

MINUTES

FEBRUARY 12, 2013

STATEMENT

Public notice of this 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 February 12, 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 Patricia M. Siboczy
ABSENT:	E.L. Pete Green

For the record, Mr. Carnivale stated that 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.

President Cantwell then called on Mayor Carlin for a special presentation.

SPECIAL PRESENTATION

Mayor Carlin stated that tonight we have the opportunity to recognize a longtime resident and longtime volunteer as a member of our Mayor's Citizen Advisory Committee for over 40 years, Mr. Charles Breingan.

Mayor Carlin mentioned that Charlie flew with the flying Tigers in China during World War II as a fighter pilot. He was shot down and assisted another flyer out of enemy territory. His military background was good for his service on the Mayor's Citizens Advisory Committee and he served it well.

Mayor Carlin stated that it has been a great ride and we greatly appreciate everything that you have done through your efforts to help make Burlington Township a great place to live

At this time, Mayor Carlin presented Charlie Breingan with a Certificate of Appreciation and wished him well on his retirement.

February 12, 2013

CERTIFICATE OF APPRECIATION



Presented to

CHARLES BREINGAN
(JANUARY 1980 – DECEMBER 2012)

In grateful appreciation for your 40 years of volunteer service as a member of the Mayor's Citizen Advisory Committee.

Your contribution and leadership as Chairman of the Mayor's Citizen Advisory Committee for the past 30 years assisted the Township Officials in developing Burlington Township into the outstanding community we call Home today.

On behalf of a grateful community, we would like to congratulate you and extend our best wishes for a healthy, happy retirement.

Presented this 12th day of February, 2013

Brian J. Carlin
Mayor

Walter J. Corter
Administrator

Michael K. Cantwell
President of Council

Mr. Breingan thanked Mayor and Council for presenting him with this Certificate of Appreciation and wished them all well in the future.

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

All Council Members individually congratulated and thanked Charlie for his 40 years of volunteer service. They especially thanked him for his past 30 years as Chairman of the Mayor's Citizen Advisory Committee and wished him well on his retirement.

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

MOTION TO PAY BILLS

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

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

President Cantwell declared the motion carried.

ACCEPTANCE OF MINUTES

None

DISPOSITION OF BIDS RECEIVED

February 12, 2013

A) WELL NO. 6 RETROFIT (CONTRACT NO. 2012-01)

President Cantwell called on the Engineering Department for their report and recommendation.

Mr. Hatfield recommended that the bid be awarded to A.C. Schultes, Inc., for their low bid of \$48,863.00.

RESOLUTION
2013-R-037

RESOLUTION AUTHORIZING AWARD OF BID
FOR WELL NO. 6 RETROFIT
(CONTRACT NO. 2012-01)
TO A.C. SCHULTES, INC.
IN AN AMOUNT NOT TO EXCEED \$146,197.00

Motion made by Councilman Jung, seconded by Councilman Kozub, to adopt resolution.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

WRITTEN REPORTS OF OFFICIALS

1) Report of the Public Works Department for the month of January 2013 shows total receipts of \$17,920.11 with the same remitted to the Treasurer.

2) Department of Licenses and Inspections report for the month of January 2013 shows total receipts of \$22,500.35.

3) Police Department's report for the month of January 2013 shows total receipts of \$838.35 with the same remitted to the Treasurer.

CORRESPONDENCE

None

PUBLIC PORTION

President Cantwell opened the floor to the public for their views and comments. There being no speakers, President Cantwell closed the floor to the public.

ORDINANCES - SECOND READING

ORDINANCE
2013-OR-003

AN ORDINANCE AMENDING TOWNSHIP OF
BURLINGTON CODE SECTION 15:1-9.1, SCHEDULE XIVA.3
(RIGHT AND/OR LEFT TURN PROHIBITIONS PRIVATE PROPERTY)

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

February 12, 2013

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-004

AN ORDINANCE AMENDING SECTION 15:6-1,
SCHEDULE XVII (NO-PASSING ZONES) OF THE CODE
OF THE TOWNSHIP OF BURLINGTON TO ESTABLISH A
NO-PASSING ZONE FOR THE ENTIRE LENGTH OF MILL LANE

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 Schoenborn, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCES - FIRST READING

ORDINANCE

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE OUTSTANDING CALLABLE GENERAL OBLIGATION BONDS OF THE TOWNSHIP, DATED FEBRUARY 15, 2006, CONSISTING OF \$6,820,000 GENERAL IMPROVEMENT BONDS AND \$2,127,500 SEWER UTILITY BONDS, APPROPRIATING \$4,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,800,000 REFUNDING BONDS OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

Motion made by Councilwoman Stewart, seconded by Councilman Schoenborn, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on February 26, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

February 12, 2013

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BURLINGTON ENTITLED "ADMINISTRATIVE CODE OF THE TOWNSHIP OF BURLINGTON", MORE SPECIFICALLY CHAPTER 20, SECTION 2053 AND SECTION 2065 (COMMISSION ON AGING CHANGES TO MEMBERSHIP AND SALARY SCHEDULE CHANGES ADDING TITLE OF DEPUTY TAX ASSESSOR AND SALARY)

Motion made by Councilman Schoenborn, seconded by Councilwoman Stewart, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on February 26, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ORDINANCE

ORDINANCE OF THE TOWNSHIP OF BURLINGTON AMENDING CODE §114-3.C.(3) DELETING THE PROHIBITION THAT A PLENARY RETAIL DISTRIBUTION LICENSE MAY NOT BE ISSUED TO PERMIT THE SALE OF ALCOHOLIC BEVERAGES IN OR UPON ANY PREMISES IN WHICH ANY OTHER MERCANTILE BUSINESS IS CARRIED ON

Motion made by Councilwoman Siboczy, seconded by Councilman Schoenborn, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on February 26, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

RESOLUTIONS

RESOLUTION 2013-R-038

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

Motion made by Councilman Kozub, seconded by Councilwoman Stewart, to adopt this resolution.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

February 12, 2013

RESOLUTION 2013-R-039

RESOLUTION AUTHORIZING TRANSFERS AMONG 2012
BUDGET APPROPRIATIONS

Motion made by Councilman Kozub, seconded by Councilwoman Stewart, to adopt this resolution.

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

RESOLUTION 2013-R-040

RESOLUTION AUTHORIZING EXECUTION OF SHARED
SERVICES AGREEMENT WITH THE TOWNSHIP OF SHAMONG

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

RESOLUTION 2013-R-041

RESOLUTION AUTHORIZING TRANSFER TO EAGLE
CONSTRUCTION SERVICES, INC., OF CERTAIN LIGHT
FIXTURES REMOVED AS PART OF CONTRACT NO. 2012-08
REPLACEMENT OF ATHLETIC FIELD LIGHTING HARDWARE
IN GREEN ACRES AREAS II AND IV

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

RESOLUTION 2013-R-042

RESOLUTION AUTHORIZING THE TOWNSHIP OF
BURLINGTON TO ENTER INTO A COOPERATIVE
PRICING AGREEMENT WITH THE TOWNSHIP
OF CRANFORD

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

February 12, 2013

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

President Cantwell declared the motion carried.

RESOLUTION 2013-R-043

RESOLUTION AUTHORIZING THE PROVISIONAL
APPOINTMENTS OF SPECIAL LAW ENFORCEMENT OFFICERS, CLASS I

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

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

President Cantwell declared the motion carried.

RESOLUTION 2013-R-044

RESOLUTION AUTHORIZING SPECIAL COUNSEL
TO REPRESENT THE BURLINGTON TOWNSHIP
POLICE DEPARTMENT

Motion made by Councilwoman Siboczy, seconded by Councilwoman Stewart, to adopt this resolution.

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

President Cantwell declared the motion carried.

MOTIONS REQUIRED

None

COUNCIL APPOINTMENT

President Cantwell called for a motion to appoint Richard Ransom, Jr. as Regular Member of the Zoning Board of Adjustment, effective 1/1/2013 for a four year term.

Motion made by Councilman Jung, seconded by Councilman Schoenborn, to appoint Richard Ransom, Jr. as Regular Member of the Zoning Board of Adjustment, effective 1/1/2013 for a four year term.

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

February 12, 2013

President Cantwell declared the motion carried.

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin made the following appointments:

- A) Appointment of Barbara Manzi as Deputy Tax Assessor in the Department of Administration, effective January 28, 2013.

Mayor Carlin asked Barbara Manzi to come forward at this time to be sworn in as Deputy Tax Assessor.

Mayor Carlin then proceeded to swear in Barbara who was in attendance.

Mayor Carlin continued with appointments:

- B) Provisional appointment of Shawn Patrick McDonough and Franco Antonio Edwards as Special Law Enforcement Officers, Class I, effective February 2, 2013.

Mayor Carlin congratulated Barbara Manzi and welcomed Jay Renwick as Tax Assessor who was approved as a Shared Service Agreement with Shamong.

Mayor Carlin thanked Council for expanding the membership on the Commission on Aging.

Mayor Carlin thanked Council for adjusting the plenary retail distribution license ordinance.

Mayor Carlin thanked Mr. Hatfield, Mr. Serlin and Mr. Craig for their collaborating efforts over the removal of the light fixtures from Green Acres Areas II and IV.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR: Mr. Corter publicly welcomed Barbara aboard as Deputy Tax Assessor.

Mr. Corter thanked Mr. Breingan for all his years of volunteering.

TOWNSHIP SOLICITOR: Mr. Serlin also thanked Mr. Breingan.

PURCHASING AGENT: Mr. Stewart officially welcomed Barbara.

DIRECTOR OF RECREATION: Mr. Craig thanked Mr. Breingan for his years of service and welcomed Barbara.

CONSTRUCTION OFFICIAL: Mr. Wright welcomed Barbara and thanked Mr. Breingan for his years.

TOWNSHIP TREASURER/CFO: Mrs. Bass welcomed Barbara on her appointment and congratulated Mr. Breingan.

DIRECTOR OF PUBLIC WORKS: Mr. Snyder welcomed Barbara and thanked Mr. Breingan.

DIRECTOR OF PUBLIC SAFETY: Mr. Shoppas welcomed Barbara and wished Charlie well.

Mr. Shoppas thanked Mayor Carlin for appointing the Special Officers this evening.

TOWNSHIP CLERK: Mr. Carnivale wished Charlie well on his retirement.

February 12, 2013

REPORTS OF COUNCIL MEMBERS

COUNCILMAN JUNG: Councilman Jung thanked Charlie for his years of service and welcomed Barbara aboard.

COUNCILWOMAN STEWART: Councilwoman Stewart welcomed Barbara aboard.

COUNCILMAN SCHOENBORN: Councilman Schoenborn congratulated Charlie again on his 40 years of service. He also welcomed Barbara and Jay Renwick as our new Tax Assessor.

COUNCILMAN KOZUB: Councilman Kozub congratulated Barbara and wished her best of luck on her new position. He also thanked Charlie for his years of service to the township.

Councilman Kozub told Gary Snyder that his team did an excellent job on snow removal and salting over the past weekend.

COUNCILWOMAN SIBOCZY: Councilwoman Siboczy congratulated Mr. Breingan again for all his services to the township and also welcomed Barbara as Deputy Tax Assessor.

Councilwoman Siboczy congratulated all the Cheerleading Squads who competed in the National Cheerleading Championship held in Florida.

PRESIDENT CANTWELL: President Cantwell also congratulated the Cheerleading Squads. He also welcomed Barbara aboard and again thanked Charlie for everything.

President Cantwell also welcomed the new Special Officers.

Mayor Carlin requested a Section 8 for discussion of contracts after the budget review.

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

At this time, discussion was held with the Administrator and various departments as listed below.

The following budgets were discussed at length.

- 1) Gary Snyder, Public Works Department
- 2) Kevin A. Shoppas, Public Safety Department
- 3) James Craig, Recreation Department
- 4) Judge Dennis McNerney, Municipal Court

After budget discussions were completed for the evening, President Cantwell called for a resolution to close the meeting.

RESOLUTION TO CLOSE MEETING

RESOLUTION 2013-R-045

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.

February 12, 2013

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 Councilwoman Stewart, 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, Kozub, Siboczy and President Cantwell

NAYS: None.

ABSENT: Green.

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 contracts were discussed, President Cantwell called for a motion to reopen the meeting and turn the tape on.

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

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: 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 Jung, seconded by Councilwoman Siboczy to adjourn until the next Regular Meeting to be held on February 26, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

NAYS: None.

ABSENT: Green.

President Cantwell declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

Michael K. Cantwell
President of Council