

# MINUTES

***JULY 12, 2011***

## 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 6, 2011.
- ◆ A written notice was posted on the Burlington Township bulletin board and web site on January 6, 2011.
- ◆ A written notice was mailed to the Burlington County Times, the Courier Post and the Trenton Times via certified mail on January 6, 2011; and published by the Burlington County Times in a block ad on January 10, 2011.

The Regular Meeting of the Township Council was held on July 12, 2011 at the Burlington Township Municipal Building. Those present were:

<b>PRESIDENT:</b>	Harry McConnell
<b>COUNCIL MEMBERS:</b>	Richard W. Quinn, Jr.
	Sandra V. Stewart
	Carl M. Schoenborn
	Michael K. Cantwell
	George M. Kozub
	E.L. Pete Green

President McConnell 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 Quinn, seconded by Councilman Green, to pay bills that have been approved.

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

## ACCEPTANCE OF MINUTES

Regular Meeting - May 24, 2011  
Regular Meeting - June 14, 2011

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

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.  
ABSTAIN: Stewart (*May 24, 2011 minutes only*)

July 12, 2011

President McConnell declared the motion carried.

**DISPOSITION OF BIDS RECEIVED**

None

**WRITTEN REPORTS OF OFFICIALS**

1) Tax Collector's report for the month of June 2011 shows total receipts of \$492,162.81 with \$484,753.11 remitted to the Treasurer.

2) Construction Official's report for the month of June 2011 shows total receipts of \$10,734.00 with the same remitted to the Treasurer.

3) Police Department's report for the month of June 2011 shows total receipts of \$732.65 with the same remitted to the Treasurer.

4) Report of the Public Works Department for the month of June 2011 shows total receipts of \$25,421.18 with the same remitted to the Treasurer.

**CORRESPONDENCE**

1) Letter dated June 28, 2011 from Robert D. Bernardi, Burlington County Prosecutor addressed to Mayor and Council regarding Civil Forfeiture(s): James Massey No. 10-22060 check in the amount of \$136.00 contributive share for the Municipal Law Enforcement Trust Account (MLETA) of the Burlington Township Police Department.

**PUBLIC PORTION**

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

**ORDINANCES - SECOND READING**

2011-OR-016

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP  
OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF  
NEW JERSEY AND SPECIFICALLY SECTION 15:1-5  
(SCHEDULE VII) ADDING ADDITIONAL THROUGH STREETS

President McConnell opened the floor to the public. There being no speakers, President McConnell 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: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

2011-OR-017

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP  
OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF  
NEW JERSEY AND SPECIFICALLY SECTION 15:1-5.2  
(SCHEDULE VIII) STOP INTERSECTIONS UPDATED LIST

July 12, 2011

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

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

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

**ORDINANCES - FIRST READING**

None

**RESOLUTIONS**

RESOLUTION 2011-R-129

RESOLUTION APPROVING ACCEPTANCE OF THE  
PERFORMANCE GUARANTEE FOR THE IMPROVEMENTS  
ASSOCIATED WITH BLOCK 119, LOTS 1.01, 1.02, 3 & 4

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-130

RESOLUTION APPROVING CHANGE ORDER NO. 2  
(FINAL) TO PIPEVISION PRODUCTS, INC. FOR SANITARY  
SEWER REHABILITATION IN VARIOUS LOCATIONS  
(CONTRACT NO. 2009-04)

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-131

RESOLUTION OF SUPPORT AUTHORIZING THE  
2011 SUSTAINABLE JERSEY GRANT FUNDED BY WAL-MART

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

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RESOLUTION 2011-R-132

RESOLUTION PROVIDING FOR THE INSERTION OF ANY  
SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY  
COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87  
(CHAPTER 159.P.L. 1948)

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-133

RESOLUTION REQUESTING CHANGE IN TITLE, TEXT, OR AMOUNT  
OF APPROPRIATION FOR MATCHING FUNDS FOR GRANTS

Motion made by Councilman Green, seconded by Councilman Cantwell, to adopt this resolution.

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-134

RESOLUTION AUTHORIZING THE EXECUTION OF  
CERTAIN AGREEMENTS TO PROVIDE FOR THE PURCHASE  
AND DEVELOPMENT OF AFFORDABLE HOUSING ON  
BLOCK 90, LOT 28 AND BLOCK 114, LOTS 1.01 AND 3  
(SPRINGSIDE SCHOOL)

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-135

RESOLUTION AUTHORIZING THE PLANNING BOARD  
OF THE TOWNSHIP OF BURLINGTON TO CONDUCT A  
PRELIMINARY INVESTIGATION TO DETERMINE WHETHER  
BLOCK 90, LOT 28 AND BLOCK 114, LOTS 101 AND 3, SHOULD  
BE DETERMINED TO BE AN AREA IN NEED OF REDEVELOPMENT  
AND TO PREPARE A REDEVELOPMENT PLAN AND FURTHER  
AUTHORIZING THE TOWNSHIP PLANNER TO PROVIDE  
PROFESSIONAL SERVICES IN AN AMOUNT NOT  
EXCEEDING FIFTEEN THOUSAND DOLLARS

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

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President McConnell declared the motion carried.

RESOLUTION 2011-R-136

RESOLUTION AUTHORIZING MEDICAL LEAVE OF  
ABSENCE FOR EMLIO J. LIBERATORE IN THE  
DEPARTMENT OF PUBLIC SAFETY

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-137

RESOLUTION AUTHORIZING FAMILY LEAVE OF  
ABSENCE FOR EMPLOYEE JAVIER ORTIZ IN THE  
DEPARTMENT OF PUBLIC SAFETY

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-138

RESOLUTION AUTHORIZING FAMILY LEAVE OF  
ABSENCE FOR EMPLOYEE MARK LEVONDOSKY IN THE  
DEPARTMENT OF PUBLIC SAFETY

Motion made by Councilman Green, seconded by Councilman Cantwell, to adopt this resolution.

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

RESOLUTION 2011-R-139

RESOLUTION APPROVING ISSUANCE OF PERMIT FOR  
JOHN HALENAR AND THE RESIDENTS OF HACKEMORE STREET  
TO HOLD A BLOCK PARTY ON HACKEMORE STREET  
IN BURLINGTON TOWNSHIP

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

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.  
NAYS: None.

President McConnell declared the motion carried.

**MOTIONS REQUIRED**

None

July 12, 2011

**MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS**

Mayor Carlin made the following appointment:

- A) Appointment of Jessica Gizinski to the Green Team for a term expiring, 12/31/2011.

Mayor Carlin introduced Jessica and asked her to come forward at this time to be sworn in as a member.

Mayor Carlin had Jessica read the oath of office as a member of the Green Team.

Mayor Carlin commended Gil Goble, Tax Assessor and Laura Vail in the Tax Assessor's Office for a job well done processing about 250 tax appeals this year.

Mayor Carlin thanked Council for passing the resolutions authorizing the agreement with MEND and the redevelopment of the property know as Springside School. He explained that this is a large step in satisfying our COAH requirement.

Mayor Carlin reported that thanks to the efforts of our Engineering Department and Land Use Office the application for Aqua Lane will be coming before the Planning Board on Thursday night.

Mayor Carlin requested a Section 8 for discussion of personnel matter later in the meeting.

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

TOWNSHIPADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: Mr. Serlin also commended Gil Goble and his staff for a job well done with the tax appeals.

TOWNSHIP TREASURER/CFO: No report.

TAX COLLECTOR: No report.

CONSTRUCTION OFFICIAL: No report.

PURCHASING AGENT: No report.

DIRECTOR OF PUBLIC SAFETY: No report.

DIRECTOR OF RECREATION: No report.

DIRECTOR OF PUBLIC WORKS: No report.

TOWNSHIP ENGINEER: No report.

TOWNSHIP CLERK: No report.

**REPORTS OF COUNCIL MEMBERS**

COUNCILMAN QUINN: Councilman Quinn offered his condolences to the Conlin and Clark families. He stated that George Conlin was a Police Officer in Burlington Township for 30 years and retired as Lieutenant.

COUNCILWOMAN STEWART: Councilwoman Stewart also offered her sympathy to Sandy Clark on the passing of her father George Conlin.

Councilwoman Stewart congratulated the Tax Assessor's Office for all their hard work.

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COUNCILMAN SCHOENBORN: Councilman Schoenborn offered his sympathy to Sandy Clark on the passing of her father.

Councilman Schoenborn congratulated the Tax Assessor's Office.

Councilman Schoenborn welcomed Jessica as a member of the Green Team.

COUNCILMAN GREEN: Councilman Green welcomed Jessica on the Green Team.

Councilman Green offered his condolences to the Conlin and Sandy Clark Family.

Councilman Green reported on behalf of the Library Company of Burlington that their Used Book Sale will be held from July 11<sup>th</sup> through July 22<sup>nd</sup>. He also mentioned that if anyone is interested in seeing the Historical Haunted Library Company of Burlington event will be held on August 13<sup>th</sup>, 9:00 p.m. to 1:00 a.m., which is co-hosted by the GhostHuntersStore.com.

COUNCILMAN KOZUB: Councilman Kozub offered his condolences to the Conlin and Sandy Clark Family on the passing of her father.

Councilman Kozub congratulated Jessica on her appointment and mentioned that the first meeting will be held on July 21<sup>st</sup>.

COUNCILMAN CANTWELL: Councilman Cantwell welcomed Jessica.

Councilman Cantwell mentioned the outstanding effort of the Tax Assessor on getting through all the appeals.

PRESIDENT McCONNELL: President McConnell also offered his condolences to the Conlin Family and Sandy Clark on the loss of her Dad.

President McConnell congratulated Jessica on her appointment.

President McConnell announced that Council will now move to Council Chambers and this meeting will continue there. The public was invited to join Council in the Council Chambers.

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

#### **RESOLUTION TO CLOSE MEETING**

RESOLUTION 2011-R-140

#### **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 Quinn, seconded by Councilman Cantwell, to adopt resolution to close meeting for discussion of personnel matter and shut off tape.

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

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

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

Motion made by Councilman Green, seconded by Councilman Kozub, to reopen the meeting and turn the tape on.

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried and the meeting reopened.

President McConnell called for a motion to adjourn.

**MOTION TO ADJOURN**

Motion made by Councilwoman Stewart, seconded by Councilman Quinn to adjourn until the next Regular Meeting to be held on July 26, 2011 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Quinn, Stewart, Schoenborn, Cantwell, Kozub, Green and President McConnell.

NAYS: None.

President McConnell declared the motion carried.

***COUNCIL ADJOURNED***

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Anthony J. Carnivale, Jr., RMC  
Municipal Clerk

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Harry McConnell  
President of Council