

MINUTES

OCTOBER 11, 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 October 11, 2011 at the Burlington Township Municipal Building. Those present were:

PRESIDENT:	Harry McConnell
COUNCIL MEMBERS:	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.

CERTIFICATES OF RECOGNITION FOR THE LEADERS AND MEMBERS OF BOY SCOUT TROOP 764

President McConnell called on Mayor Carlin for presentation of Certificates of Recognition.

Mayor Carlin welcomed everyone and stated that tonight we have the honor of recognizing the efforts of Boy Scout Troop 764 for giving up their time and efforts in preparation of Hurricane Irene on August 27, 2011. He then read the following email from Gary G. Snyder, Department of Public Works

On Friday August 26th I contacted Conrad Dilks, Scoutmaster for Boy Scout Troop 764 and asked for his troop's assistance with filling sand bags in the event they were needed for flood control. He referred me to Beth Green, the Troop's Committee Chairperson who offered to initiate and e-mail notification campaign for troop members to volunteer their time to help. Within (2) hours she replied with a duty roster of scouts, with adult supervision, to fill bags at our Compost Facility on Lake Avenue on Friday evening from 5 p.m. to dusk and again on Saturday morning from 7 a.m. until our supply of bags was depleted.

Upon completion, the scouts assembled and shrink wrapped 24 pallets with 25 bags/pallet; totaling 600 sand bags. Because of the scouts efforts were able to have these pallets loaded on DPW Dump Trucks and read for deployment to supply the residents of Santa Fee's Arrowhead Drive and a few other areas in town with sand bags to help prevent rising water from entering their homes.

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Just another outstanding example of community involvement and volunteerism at it's best here in Burlington Township.

Cordially,
Gary G. Snyder

Mayor Carlin read the following Certificate of Recognition and Appreciation. He then called on Councilman Green, Conrad Dilks and Beth Green to come forward and help with the presentations to the following:

Bobby Gross
Justin Gross
Eric Anderson
Brandon Nester
Nicholas Green
Chucky Fisher

Charles Fisher
Andrew Nester
Nico Ortiz
Rico Moto
Serena Gross

Ian Griswold
Ben Barieizas
Christian Dilks
John Aloï
Samantha Green

CERTIFICATE OF RECOGNITION AND APPRECIATION



Presented to

THE LEADERS AND MEMBERS OF BOY SCOUT TROOP 764

The Mayor and Council of Burlington Township recognize and gratefully appreciate your actions in preparing over 600 sand bags in preparation for the assault of Hurricane Irene on August 27, 2011.

Its is certainly without doubt that these efforts presented and or minimized property damage throughout Burlington Township and particularly in the Santa Fe development.

*Your call to duty and service is an action that Troop 764 should take
Deserved pride and have the admiration of all.*

Presented on this 11th day of October, 2011.

Brian J. Carlin
Mayor

Kevin J. McLernon
Township Administrator

Harry McConnell
President of Council

All Council Members individually congratulated and thanked Boy Scout Troop 764 and everyone involved who helped with filling sand bags in the event they were needed for flood control prior to Hurricane Irene on August 27, 2011.

At this time, President McConnell called for a five minute recess.

President McConnell called the meeting back to order.

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MOTION TO PAY BILLS

Motion made by Councilman Schoenborn, 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 - September 27, 2011

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

President McConnell declared the motion carried.

DISPOSITION OF BIDS RECEIVED 9/8/2011

A) BRUSH CHIPPER

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

Mr. Stewart recommended that the bid be awarded to R.J. Sherman & Associates, Inc. in an amount not to exceed \$37,616.00.

RESOLUTION
2011-R-189

AUTHORIZING AWARD OF BID FOR
VERMEER MODEL BC1500 BRUSH CHIPPER
TO R.J. SHERMAN & ASSOCIATES, INC.
IN AN AMOUNT NOT TO EXCEED \$37,616.00

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

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.

DISPOSITION OF BIDS RECEIVED 9/29/2011

A) 2012 FORD E-250 VAN

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

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Mr. Stewart recommended that the bid be awarded to Holman Ford Lincoln in an amount not to exceed \$36,548.00.

RESOLUTION
2011-R-190

AUTHORIZING AWARD OF BID FOR
2012 FORD E-250 VAN
TO HOLMAN FORD LINCOLN
IN AN AMOUNT NOT TO EXCEED \$36,548.00

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

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.

DISPOSITION OF BIDS RECEIVED 9/30/2011

A) WASTEWATER INFLUENT SHEDDER/GRINDER MECHANISMS

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

Mr. Stewart recommended that the bid be awarded to Franklin Miller Inc. in an amount not to exceed \$54,780.00.

RESOLUTION
2011-R-191

AUTHORIZING AWARD OF BID FOR
WASTEWATER INFLUENT SHREDDER/GRINDER MECHANISMS
TO FRANKLIN MILLER INC.
IN AN AMOUNT NOT TO EXCEED \$54,780.00

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

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.

WRITTEN REPORTS OF OFFICIALS

1) Report of the Public Works Department for the month of September 2011 shows total receipts of \$22,905.25 with the same remitted to the Treasurer.

2) Police Department's report for the month of September 2011 shows total receipts of \$614.00 with the same remitted to the Treasurer.

3) Construction Official's report for the month of September 2011 shows total receipts of \$21,735.00 with the same remitted to the Treasurer.

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4) Township Clerk's report for the month of September 2011 shows total receipts of \$937.63 with \$1,419.70 disbursed.

5) Department of Engineering's report for the month of August 2011 indicates total receipts of \$389.09 with the same remitted to the Treasurer.

CORRESPONDENCE

None

PUBLIC PORTION

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

JOSEPH BURNS, 6 EDGEWATER AVENUE: Mr. Burns came before Council this evening to discuss changes made by New Jersey Transit regarding noise with the use of bells and whistles on the river line. He reported that he knows that funding is not available for any type of quit zones to be placed in the area by either the State or Federal Government at this time. He then recommended that the Township Engineer review it as a safety issue with the State Department of Transportation and see if something can be done. He feels that the township should be doing something about the possibility of putting in quit zones. He expressed that their quality of life issue is definitely a big problem along with the property values. He then asked what can be done to help this situation.

Discussion was then held with Mr. McLernon, Township Administrator regarding the township's insurance liability if they placed a quiet zone along Park Avenue in Burlington Township. Discussion continued and it was decided that Mr. McLernon would investigate it further.

President McConnell stated that they will let Mr. Burns know what they find out.

EUGENE KELLER, 430 SUMMER AVENUE: Mr. Keller also discussed concerns about the noise and lack of quiet zones in his neighborhood. He asked that Council consider doing something.

ARLENE GAINER, 71 LINDEN: Mrs. Gainer echoed the same sentiments as the other residents. She explained that she grew up in this area and has always lived near the railroad tracks, but today it is a different world with dealing with the railroad with the noise and amount of trains passing by.

President McConnell explained that the railroad is its own entity. He explained that Mr. McLernon will contact them and see what can be done with the quiet zone.

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

ORDINANCES - SECOND READING

None

ORDINANCES - FIRST READING

ORDINANCE

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF BURLINGTON ENTITLED "ADMINISTRATIVE CODE OF THE TOWNSHIP OF BURLINGTON", MORE SPECIFICALLY CHAPTER 20 (SALARY ADJUSTMENT FOR ASSISTANT ENGINEER)

Motion made by Councilman Cantwell, seconded by Councilman Kozub, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on October 25, 2011 at 7:00 p.m. in these chambers.

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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.

RESOLUTIONS

RESOLUTION 2011-R-192

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-193

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, AND N.J.S.A. 40A:2-11(c)

Motion made by Councilwoman Stewart, 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-194

RESOLUTION APPROVING THE RELEASE OF
PERFORMANCE GUARANTEE AND ACCEPT THE
MAINTENANCE GUARANTEE FOR THE IMPROVEMENT
ASSOCIATED WITH NJ SOLAR POWER, INC., BLOCK 133,
LOT 2, SOLAR PANEL INSTALLATION

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-195

RESOLUTION APPROVING ISSUANCE OF EVENT
PERMIT FOR THE BURLINGTON FOOD PANTRY TO
HOLD 5K ROAD RACE AND WALK IN BURLINGTON TOWNSHIP

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

October 11, 2011

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

President McConnell declared the motion carried.

RESOLUTION 2011-R-196

RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO PARTICIPATE ON BEHALF OF THE TOWNSHIP IN THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT DOLLAR HOME PROGRAM WITH THE AFFORDABLE HOMES GROUP FOR INCLUSION OF 1129 KAYE COURT IN THE TOWNSHIP'S AFFORDABLE HOUSING PROGRAM

Motion made by Councilwoman Stewart, 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-197

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

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.

RESOLUTION 2011-R-198

RESOLUTION AUTHORIZING ISSUANCE OF A SPECIAL PERMIT FOR SOCIAL AFFAIR TO PEMBERTON TOWNSHIP DOLLARS FOR SCHOLARS FOR FUND RAISER TO BE HELD IN BURLINGTON TOWNSHIP ON NOVEMBER 18, 2011

Motion made by Councilman Quinn, 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.

MOTIONS REQUIRED

None

MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor Carlin read the following Proclamation for the record:

October 11, 2011

PROCLAMATION

WHEREAS, New Jersey municipalities, counties, and regional planning entities continually face changes in their communities and natural environment; and,

WHEREAS, community planning and plans can help manage this change in a way that provides better choices for how people work and live; and,

WHEREAS, a community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and,

WHEREAS, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and,

WHEREAS, the American Planning Association has designated the month of October as National Community Planning Month throughout the United States of America and its territories to highlight the contributions of sound planning and plan implementation; and,

WHEREAS, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning and zoning boards and other citizens planners who have contributed their time and expertise to the improvement of the Township of Burlington, New Jersey; and,

WHEREAS, We recognize the many valuable contributions made by professional planners in the Township of Burlington of New Jersey and extend our heartfelt thanks for the continued commitment to public service by these professionals; and

NOW, THEREFORE, BE IT RESOLVED THAT, the month of **October 2011** is hereby designated as **Community Planning Month** in the Township of Burlington of New Jersey in conjunction with the celebration of National Community Planning Month.

PROCLAMINED this eleventh day of October in the year Two thousand and eleven.

Brian J. Carlin

Brian J. Carlin
Mayor

Harry McConnell

Harry McConnell
President of Council

ATTEST:

Kevin J. McLernon

Kevin J. McLernon
Administrator

Mayor Carlin reminded everyone of the upcoming Shredding Event, Child Restraint Safety Check and Green Team involvement all to be held on Saturday, October 15th from 10:00 a.m. until 1:00 p.m.

Mayor Carlin also requested a Section 8 for discussion of a personnel matter.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIP ADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: No report.

TOWNSHIP TREASURER/CFO: No report.

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DIRECTOR OF PUBLIC SAFETY: Mr. Corter stated that the State Office of Emergency Management approved our Emergency Operating Plan. We will not have to seek approval again until 2015.

PURCHASING AGENT: No report.

DIRECTOR OF RECREATION: Mr. Craig reported on the Basketball Program.

DIRECTOR OF PUBLIC WORKS: No report.

CONSTRUCTION OFFICIAL: No report.

TOWNSHIP ENGINEER: No report.

TOWNSHIP CLERK: No report.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN QUINN: No report.

COUNCILWOMAN STEWART: No report.

COUNCIL SCHOENBORN: No report.

COUNCILMAN GREEN: Councilman Green mentioned that the LaGorce Civic Association Nominating Committee will be holding a meeting tomorrow night for 2012 officers. He mentioned that he would like to find out if they are the oldest civic/homeowners association in the township.

COUNCILMAN KOZUB: Councilman Kozub also mentioned that the Green Team will be handing out literature at the Shredding Event.

COUNCILMAN CANTWELL: 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-199

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 Councilwoman Stewart, seconded by Councilman Green, 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:

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

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 Quinn, seconded by Councilman Schoenborn, 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 Councilman Cantwell, seconded by Councilwoman Stewart to adjourn until the next Regular Meeting to be held on October 25, 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

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

Harry McConnell
President of Council