

# MINUTES

***NOVEMBER 23, 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 November 23, 2010 at the Burlington Township Municipal Building. Those present were:

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

President Kozub called the meeting to order and asked everyone to stand and join in the Pledge of Allegiance.

President Kozub called on Mayor George for Recognition Presentation.

## RECOGNITION PRESENTATION

At this time, Mayor George asked Councilman Carlin to come forward for a presentation.

Mayor George welcomed everyone this evening and stated that this is a very special time because we are here tonight to recognize Councilman Brian Carlin for his five years serving on Council, but he will now be leaving us on January 1, 2011 to serve as Mayor Elect for Burlington Township.

President Kozub thanked Councilman Carlin for his input and knowledge and stated that he has been an outstanding Councilman for the past five years. He then presented Councilman Carlin with a badge signifying his five years of service on Township Council.

Councilman Carlin thanked everyone, and expressed that it has been an honor to have served the last five years with the best Administrative Staff in the County; if not the State; Mayor George and my fellow members of Council. He stated that he looks forward to the honor of serving the next four years as Mayor of this town.

## MOTION TO PAY BILLS

Motion made by Councilman Carlin, seconded by Councilman McConnell, to pay bills that have been approved.

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On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

**ACCEPTANCE OF MINUTES**

None

**DISPOSITION OF BIDS RECEIVED**

None

**WRITTEN REPORTS OF OFFICIALS**

1) Municipal Court's report for the month of October 2010 shows total receipts of \$47,463.50 and \$20.06 interest remitted to the Treasurer.

2) Township Clerk's report for the month of October 2010 shows total receipts of \$725.02.

**CORRESPONDENCE**

1) Letter dated November 4, 2010 from Richard K. Kerr, Sr. regarding his resignation from the position of Water Plant Operator in the Department of Public Works, effective March 31, 2011.

President Kozub stated that action will be taken later on the Agenda regarding this resignation.

**PUBLIC PORTION**

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

ALAN WARNER, 44 SUNFLOWER CIRCLE: Mr. Warner expressed his appreciation with Mr. Corter for responding to his comments concerning the letter that was published in the Burlington County Times from an employee who is a member of the Fraternal Order of Police.

Mr. Serlin expressed to Mr. Warner that the situation is still the same regarding the rules; the Governing Body still cannot respond to any of your questions at this time. He mentioned that a Tort Claim was filed and this could lead to possible litigation.

Mr. Serlin explained to Mr. Warner that we appreciate your concerns and you can continue to talk, but you will elicit no response from this part of the table.

Mr. Warner continued to explain his concerns with the article that was placed in the paper; by an employee; regarding this an ongoing investigation and he cannot understand why no one will comment on it.

Councilman Carlin explained that we are constrained from saying anything about it; that is what our Solicitor explained to you. He explained that it is not appropriate for us to comment at this time, especially since a Tort Claim was filed and we now have the possibility of litigation.

Mr. Warner continued to express his concerns and stated that this is all about what happened to his son and his friends. He explained that it is not about the parents; it is about the children involved.

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SCOTT HRESO, 24 WOODLAND WAY (former address) now lives in Pennsylvania: Mr. Hreso expressed his concerns over what is happening in the township and he only hopes that this will not change Burlington Township from the way it was when he grew up here. He stated that he came this evening just to let everyone know who he is; and he came this for a reason.

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

**ORDINANCES - SECOND READING**

None

**ORDINANCES - FIRST READING**

ORDINANCE AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE THE ASSET PURCHASE AGREEMENT AND EASEMENT ACQUISITION AND ASSIGNMENT AND ASSUMPTION AGREEMENT WITH CLEAR CHANNEL OUTDOOR, INC. FOR THE SALE OF THREE EASEMENTS AND THREE BILLBOARD PERMITS ON BLOCK 123.01, LOT 3.01

Motion made by Councilman Schoenborn, seconded by Councilman Carlin, to adopt on first reading, to advertise in the legal newspaper, and set date and time for public hearing on December 14, 2010 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

**RESOLUTIONS**

RESOLUTION 10-R-225

RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO ENTER INTO A CONTRACT WITH AMERIHEALTH FOR GROUP HEALTH INSURANCE FOR A TERM OF THREE YEARS

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

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

RESOLUTION 10-R-226

RESOLUTION AUTHORIZING A CONTRACT WITH EJA/CAPACITY BENEFITS AGENCY, LLC TO SERVE AS A BROKER OF RECORD FOR HEALTH INSURANCE FOR A TERM OF THREE YEARS

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

On roll call the following vote was recorded:

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

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NAYS: None.

President Kozub declared the motion carried.

RESOLUTION 10-R-227

RESOLUTION AUTHORIZING SUBMISSION OF  
A 2010 NJ CLEAN ENERGY DIRECT INSTALL PROGRAM  
APPLICATIONS AND ENERGY EFFICIENCY CONSERVATION  
BLOCK GRANT (EECBG) APPLICATIONS AND ALSO  
AUTHORIZING CONTRACTS WITH HUTCHINSON  
MECHANICAL SERVICES SUBJECT TO RECEIPT OF THE  
EECBG'S AND APPROVAL FROM THE NJBPU TO  
PARTICIPATE IN THE DIRECT INSTALL PROGRAM

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

On roll call the following vote was recorded:

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

NAYS: None.

President Kozub declared the motion carried.

RESOLUTION 10-R-228

RESOLUTION APPROVING CHANGE ORDER NO. 5 (FINAL)  
TO O'BRIEN AND GERE ENGINEERS, INC. IN THE AMOUNT  
OF \$8,200.00 FOR PROFESSIONAL SERVICES IN CONJUNCTION  
WITH THE UPPER SYLVAN LAKE DAM REHABILITATION PROJECT

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

On roll call the following vote was recorded:

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

NAYS: None.

President Kozub declared the motion carried.

RESOLUTION 10-R-229

RESOLUTION AUTHORIZING TRANSFERS AMONG  
2010 BUDGET APPROPRIATIONS

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

On roll call the following vote was recorded:

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

NAYS: None.

President Kozub declared the motion carried.

RESOLUTION 10-R-230

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF BURLINGTON ACCEPTING RETIREMENT  
LETTER FROM TOWNSHIP EMPLOYEE  
RICHARD K. KERR, SR.

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

President Kozub declared the motion carried.

#### RESOLUTION 10-R-231

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

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

On roll call the following vote was recorded:

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

President Kozub declared the motion carried.

#### MOTIONS REQUIRED

None

#### MAYOR'S ANNOUNCEMENTS AND APPOINTMENTS

Mayor George reported that last Sunday he attended the Eagle Scout Court of Honor for Burlington Township resident Andrew Velzy, which was held at St. Mary's Guild House. He reported that Andrew Velzy attained the highest rank in Eagle Scouts and offered his congratulation on behalf of the residents of Burlington Township. He reported that Andrew is the 15<sup>th</sup> township resident attaining the rank of Eagle Scout in the past five years.

Mayor George reported that tonight he accepted the 2011 Budget requests, as submitted by all the Department Heads in Burlington Township.

Mayor George reminded everyone that the holiday "Tree Lighting Ceremony" will take place on December 2<sup>nd</sup>, at 7:00 p.m. at Green Acres II, hosted by the Heritage Commission.

Mayor George wished everyone a Happy Thanksgiving, and for anyone driving this holiday, please drive safely.

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

TOWNSHIPADMINISTRATOR: No report.

TOWNSHIP SOLICITOR: No report.

COMMISSIONER OF RECREATION, MR. CANTWELL: No report.

PURCHASING AGENT: No report.

DIRECTOR OF PUBLIC SAFETY: Mr. Corter reported on the coming holiday and stated the traffic force will be out.

DIRECTOR OF RECREATION: No report.

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DIRECTOR OF PUBLIC WORKS: Mr. Pinto wished everyone a Happy Thanksgiving.

TREASURER/CFO: No report.

TAX COLLECTOR: No report.

CONSTRUCTION OFFICIAL: Mr. Wright wished Mr. Kerr a happy retirement.

TOWNSHIP ENGINEER: Mr. Hatfield on behalf of the Green Team presented a plaque to Mayor and Council, which signifies our 2010 Sustainable Jersey Bronze Certification.

Mr. Hatfield wished everyone a Happy Thanksgiving.

TOWNSHIP CLERK: Mr. Carnivale wished everyone a Happy Thanksgiving and safe weekend.

**REPORTS OF COUNCIL MEMBERS**

COUNCILMAN QUINN: Councilman Quinn wished Mr. Kerr a happy retirement after 35 years in the Water Department.

Councilman Quinn wished all the residents in Burlington Township a very safe and Happy Thanksgiving.

COUNCILWOMAN STEWART: Councilwoman Stewart thanked Mr. Kerr for his 35 years of dedicated service with Burlington Township.

Councilwoman Stewart wished all families in Burlington Township a safe and enjoyable Thanksgiving.

Councilwoman Stewart thanked Scott Hatfield and the Green Team for a nice job.

COUNCILMAN SCHOENBORN: Councilman Schoenborn congratulated Mr. Kerr on his decision to retire after 35 years of service and wished well, health, happiness and prosperity.

Councilman Schoenborn congratulated Scott Hatfield on the Green Team Certification.

Councilman Schoenborn wished everyone a Happy and Safe Thanksgiving.

COUNCILMAN CARLIN: Councilman Carlin thanked Mr. Kerr for his 35 years of service with Burlington Township and wished him well on his retirement.

Councilman Carlin congratulated Scott Hatfield and the members of the Green Team for a job well done. He asked that the parents of our student member who were in the audience pass that along to their son.

Councilman Carlin wished everyone a happy and safe Thanksgiving.

COUNCILMAN McCONNELL: Councilman McConnell offered his congratulations and thanks to Richard Kerr for his years of service with Burlington Township and wished him well on his retirement.

Councilman McConnell congratulated Councilman Carlin on his five years.

Councilman McConnell wished everyone a Happy and Safe Thanksgiving.

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COUNCILMAN GREEN: Councilman Green acknowledged Mr. McLernon for all the work he did securing our Health Insurance Policy.

Councilman Green thanked everyone for coming out this evening.

Councilman Green offered congratulations to Richard Kerr on his retirement after 35 years.

Councilman Green thanked Scott Hatfield and the Green Team for job well done.

Councilman Green wished everyone a Happy and Safe Thanksgiving as you travel or stay home.

PRESIDENT KOZUB: President Kozub wished Mr. Kerr a healthy and happy retirement after 35 years of dedicated service.

President Kozub stated that as the Liaison Councilman to the Green Team he is well aware of all the hard work they put into this; and he would like to see more student members involved.

President Kozub wished everyone a very Happy Thanksgiving and thanked everyone for coming out this evening.

President Kozub called for a motion to adjourn.

**MOTION TO ADJOURN**

Motion made by Councilman Carlin, seconded by Councilman Schoenborn to adjourn until the next Regular Meeting to be held on December 14, 2010 at 7:00 p.m. in these chambers.

On roll call the following vote was recorded:

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

NAYS: None.

President Kozub declared the motion carried.

***COUNCIL ADJOURNED***

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Anthony J. Carnivale, Jr., RMC  
Municipal Clerk

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George M. Kozub  
President of Council