

# MINUTES

*JULY 9, 2013*

## STATEMENT

Notice of this July 9, 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 July 9, 2013 at the Burlington Township Municipal Building. Those present were:

<b>PRESIDENT:</b>	Michael K. Cantwell
<b>COUNCIL MEMBERS:</b>	Robert W. Jung Sandra V. Stewart Carl M. Schoenborn George M. Kozub
<b>ABSENT:</b>	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.

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

**CERTIFICATES OF RECOGNITION PRESENTED TO BURLINGTON TOWNSHIP  
THUNDER SOCCER TEAM**

July 9, 2013

At this time, Mayor Carlin stated that tonight we are recognizing a team not just for its accomplishments on the field, but also for their efforts off the field.

Mayor Carlin read the following for the record:

Our community was built upon the backs and efforts of our volunteers and this group of young men are the embodiment of that spirit of volunteerism among our next generation.

Whenever the call goes out seeking volunteers they and their Coach Steve Kowalski are general the first to volunteer and they show up as a team.

Among their activities:

- 1) They have been active trainers, assistant trainers and junior coaches at the Pre-K Soccer Clinic for the past five years. It is fun to watch Coach Steve arrive, along with his daughter, Sarah and five or six guys pile out of his truck to work on a Friday night.

They interact well with the youngsters and it is always a highlight when they teach striking the ball. Picture these teen age lads down on their knees reaching out to hold a ball so the youngsters can strike it while they hold the ball still.

They have been an asset to the program.

- 2) Have helped out the various Food Pantry Events/Sports Club activities like collect coats at the fire event and as part of our shedding event.
- 3) This year they all showed up at Clean-Up Day. I will always be struck with Dante Carter attaching an old tire to his wrist and pulling it around behind him.

This group and their Coaches are carrying on the tradition of volunteerism that has made our community great.

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

Each team member was also presented with a picture that was taken during Clean-Up Day by Councilman Green.

July 9, 2013

## CERTIFICATE OF RECOGNITION



*Presented to*

### **BURLINGTON TOWNSHIP THUNDER SOCCER TEAM**

Hunter Britsch  
Dante Carter  
Chad Cognigni  
Kyle Frasier  
Omar Jackson  
Stephen Kowalski

Samuel Mendoza  
Derek Nuamah  
Giancarlo Parisi  
Jon-Michael Parlato  
Igor Pubrat  
Ryan Radcliff

Dustin Schneider  
Gurdeep Singh  
Patrick Troise  
Andrew Weippert  
Steve Kowalski, Head Coach  
Sam Mendoza, Assist. Coach

*In Recognition of their accomplishments on the field of play, as well as their contributions and willingness to volunteer their time to various causes in our community. This team of young men has continued the spirit of volunteerism and community service that have been a hallmark of our community.*

*Presented this 9th day of July 2013*

*Brian J. Carlin*  
**Mayor**

*Michael K. Cantwell*  
**President of Council**

*Walter J. Carter*  
**Administrator**

Mayor Carlin also presented that following certificate of recognition to Coach Steve Kowalski.

## CERTIFICATE OF RECOGNITION



*Presented to*

### **Coach Steve Kowalski Burlington Township "Thunder"**

*Through dedication and commitment to his team and teaching those to be good players and people Coach Kowalski has passed onto our next generation of leaders the tradition of volunteerism and community service that have helped long define our community.*

*Presented this 9th day of July 2013*

*Brian J. Carlin*  
**Mayor**

*Michael K. Cantwell*  
**President of Council**

*Walter J. Carter*  
**Administrator**

July 9, 2013

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

All Council Members individually congratulated and thanked the coaches and soccer team members for volunteering their services at so many events throughout the township.

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.

**MOTION TO PAY BILLS**

Motion made by Councilwoman Stewart, 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 – June 25, 2013

Motion made by Councilwoman Stewart, seconded by Councilman Kozub, 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**

July 9, 2013

1) Police Department's report for the month of June 2013 shows total receipts of \$1,229.90, with the same remitted to the Treasurer.

2) Department of Licenses and Inspections report for the month of May 2013 shows total receipts of \$22,911.00.

3) Municipal Court's report for the month of June 2013 shows total receipts of \$43,907.82 and all interest remitted to the Treasurer.

4) Township Clerk's report for the month of June 2013 shows total receipts of \$19,084.08 with \$19,484.41 disbursed.

**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**

None

**ORDINANCES - FIRST READING**

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE  
TOWNSHIP OF BURLINGTON, COUNTY OF BURLINGTON,  
AND STATE OF NEW JERSEY MORE SPECIFICALLY CHAPTER  
512 SOLID WAST; RECYCLING, SECTION 512-4 AUTHORIZED  
COLLECTIONS AND SECION 512-5 COLLECTIONS REGULATED

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 July 23, 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.

July 9, 2013

President Cantwell declared the motion carried.

ORDINANCE

BOND ORDINANCE PROVIDING FOR THE REHABILITATION  
OF THE SANITARY SEWER SYSTEM IN THE BEVERLY ROAD  
AND BLOOMER DRIVE NEIGHBORHOODS OF THE  
TOWNSHIP OF BURLINGTON, IN THE COUNTY OF  
BURLINGTON, NEW JERSEY APPROPRIATING \$1,400,000  
AND AUTHORIZING THE ISSUANCE OF \$1,400,000 BONDS  
OR NOTES FINANCING THE IMPROVEMENTS

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 August 27, 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.

RESOLUTIONS

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

A) RESOLUTION 2013-R-136

RESOLUTION AUTHORIZING MEDICAL LEAVE  
OF ABSENCE FOR ELAINE DAVIS IN THE TAX OFFICE

B) RESOLUTION 2013-R-137

RESOLUTION AUTHORIZING MEDICAL LEAVE OF ABSENCE  
FOR DAVID COUNARD IN THE DEPARTMENT OF PUBLIC WORKS

C) RESOLUTION 2013-R-138

RESOLUTION PROVIDING FOR THE INSERTION OF ANY  
SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY  
COUNTY OR MUNICIPALITY PURSUANT TO

July 9, 2013

N.J.S.A. 40A:4-87 (CHAPTER 159. P.L. 1948)

D) RESOLUTION 2013-R-139

RESOLUTION OF THE TOWNSHIP OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e), N.J.S.A. 58:11B-9, N.J.S.A. 40A:2-7(d) AND N.J.S.A. 40A:2-11(c)

E) RESOLUTION 2013-R-140

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

F) RESOLUTION 2013-R-141

RESOLUTION AUTHORIZING HOLD HARMLESS AGREEMENT BETWEEN THE BOARD OF EDUCATION AND THE TOWNSHIP OF BURLINGTON FOR DONATION OF THREE DUMPSTERS

G) RESOLUTION 2013-R-142

RESOLUTION AUTHORIZING MAYOR AND TOWNSHIP CLERK TO SIGN A SHARED SERVICE AGREEMENT WITH THE CITY OF BURLINGTON FOR A SHARED MUNICIPAL COURT IN THE TOWNSHIP OF BURLINGTON

H) RESOLUTION 2013-R-143

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

I) RESOLUTION 2013-R-144

RESOLUTION APPROVING BLOCK PARTY APPLICATION AND ISSUANCE OF PERMIT FOR EMILY PARISI AND RESIDENTS OF 167, 169 AND 171 RIDGEWOOD WAY IN BURLINGTON TOWNSHIP

July 9, 2013

Mr. Serlin spoke about resolution G and complimented everyone who was involved with the negotiations for the shared services agreement between the City and Township of Burlington.

Mr. Serlin also spoke about resolution E which will renew the alcoholic beverage license with conditions as set forth in the agreement.

President Cantwell called for a motion to adopt all resolution.

Councilwoman Stewart and Councilman Kozub thanked Mr. Serlin for his comments.

President Cantwell thanked everyone involved with the Shared Service with the City of Burlington for Municipal Court.

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

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 reported that the Burlington Township Tax Appeals were heard before the Burlington County Tax Board this morning. He reported that out of approximately 180 cases; four were actually heard. He stated that the rest were either withdrawn, settled or was done by stipulation.

Mayor Carlin complimented Barbara Manzi, Deputy Assessor, who carried a great deal of the load, since Jay Renwick our Tax Assessor had a military commitment during this time. He thanked both of them for the great job they did getting the tax appeals ready for the county.

July 9, 2013

Mayor Carlin recognized the outstanding job Sgt. David Brintzinghoffer and members of the Police Department did in preparing the charges and reports that were presented to Mayor and Council with regard to the Sunset Tavern.

Mayor Carlin also recognized the owner of the Sunset Tavern Mr. Vikas Attri and his lawyer Jose Rodriguez for working with the township to come up with the best settlement for this situation.

Mayor Carlin stated that tonight we approved the shared service agreement for municipal court with the City of Burlington; and the City is also approving this agreement at their meeting tonight. Once everything is approved through the AOC, we are looking to start the joint shared court sometime in September of this year. He estimating that the additional revenue to the township over the five year contract for this joint shared court will be approximately \$120,000.00 a year and the city will get the benefit of about \$90,000 by not having to operate. Both towns will benefit and he feels comfortable with the level of professionalism in our court that this will be successful.

Mayor Carlin thanked Walt Corter, Township Administrator, David Bower, City Administrator, Ken MacMillan, City CFO and Dave Serlin, Township Solicitor, who all worked very hard to make this agreement happen for both towns.

Mayor Carlin reported that the Supreme Court is planning on making a decision regarding one of the COAH Cases. He stated that this was posted on their web site and they are planning on issuing an opinion tomorrow.

**ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR**

ACTING TOWNSHIP ADMINISTRATOR/CFO: No report.

TOWNSHIP SOLICITOR: Mr. Serlin spoke about the tax appeals heard at the County Board of Taxation today.

Mr. Serlin also commented on the new form of the agenda printed on 8 ½ by 11 paper and thanked Mr. Carnivale, Township Clerk.

Mayor Carlin stated that he forgot to thank Mr. Carnivale for his involvement with the Sunset Tavern Liquor License.

DIRECTOR OF PUBLIC SAFETY: Mr. Shoppas stated that he will pass along the Mayor's comments to Sgt. Brintzinghoffer regarding his work on the Sunset Tavern.

ACTING DIRECTOR OF RECREATION: Mr. Fazekas reported that the Sylvan Lake reopened today at 11:00 am.

CONSTRUCTION OFFICIAL: No report.

July 9, 2013

TAX COLLECTOR: No report.

DIRECTOR OF PUBLIC WORKS: No report.

TOWNSHIP ENGINEER: Mr. Hatfield stated that they will be receiving bids for Fountain Woods Road Mill and Overlay Project on Thursday.

TOWNSHIP CLERK: No report.

**REPORTS OF COUNCIL MEMBERS**

COUNCILMAN JUNG: Councilman Jung congratulated the Burlington Township Thunder Team for their volunteerism and working as a team.

Councilman Jung thanked the Tax Assessor's Office for all their work on the Tax Appeals.

COUNCILWOMAN STEWART: No report.

COUNCILMAN SCHOENBORN: Councilman Schoenborn also congratulated the Burlington Township Thunder Team for their volunteerism.

Councilman Schoenborn thanked Sgt. Brintzinghoffer for rectifying the Sunset Tavern situation and for the cooperation from the owner Mr. Attri.

Councilman Schoenborn thanked Barbara Manzi for helping out with the Tax Appeals; and thanked Walt, Dave and everyone who helped workout the Court Shared Services Agreement. He also thanked Mr. Fazekas for his excellent Recreation Report this month.

COUNCILMAN KOZUB: Councilman Kozub also offered his thanks to Sgt. Brintzinghoffer for his report; and for the cooperation from Mr. Attri regarding the Sunset Tavern.

Councilman Kozub thanked Mr. Corter, Mr. Serlin, Mr. Carnivale and everyone who helped work on the Court Shared Services Agreement.

PRESIDENT CANTWELL: President Cantwell also thanked everyone involved who helped make this Court Shared Services Agreement happen. He also thanked Sgt. Brintzinghoffer and his team for putting together the report on the Sunset Tavern and the owner and his attorney for all coming up with a solution.

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

July 9, 2013

**MOTION TO ADJOURN**

Motion made by Councilman Kozub, seconded by Councilman Schoenborn to adjourn until the next Regular Meeting to be held on July 23, 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***

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Anthony J. Carnivale, Jr., RMC  
Municipal Clerk

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Michael K. Cantwell  
President of Council