

MINUTES

OCTOBER 8, 2013

STATEMENT

Notice of this October 8, 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 October 8, 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
	E.L. Pete Green
	George M. Kozub
	Patricia M. Siboczy

President Cantwell called the meeting to order and asked everyone to stand and join in the Pledge of Allegiance.

MOTION TO PAY BILLS

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

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ACCEPTANCE OF MINUTES

Regular Meeting – September 24, 2013

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

On roll call the following vote was recorded:

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

NAYS: None.

ABSTAIN: Jung, Stewart.

President Cantwell declared the motion carried.

DISPOSITION OF BIDS RECEIVED

None

WRITTEN REPORTS OF OFFICIALS

1) Police Department's report for the month of September, 2013 shows total receipts of \$548.05 with the same remitted to the Treasurer.

2) Report of the Public Works Department for the month of September, 2013 shows total receipts of \$4,331.90, with the same remitted to the Treasurer.

3) Department of Licenses and Inspections report for the month of September, 2013 shows total receipts of \$21,822.00.

4) Department of Recreation's report for the month of September, 2013 shows total receipts of \$7,693.19.

CORRESPONDENCE

1) Letter dated October 2, 2013 from Robert D. Bernardi, Burlington County Prosecutor addressed to Mayor and Council regarding Civil Forfeiture(s): Tyrone Gilbert, Case No. 13-1760 check in the amount of \$175.00 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.

At this time, Fitness Integrated Therapy representatives Lawrence Ramiscal and King Ohenew Obeing Asomaning thanked the Governing Body for approving their new

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business in the township and invited everyone to attend their Open House of their new fitness gym to be held on October 19, 2013 between 1:00 pm and 3:30 pm.

President Cantwell thanked them for their comments.

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

ADMINISTRATOR'S REVIEW OF THE 2013 BEST PRACTICES INVENTORY

At this time, Mr. Corter reviewed the 2013 Best Practices Worksheet from the New Jersey Division of Local Government Services with the Governing Body.

ORDINANCES - SECOND READING

ORDINANCE
2013-OR-027

ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF BURLINGTON, COUNTY OF BURLINGTON
AND STATE OF NEW JERSEY MORE SPECIFICALLY
SECTION 15:1-2.4 (NO STOPPING OR STANDING)

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

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-028

ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF BURLINGTON ENTITLED "ADMINISTRATIVE
CODE OF THE TOWNSHIP OF BURLINGTON", MORE SPECIFICALLY
CHAPTER 20, SECTION 20-65, SCHEDULE C (AMENDING PAYSCALE)

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

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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, Green, Kozub, Siboczy and President Cantwell
NAYS: None.

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-029

ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF BURLINGTON, COUNTY OF
BURLINGTON AND STATE OF NEW JERSEY
MORE SPECIFICALLY VARIOUS SECTIONS OF
THE CODE OF THE TOWNSHIP OF BURLINGTON
PERTAINING TO INSPECTION FEES AND COSTS

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 Councilman Kozub, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-030

ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF BURLINGTON, COUNTY OF
BURLINGTON AND STATE OF NEW JERSEY
MORE SPECIFICALLY CHAPTER 360 NOISE
AMENDING SECTION 360-2 PROHIBITED
NOISES ENUMERATED

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

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-031

ORDINANCE AMENDING THE CODE OF THE
TOWNSHIP OF BURLINGTON, COUNTY OF
BURLINGTON AND STATE OF NEW JERSEY
MORE SPECIFICALLY CHAPTER 63: POLICE
DEPARTMENT, SECTION 63-4 TITLE FOR
ABANDONED VEHICLE FEES AND CHAPTER 551:
TOWING, SECTION 551-8. FEES; TOWING SERVICE,
BASIC TOWING SERVICE RATE CONCERNING
DAILY STORAGE CHARGES

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, Green, Kozub, Siboczy and President Cantwell
NAYS: None.

President Cantwell 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 MORE SPECIFICALLY
CHAPTER 330, SECTION 330-35 RESIDENTIAL ZONE
DISTRICT REGULATIONS TO ADD SUBSECTION L.
GOVERNING PORTABLE HOME STORAGE UNITS IN

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RESIDENTIAL ZONES AND ESTABLISHING
REGULATIONS AND PERMIT FEES

Motion made by Councilwoman Stewart, seconded by Councilman Jung, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on October 22, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE

AN ORDINANCE OF THE CODE OF THE TOWNSHIP
OF BURLINGTON, COUNTY OF BURLINGTON AND
STATE OF NEW JERSEY SPECIFICALLY CHAPTER 122, ANIMALS
TO ADD ARTICLE V, GOVERNING THE KEEPING OF CATS

Motion made by Councilman Kozub, seconded by Councilman Green, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on October 22, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF BURLINGTON, COUNTY OF BURLINGTON AND STATE
OF NEW JERSEY SPECIFICALLY CHAPTER 243,
EVENT PERMIT, §243-3 DUTIES OF APPLICANT

Motion made by Councilman Green, seconded by Councilwoman Siboczy, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on October 22, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

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NAYS: None.

President Cantwell declared the motion carried.

RESOLUTIONS

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

A) RESOLUTION 2013-R-199

RESOLUTION AUTHORIZING THE TOWNSHIP OF BURLINGTON
OFFICE OF EMERGENCY MANAGEMENT TO APPLY AND ACCEPT
FEDERALLY FUNDED SUBGRANT IN THE AMOUNT OF
\$5,000.00 FROM THE EMERGENCY MANAGEMENT
AGENCY ASSISTANCE (EMAA) GRANT PROGRAM

B) RESOLUTION 2013-R-200

RESOLUTION CORRECTING RESOLUTION NO. 2012-R-182
WHEREIN THE BLOCK AND LOT FOR THE
WISHING WELL SHOPPING PLAZA WAS
INCORRECTLY DESIGNATED

C) RESOLUTION 2013-R-201

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF BURLINGTON AUTHORIZING THE PUBLIC
SALE OF A PLENARY RETAIL DISTRIBUTION LICENSE
WITH THE CONDITION THAT THE LICENSE BE
LOCATED IN THE RETAIL AREA KNOWN AS
WISHING WELL PLAZA, BLOCK 116, LOT 2, WHICH
HAS BEEN DESIGNATED AS AN AREA IN
NEED OF REHABILITATION

D) RESOLUTION 2013-R-202

RESOLUTION AUTHORIZING THE MAYOR TO SIGN
THE BURLINGTON COUNTY LINE STRIPING
PARTICIPATION FORM AND THE TOWNSHIP OF
BURLINGTON TO PARTICIPATE IN A MASTER
CONTRACT FOR ROAD STRIPING ON ROADS
WITHIN THE COUNTY OF BURLINGTON

E) RESOLUTION 2013-R-203

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RESOLUTION ACKNOWLEDGING CERTIFICATION
THAT THE GOVERNING BODY OF THE TOWNSHIP
OF BURLINGTON REVIEWED THE BEST PRACTICES
INVENTORY FOR THE YEAR 2013

F) RESOLUTION 2013-R-204

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

G) RESOLUTION 2013-R-205

RESOLUTION AUTHORIZING FAMILY MEDICAL LEAVE
OF ABSENCE FOR EMPLOYEE JAMES OTTING IN THE
DEPARTMENT OF PUBLIC WORKS

President Cantwell called for a motion to adopt all resolution.

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

On roll call the following vote was recorded:

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

NAYS: None.

President Cantwell declared the motion carried.

MOTIONS REQUIRED

None

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin made the following appointments:

- A) Permanent Appointment of Brittany Stevenson as Deputy Municipal Court Administrator in the Municipal Court Office, effective October 1, 2013.
- B) Permanent Appointment of Steven Matthews as Assistant Violations Clerk in the Municipal Court Office, effective October 1, 2013.
- C) Promotional appointment of James Sullivan as Lieutenant in the Department of Public Safety, effective December 1, 2013.

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- D) Appointment of Jay Brown as a School Crossing Guard with term expiring, December 31, 2013.
- E) Appointment of Christopher Nunn as member of the Mayor's Citizens Advisory Committee with term expiring, December 31, 2013.

Mayor Carlin also acknowledged Ian Griswold in the audience, who was appointed in August as a Junior Member of the Heritage Commission.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR: Mr. Corter offered his congratulations to all the individuals appointed this evening.

TOWNSHIP SOLICITOR: Mr. Serlin offered the same.

DIRECTOR OF PUBLIC SAFETY: Mr. Shoppas also congratulated everyone on their appointments.

DIRECTOR OF RECREATION: Mr. Fazekas congratulated everyone on their appointments.

CONSTRUCTION OFFICIAL: Mr. Wright offered the same

TAX COLLECTOR: Mrs. Shen also congratulated everyone on their appointments.

DIRECTOR OF PUBLIC WORKS: Mr. Snyder congratulated everyone on their appointments.

TOWNSHIP ENGINEER: Mr. Hatfield gave a report on the Engineering Department.

TOWNSHIP CLERK: Mr. Carnivale congratulated everyone.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN JUNG: Councilman Jung congratulated everyone appointed this evening.

COUNCILWOMAN STEWART: Councilwoman Stewart also congratulated everyone appointed this evening.

COUNCILMAN SCHOENBORN: Councilman Schoenborn thanked the members of Fitness Integrated for coming out this evening and congratulated everyone appointed this evening.

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COUNCILMAN GREEN: Councilman Green thanked everyone for coming out and congratulated everyone on their appointments.

COUNCILMAN KOZUB: Councilman Kozub offered congratulated to everyone appointed.

COUNCILWOMAN SIBOCZY: Councilwoman Siboczy also congratulated everyone appointed this evening.

PRESIDENT CANTWELL: President Cantwell congratulated everyone appointed this evening.

President Cantwell announced that Council will move to Council Chambers and this meeting will continue there.

After reconvening in Council Chambers, President Cantwell called for a resolution to close the meeting.

RESOLUTION TO CLOSE MEETING

RESOLUTION 2013-R-206

EXECUTIVE SESSION RESOLUTION

RESOLVED, that pursuant to Section 8 of the Open Public Meetings Act the public shall be excluded from that portion of the meeting involving discussion of personnel matters and/or pending litigation.

FURTHER RESOLVED that the discussion of such subject matter in executive session can be disclosed to the public only when such disclosure will no longer be detrimental to either party concerned.

Motion made by Councilman Jung, seconded by Councilwoman Stewart, to close the meeting and shut off the tape.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried and directed that the tape be shut off.

At the conclusion of the closed portion in which matters of pending litigation were discussed, President Cantwell called for a motion to reopen the meeting and turn the tape on.

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Motion made by Councilman Jung, seconded by Councilwoman Stewart, to reopen the meeting and turn the tape on.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried and called for a motion to adjourn.

MOTION TO ADJOURN

Motion made by Councilman Green, seconded by Councilwoman Siboczy to adjourn until the next Regular Meeting to be held on October 8, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

Michael K. Cantwell
President of Council