to Senator Diane Allen for sponsoring Legislation on the DEP Environmental Infrastructure Grant that will allow in our budget the Rehabilitation of the Sanitary Sewer System in the Beverly Road Area and a new Sewer Vac Jetter Truck.

Mayor Carlin thanked Gary Snyder and his staff for the great job they did at the Veteran's Memorial. He asked Mr. Snyder to pass along to his staff the compliments they received from Walter J. Tafe, Director, Military and Veterans Services.

Mayor Carlin made the following appointment:

- A) Appointment of Stephen C. Fazekas as member of the Safety Committee for a term expiring, 12/31/2013.
- B) Appointment of Alexis Arnell as Student Government Representative on the Mayor's Citizens Advisory Committee for a term of one year, effective 6/25/2013.

Mayor Carlin congratulated the Lightning U-15 Flight 2 Soccer Team and also Thanked Council for adopting the Bond Ordinances.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR:

TOWNSHIP SOLICITOR: Mr. Serlin stated that in regard to the Sunset Tavern Hearing he would recommend that Council adjourn the hearing this evening until July 9th. He stated that after discussions with the Deputy Attorney General who is handling this matter along with the Attorney's it appears that the State will be imposing a closure on the Licensee as of July 1st for 15 days.

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Mr. Serlin stated that they are still working on the terms of the agreement and the resolution will be held over for action on the July 9th meeting.

DIRECTOR OF PUBLIC SAFETY: No report.

ACTING DIRECTOR OF RECREATION: No report.

CONSTRUCTION OFFICIAL: No report.

TOWNSHIP TREASURER/CFO: No report.

DIRECTOR OF PUBLIC WORKS: No report.

TOWNSHIP ENGINEER: Mr. Hatfield reported on the upcoming Fountain Woods Road Project.

TOWNSHIP CLERK: No report.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN JUNG: Councilman Jung offered his condolences to the Osborne Family. He also congratulated the Lightning Soccer Team on their accomplishments and Gary Snyder and his staff for the job they did at the memorial site.

Councilman Jung congratulated David Van Camp, Zoning Board Member and Alan Warner, Planning Board Member for successfully completing the required education.

COUNCILWOMAN STEWART: Councilwoman Stewart offered prayers to the Osborn Family. She also thanked Diane Flannery Cook for her service on the Recreation Commission.

COUNCILMAN SCHOENBORN: Councilman Schoenborn congratulated the U-15 Lightning Soccer Team, Gary Snyder and his staff for the job they did at the Memorial Day Ceremony at the Veteran's Park.

Councilman Schoenborn thanked Diane Flannery Cook for all her years serving on the Recreation Commission.

COUNCILMAN KOZUB: Councilman Kozub congratulated Gary and staff for the job they did at the Veteran's Park. He offered his deepest sympathy to the Osborne Family and thanked Diane Flannery Cook for all her years serving on the Recreation Commission.

PRESIDENT CANTWELL: President Cantwell offered is condolences to the Osborne Family on the loss of their Mother and stated that she will be sadly missed.

President Cantwell thanked Diane Flannery Cook for everything she has done for the Recreation Commission and stated that she will be greatly missed.

PUBLIC HEARING LIQUOR LICENSE RENEWAL

Mr. Serlin recommended that the hearing and resolution be adjourned until July 9th.

Mr. Carnivale read the resolution for the record.

RESOLUTION

RESOLUTION AUTHORIZING THE RENEWAL OF
ALCOHOLIC BEVERAGE LICENSE NO. 0306-33-003-003;
IMPOSING CONDITIONS ON THE RENEWAL OF SAID
LICENSE AND AUTHORIZING THE MAYOR AND

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TOWNSHIP CLERK TO EXECUTIVE AN AGREEMENT
WITH ESHIKA A. LLC, T/A SUNSET TAVERN

Motion made by Councilman Schoenborn, seconded by Councilman Jung,
to adjourn this resolution until the July 9th meeting.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

At this time, President Cantwell called for a motion to adjourn.

MOTION TO ADJOURN

Motion made by Councilman Kozub, seconded by Councilman Schoenborn to
adjourn until the next Regular Meeting to be held on July 9, 2013 at 7:00 p.m. in these
chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

Michael K. Cantwell
President of Council