

MINUTES

JULY 27, 2010

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, 2010.
- ◆ A written notice was posted on the Burlington Township bulletin board and web site on January 6, 2010.
- ◆ A written notice was mailed to the Burlington County Times, the Courier Post and the Trenton Times via certified mail on January 6, 2010; and published by the Burlington County Times in a block ad on January 8, 2010.

The Regular Meeting of the Township Council was held on July 27, 2010 at the Burlington Township Municipal Building. Those present were:

PRESIDENT:	George M. Kozub
COUNCIL MEMBERS:	Carl M. Schoenborn Brian J. Carlin Harry McConnell E.L. Pete Green
ABSENT:	Richard W. Quinn, Jr. Sandra V. Stewart

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

President Kozub 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 McConnell, seconded by Councilman Schoenborn, to pay bills that have been approved.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

ACCEPTANCE OF MINUTES

Regular Meeting - April 27, 2010
Regular Meeting - May 11, 2010

Motion made by Councilman Schoenborn, seconded by Councilman Carlin, to approve minutes as submitted.

On roll call the following vote was recorded:

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AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

DISPOSITION OF BIDS RECEIVED

None

WRITTEN REPORTS OF OFFICIALS

1) Report of the Public Works Department for the month of June 2010 shows total receipts of \$41,114.23 with the same remitted to the Treasurer.

2) Township Clerk's report for the month of June 2010 shows total receipts of \$15,179.62 with \$15,736.12 disbursed.

3) Report of the Planning Board and Zoning Board of Adjustment for the month of June 2010 shows total receipts of \$5,361.50 with the same remitted to the Treasurer.

4) Department of Engineering's report for the month of June 2010 indicates total receipts of \$1,181.67 with the same remitted to the Treasurer.

CORRESPONDENCE

1) Letter dated July 14, 2010 from John J. Stewart, Chairman, Burlington Township Fire District #1 addressed to Mayor George and Members of Council stating that the Fire Department hopes that the residents appreciate the hospitality and generosity of Burlington Township, which has saved them considerable tax dollars on the purchase of the new fire house on the By-Pass. He stated that the dedication of the Burlington Township Fire District #1 Headquarters will be held on October 2, 2010.

PUBLIC PORTION

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

ORDINANCES - SECOND READING

None

ORDINANCES - FIRST READING

AN ORDINANCE OF THE TOWNSHIP OF BURLINGTON COUNTY
OF BURLINGTON, AND STATE OF NEW JERSEY AMENDING
CODE §200-2 PROVIDING FOR APPEALS FROM ENFORCEMENT
OF CONSTRUCTION CODES

Motion made by Councilman Carlin, seconded by Councilman McConnell, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on August 10, 2010 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

July 27, 2010

ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF
BURLINGTON, COUNTY OF BURLINGTON AND STATE OF NEW
JERSEY SPECIFICALLY ARTICLE VII ZONING DISTRICTS §330-34F

Motion made by Councilman Carlin, seconded by Councilman McConnell, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on August 10, 2010 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTIONS

RESOLUTION 10-R-150

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

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

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-151

RESOLUTION APPROVING RELEASE OF THE MAINTENANCE
BOND FOR THE IMPROVEMENTS ASSOCIATED WITH 1750
BUSTLETON ROAD, BLOCK 143.11, LOT 1.01

Motion made by Councilman McConnell, seconded by Councilman Carlin, to adopt this resolution.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-152

RESOLUTION OF THE TOWNSHIP COUNCIL AUTHORIZING
THE RELEASE OF PERFORMANCE GUARANTEES FOR
BURLINGTON HEIGHTS SECTIONS 2B AND 6, ACCEPTANCE
OF DEDICATED LANDS AND IMPROVEMENTS, THE
CANCELLATION OF MUNICIPAL LIENS AND DIRECTING
THE APPROPRIATE TOWNSHIP OFFICIALS TO TAKE
ALL NECESSARY ACTIONS

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

July 27, 2010

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

RESOLUTION 10-R-153

RESOLUTION APPROVING ISSUANCE OF PERMIT FOR
WILLIAM J. KIRK AND THE RESIDENTS OF IMPERIAL WAY
TO HOLD A BLOCK PARTY ON IMPERIAL WAY
IN BURLINGTON TOWNSHIP

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

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

RESOLUTION 10-R-154

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF BURLINGTON ACCEPTING RETIREMENT
LETTER FROM TOWNSHIP EMPLOYEE WILLIAM J. SZYPULSKI

Motion made by Councilman Carlin, seconded by Councilman McConnell, to accept with regret and adopt this resolution.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

RESOLUTION 10-R-155

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF BURLINGTON ACCEPTING RETIREMENT
LETTER FROM TOWNSHIP EMPLOYEE DONALD CRAFT

Motion made by Councilman Schoenborn, seconded by Councilman McConnell, to accept with regret and adopt this resolution.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

RESOLUTION 10-R-156

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RESOLUTION ADOPTING CORRECTIVE ACTION PLAN
FOR 2009 AUDIT REPORT

Motion made by Councilman Carlin, seconded by Councilman McConnell, to adopt this resolution.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-157

RESOLUTION AUTHORIZING THE TOWNSHIP OF BURLINGTON
TO ENTER INTO AN INTERLOCAL SERVICE AGREEMENT FOR
THE "BURLINGTON COUNTY DWI TASK FORCE" PROGRAM

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

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-158

RESOLUTION AUTHORIZING AN EXCHANGE OF
CONSTRUCTION CODE SERVICES WITH PEMBERTON
BOROUGH, MANSFIELD TOWNSHIP, SPRINGFIELD
TOWNSHIP AND MT. HOLLY TOWNSHIP

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

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-159

RESOLUTION APPROVING ISSUANCE OF EVENT PERMIT
TO BIG BROTHERS BIG SISTERS OF BURLINGTON, CAMDEN
AND GLOUCESTER COUNTIES TO HOLD A CYCLE/WALK
FOR KIDS' SAKE IN BURLINGTON TOWNSHIP

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

On roll call the following vote was recorded:

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

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ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

RESOLUTION 10-R-160

RESOLUTION CALLING ON THE STATE LEGISLATURE AND
THE GOVERNOR TO ENACT PROPERTY TAX REFORM WITH
PASSAGE OF THE "MUNICIPAL TOOLKIT" AND OTHER
AND MANDATES RELIEF

Motion made by Councilman Carlin, seconded by Councilman McConnell, to adopt this resolution.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

MOTIONS REQUIRED

None

MAYOR'S APPOINTMENT WITH CONFIRMATION

Mayor George requested Council to offer advice and consent to the appointment of Scott W. Hatfield as Township Engineer and Director of the Department of Engineering, effective August 1, 2010.

Motion made by Councilman Carlin, seconded by Councilman Schoenborn to confirm the appointment of Scott W. Hatfield as Township Engineer and Director of the Department of Engineering, effective August 1, 2010.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

President Kozub declared the motion carried.

Mayor George so appointed Scott W. Hatfield as Township Engineer and Director of the Department of Engineering, effective August 1, 2010.

MAYOR'S ANNOUNCEMENTS

Mayor George thanked Bruce Smith and the Water Department for the outstanding job they did compiling their annual Water Quality Report. He stated that the residents of Burlington Township should feel very comfortable drinking the water based on that report.

ORAL REPORTS OF OFFICIALS OTHER THAN THE MAYOR

TOWNSHIPADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: No report.

DIRECTOR OF PUBLIC SAFETY: Mr. Corter reminded everyone that next Tuesday, August 3, 2010 at 4:00 p.m., will be our "National Night Out" Program at Sylvan Lake.

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Mr. Corter also mentioned that if anyone would like to attend the Santa Fe Neighborhood Watch Program, which will be held this Thursday, July 29, 2010 in Council Chambers at 7:00 p.m.

DIRECTOR OF RECREATION: Mr. Craig offered his congratulations to Scott Hatfield, and the two employees who announced their retirement.

DIRECTOR OF PUBLIC WORKS: Mr. Pinto offered his congratulations to Scott Hatfield on his appointment. He also reported that Spring Hill Road has been reopened as of 5:00 p.m. today.

TAX COLLECTOR: No report.

CONSTRUCTION OFFICIAL: Mr. Wright congratulated Scott Hatfield on his appointment as Township Engineer. He stated that he enjoys working with him and looks forward to future endeavors.

TOWNSHIP ENGINEER: Mr. Hatfield thanked Mayor and Council for the prestigious appointment. He then thanked everyone for their continued support not only for him, but the entire Engineering Department. He thanked Bob Schreiber, who is a special guy to everyone. He stated that for the past 11 years, Bob was his boss, friend, mentor and an inspiration. He sets the goal of standard every day as an Engineer; and in person, therefore, I pledge to you tonight that the Engineering Department will continue to hold the high standards of quality work and professionalism that Mayor, Council, and the residents of Burlington Township have become accustomed too, under Bob's tenure.

TOWNSHIP CLERK: Mr. Carnivale offered best wishes to Mr. Hatfield and stated that he looks forward to working with him in the continued future.

REPORTS OF COUNCIL MEMBERS

COUNCILMAN GREEN: Councilman Green congratulated Mr. Szypulski and Mr. Craft on their retirements. He then thanked them for their many years of service with Burlington Township.

Councilman Green congratulated Scott Hatfield on his appointment and mentioned that he has big shoes to follow, but does have the support of the Governing Body.

COUNCILMAN McCONNELL: Councilman McConnell offered his congratulations for a long and healthy retirement for both Mr. Szypulski and Mr. Craft.

Councilman McConnell congratulated Scott Hatfield and stated that it has been a pleasure working with him these past few years; and he is looking forward to the future.

COUNCILMAN CARLIN: Councilman Carlin offered his best wishes to Mr. Szypulski and Mr. Craft.

Councilman Carlin congratulated Mr. Hatfield on his appointment as Engineer and mentioned that he has a tough act to follow, but feels he is up to the task; then wished him well.

COUNCILMAN SCHOENBORN: Councilman Schoenborn wished Mr. Craft and Mr. Szypulski a great retirement. He mentioned that they are both over thirty years and this is well deserved.

Councilman Schoenborn congratulated Scott on his appointment and stated that he has already been doing a great job in Bob's position.

Councilman Schoenborn congratulated John Pinto on the water quality report.

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PRESIDENT KOZUB: Councilman Kozub offered his best wishes to Mr. Szypulski and Mr. Craft for their many years of service with Burlington Township.

President Kozub congratulated Mr. Hatfield on his appointment and wished him best of luck.

Councilman Schoenborn commented to Mr. Craig on what an outstanding job Brian Stevens has done with the baseball fields during the absence of his fellow employees.

Mr. Craig thanked Councilman Schoenborn and stated that he will pass his comments to Brian.

President Kozub announced that Council will now move to Council Chambers for discussion regarding the Sale of Aqua Lane. The public is invited to join Council in the Council Chambers.

After reconvening in Council Chambers, President Kozub called on Mr. McLernon, Township Administrator for his report.

Mr. McLernon reported that the township received Request for Proposal from nine developers on or about July 10, 2010. He then stated that our purpose for tonight is to review these proposals and this will involve contractual matters for potential property sale. Therefore, he asked that this section be conducted under Section 8 premise.

President Kozub called for a resolution to close the meeting.

RESOLUTION TO CLOSE MEETING

RESOLUTION 10-R-161

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 Carlin, seconded by Councilman Green, to close the meeting and shut off the tape.

On roll call the following vote was recorded:

AYES: Quinn, Schoenborn, Carlin, McConnell, Green and President Kozub.

NAYS: None.

ABSENT: Quinn, Stewart.

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

At the conclusion of the closed portion in which pending contractual matters for potential property sale were discussed, President Kozub called for a motion to reopen the meeting and turn the tape on.

Motion made by Councilman Carlin, seconded by Councilman McConnell, to reopen the meeting and turn the tape on.

On roll call the following vote was recorded:

July 27, 2010

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

President Kozub declared the motion carried and called for a motion to adjourn.

Councilman Carlin stated for the record that we are going to ask for more information regarding one of the bids discussed for their project.

President Kozub stated for the record that next Tuesday, July 20, 2010 we will have one of the potential bidders for Aqua Lane property in for discussion.

MOTION TO ADJOURN

Motion made by Councilman Carlin, seconded by Councilman McConnell to adjourn until the next Regular Meeting to be held on August 10, 2010 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

COUNCIL ADJOURNED

Anthony J. Carnivale, Jr., RMC
Municipal Clerk

George M. Kozub
President of Council