

# MINUTES

***JULY 26, 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 26, 2011 at the Burlington Township Municipal Building. Those present were:

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

For the record, Mr. Carnivale stated that Councilman Quinn, Councilwoman Stewart and Councilman Schoenborn will not be in attendance this evening.

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 Green, seconded by Councilman Kozub, to pay bills that have been approved.

On roll call the following vote was recorded:

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

President McConnell declared the motion carried.

## ACCEPTANCE OF MINUTES

Regular Meeting - June 28, 2011  
Regular Meeting - July 12, 2011

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

On roll call the following vote was recorded:

July 26, 2011

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

**DISPOSITION OF BIDS RECEIVED**

- A) REPLACEMENT OF WATER MAIN ON VARIOUS STREETS  
(CONTRACT NO. 2010-02)

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

Mr. Hatfield recommended that the bid be awarded to Lewandowski Construction Industries, LLC in an amount not to exceed \$379,352.10 in accordance with our letter addressed to Mayor Carlin.

RESOLUTION  
2011-R-141

AUTHORIZING AWARD OF BID FOR  
REPLACEMENT OF WATER MAIN ON VARIOUS STREETS  
(CONTRACT NO. 2010-02)  
TO LEWANDOWNSKI CONSTRUCTION INDUSTRIES, LLC  
IN AN AMOUNT NOT TO EXCEED \$379,352.10

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

On roll call the following vote was recorded:

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

**WRITTEN REPORTS OF OFFICIALS**

1) Municipal Court's report for the month of June 2011 shows total receipts of \$45,357.56 and \$16.88 interest remitted to the Treasurer.

2) Township Clerk's report for the month of June 2011 shows total receipts of \$13,232.17 with \$12,301.40 disbursed.

3) Report of the Planning Board and Zoning Board of Adjustment for the month of June 2011 shows total receipts of \$8,618.50 with the same remitted to the Treasurer.

4) Department of Engineering's report for the month of June 2011 indicates total receipts of \$607.68 with the same remitted to the Treasurer.

**CORRESPONDENCE**

1) Thank you note received from Kim Gaskin, Burlington Township Cheerleaders and Coaches addressed to Mayor and Council thanking them for all their support over this past year.

**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.

July 26, 2011

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 SPECIFICALLY VARIOUS SECTIONS OF THE  
CODE OF THE TOWNSHIP OF BURLINGTON PERTAINING TO  
FEES AND COSTS

Motion made by Councilman Green, seconded by Councilman Cantwell, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on August 9, 2011 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

RESOLUTIONS

RESOLUTION 2011-R-142

RESOLUTION ADOPTING CORRECTIVE ACTION PLAN  
FOR 2010 AUDIT REPORT

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

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

RESOLUTION 2011-R-143

RESOLUTION APPROVING CHANGE ORDER NO. 1 TO  
ARAWAK PAVING COMPANY, INC. FOR RECONSTRUCTION  
OF VARIOUS STREETS (CONTRACT NO. 2010-06)

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

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

RESOLUTION 2011-R-144

RESOLUTION AUTHORIZING SALE OF SURPLUS EQUIPMENT

July 26, 2011

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

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

#### RESOLUTION 2011-R-145

#### RESOLUTION APPROVING ACCEPTANCE OF THE PERFORMANCE GUARANTEE FOR THE IMPROVEMENTS ASSOCIATED WITH BLOCK 149, LOTS 1 THROUGH 5

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

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

President McConnell declared the motion carried.

#### MOTIONS REQUIRED

None

#### MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin reminded everyone of the August 2<sup>nd</sup> "National Night Out" event which will be held at Sylvan Lake between the hours of 6:00 p.m. until 9:00 p.m.

Mayor Carlin thanked Council for approving the Corrective Action Plan resolution adopted this evening.

Mayor Carlin requested a Section 8 for the discussion of personnel/contract negotiation matters for later in the meeting.

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

TOWNSHIPADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: No report.

TOWNSHIP TREASURER/CFO: No report.

TAX COLLECTOR: No report.

CONSTRUCTION OFFICIAL: No report.

DIRECTOR OF PUBLIC SAFETY: Mr. Corter invited everyone to attend the "National Night Out" event that the Mayor mentioned which will be held on August 2<sup>nd</sup>.

Mr. Corter stated that everyone received a copy of the Police Report for the month of June, 2011.

DIRECTOR OF PUBLIC WORKS: No report.

PURCHASING AGENT: No report.

DIRECTOR OF RECREATION: No report.

July 26, 2011

TOWNSHIP ENGINEER: Mr. Hatfield reported that shortly you will start to see activity occurring on the open space property next to us with dump trucks. He explained that this is the long awaited site remediation project.

President McConnell asked how long this project will take.

Mr. Hatfield replied several months.

TOWNSHIP CLERK: No report.

**REPORTS OF COUNCIL MEMBERS**

COUNCILMAN CANTWELL: No report.

COUNCILMAN KOZUB: No report.

COUNCILMAN GREEN: No report.

PRESIDENT McCONNELL: No report.

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-146

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 Cantwell, seconded by Councilman Kozub, to adopt resolution to close meeting for discussion of personnel/contract negotiation matters and shut off tape.

On roll call the following vote was recorded:

AYES: Cantwell, Kozub, Green and President McConnell.

NAYS: None.

ABSENT: Quinn, Stewart and Schoenborn.

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

At the conclusion of the closed portion in which personnel/contract negotiations 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 Cantwell, to reopen the meeting and turn the tape on.

On roll call the following vote was recorded:

July 26, 2011

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

President McConnell declared the motion carried and the meeting reopened.

President McConnell called for a motion to adjourn.

**MOTION TO ADJOURN**

Motion made by Councilman Green, seconded by Councilman Cantwell to adjourn until the next Regular Meeting to be held on August 9, 2011 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

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