

MINUTES

FEBRUARY 26, 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 26, 2013 at the Burlington Township Municipal Building. Those present were:

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

For the record, Mrs. Field stated that Councilwoman Stewart, Councilman Green and Councilman Kozub 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.

MOTION TO PAY BILLS

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

On roll call the following vote was recorded:

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

President Cantwell declared the motion carried.

ACCEPTANCE OF MINUTES

None

DISPOSITION OF BIDS RECEIVED

None

WRITTEN REPORTS OF OFFICIALS

February 26, 2013

- 1) Department of Engineering's report for the month of January 2013 shows total receipts of \$144.28 with the same remitted to the Treasurer.
- 2) Township Clerk's report for the month of January 2013 shows total receipts of \$12,553.85 with \$12,402.95 disbursed.
- 3) Municipal Court's report for the month of January 2013 shows total receipts of \$52,760.49 and all interest remitted to the Treasurer.
- 4) Report of the Planning Board and Zoning Board of Adjustment for the month of January 2013 shows no money collected for the month.
- 5) Tax Collector's report for the month of January 2013 shows total receipts of \$7,898,472.51 with the same remitted to the Treasurer.
- 6) Tax Collector's yearly report for 2012 shows total receipts collected \$66,161,983.45 with the same remitted to the Treasurer.

CORRESPONDENCE

None

PUBLIC PORTION

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

MARILYN HOLBIN, 18 19TH STREET: Ms. Holbin stated that someone from Public Works spoke at the Senior Citizens Meeting recently regarding the grass clippings and she understands that, but would like clarification on whether or not they will be picking up containers with leaves and dead flowers.

Mr. Corter stated that he will check with Public Works and get back to her with an answer.

Ms. Holbin also complained about the potholes on 19th Street and asked that the township work on filling them.

JOSEPH BEVIS, 24 RIDGEWOOD WAY: Mr. Bevis complimented the township on how great the parks are maintained. He also complimented the township EMS response after "Super Storm Sandy".

Mr. Bevis also questioned about the county revaluation plan for the township and asked if someone could explain it.

Mayor Carlin explained about that the County mandatory Compliance Plan was done last year and the information is available on the township website.

At this time, Mayor Carlin introduced and welcomed Mr. Eichoff, representative from ShopRite. He stated that the leases have been signed for the ShopRite in the Kmart Shopping Center and offered them much success.

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

ORDINANCES - SECOND READING

ORDINANCE
2013-OR-005

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION
OF \$400,000 FOR THE REHABILITATION OF SANITARY SEWERS IN THE

February 26, 2013

BEVERLY ROAD AREA IN AND BY THE TOWNSHIP OF BURLINGTON,
IN THE COUNTY OF BURLINGTON, NEW JERSEY AND AUTHORIZING
THE ISSUANCE OF \$400,000 BONDS OR NOTES OF THE TOWNSHIP FOR
FINANCING PART OF THE APPROPRIATION

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 Jung, to adopt
this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-006

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

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 Schoenborn, to adopt
this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-007

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP
OF BURLINGTON ENTITLED "ADMINISTRATIVE CODE
OF THE TOWNSHIP OF BURLINGTON", MORE
SPECIFICALLY CHAPTER 20, SECTION 20-53 AND
SECTION 20-65 (COMMISSION ON AGING CHANGES
TO MEMBERSHIP AND SALARY SCHEDULE CHANGES
ADDING TITLE OF DEPUTY ASSESSOR AND SALARY)

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 Councilman Jung, to adopt this ordinance on second reading.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

ORDINANCE
2013-OR-008

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

President Cantwell opened the floor to the public.

CARL EICHOFF, PRESIDENT OF ICOFF SUPERMARKETS: Mr. Eichoff thanked Council for amending the ordinance allowing them to have a liquor department in the proposed supermarket.

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

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

ORDINANCES - FIRST READING

None

RESOLUTIONS

RESOLUTION 2013-R-046

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

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

February 26, 2013

President Cantwell declared the motion carried.

RESOLUTION 2013-R-047

RESOLUTION AUTHORIZING THE MAYOR TO SIGN APPLICATION FOR A LOAN FROM THE NEW JERSEY ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM FOR THE REHABILITATION OF VARIOUS SANITARY SEWER SYSTEMS CONTRACT NO. 2014-04

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

RESOLUTION 2013-R-048

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF NOT TO EXCEED \$4,800,000 PRINCIPAL AMOUNT OF REFUNDING BONDS OF THE TOWNSHIP OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY AND PROVIDING FOR THE SALE AND THE DELIVERY OF SUCH BONDS

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

RESOLUTION 2013-R-049

RESOLUTION AUTHORIZING REFUND FOR CONSTRUCTION PERMIT

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

RESOLUTION 2013-R-050

RESOLUTION AUTHORIZING THE SETTLEMENT OF ROBERTS V. HRESO, ET AL, SUPERIOR COURT OF NEW

February 26, 2013

JERSEY, LAW DIVISION, BURLINGTON COUNTY,
DOCKET NO. L-224-11

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

RESOLUTION 2013-R-051

RESOLUTION AUTHORIZING TRANSFER AMONG
2012 BUDGET APPROPRIATIONS

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

RESOLUTION 2013-R-052

RESOLUTION AUTHORIZING MAYOR AND CLERK TO SIGN
AN AGREEMENT WITH THE DEPARTMENT OF THE UNITED
STATES AIR FORCE FOR LOAN OF HISTORIC PROPERTY
KNOWN AS AN F-86 AIRCRAFT FOR THE YEAR 2013

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

MOTIONS REQUIRED

None

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin made the following appointments:

- A) Permanent appointment of Vincent Milcarek as Maintenance Repairer Carpenter in the Department of Public Works, effective 2/10/2013.

Mayor Carlin again welcomed Mr. Eichoff and stated how excited the township is to have ShopRite coming.

February 26, 2013

Mayor Carlin mentioned to everyone that the Mayor's Cup Hockey Tournament will be held on Saturday at noon. He also mentioned that the recreation basketball playoffs will be held this week.

Mayor Carlin read the following Proclamation for the record:

PROCLAMATION

WHEREAS, the citizens of Burlington Township stand firmly committed to promoting reading as the catalyst for our students' future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and,

WHEREAS, Burlington Township has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and,

WHEREAS, NEA's Read Across America, a national celebration of reading, will be conducted on March 1, 2013, which would have been the 109th birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and,

WHEREAS, Read Across America-NJ is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, Saturn-UAW, and their local affiliates across the state to promote reading and adult involvement in the education of our community's students; and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council call on the citizens of Burlington Township to assure that every child is in a safe place reading together with a caring adult on March 1, 2013; and;

BE IT FURTHER RESOLVED that this Governing Body enthusiastically endorses NEA'S Read Across America and Read Across America-NJ, and recommits our community to engage in programs and activities to make America's children the best readers in the world.

PROCLAIMED this 26th day of February in the Year of Our Lord Two Thousand and thirteen.

Brian J. Carlin
Mayor

Michael K. Cantwell
President of Council

ATTEST:

Walter J. Corter
Administrator

Mayor Carlin requested a Section 8 Resolution for later in the meeting for contract negotiations and personnel matter.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR: No report.

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TOWNSHIP SOLICITOR: Mr. Serlin thanked Mr. Eichoff for his perseverance during that long process of approvals.

PURCHASING AGENT: No Report.

DIRECTOR OF RECREATION: No Report.

CONSTRUCTION OFFICIAL: No Report.

TOWNSHIP TREASURER/CFO: No Report.

TAX COLLECTOR: No Report.

DIRECTOR OF PUBLIC SAFETY: No Report.

TOWNSHIP ENGINEER: Mr. Hatfield reported that the site plan application for ShopRite located at the Wishing Well Plaza has been reviewed for completeness and is scheduled for the March Planning Board Meeting.

DEPUTY CLERK: No report.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN JUNG: Councilman Jung also welcomed Mr. Eichoff from Shoprite.

COUNCILMAN SCHOENBORN: Councilman Schoenborn also welcomed Mr. Eichoff.

COUNCILWOMAN SIBOCZY: Councilwoman Siboczy thanked the community members who spoke during the public portion. She expressed that the best way to get answers is coming to the meetings and asking.

Councilwoman Siboczy also welcomed Mr. Eichoff to our community.

PRESIDENT CANTWELL: President Cantwell also thanked Mr. Eichoff for coming to the meeting this evening. He also thanked the residents who spoke during the public portion this evening.

Mayor Carlin also mentioned that Chick-Fil-A received approval for that site as well.

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-053

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.

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

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

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

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

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

MOTION TO ADJOURN

Motion made by Councilman Schoenborn, seconded by Councilman Jung to adjourn until the next Regular Meeting to be held on March 12, 2013 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Jung, Schoenborn, Siboczy and President Cantwell

NAYS: None.

ABSENT: Stewart, Green, Kozub

President Cantwell declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

Michael K. Cantwell
President of Council