

THE SEPTEMBER 24, 2008 REGULAR/WORKSHOP TOWNSHIP COMMITTEE MEETING OF THE TOWNSHIP OF WATERFORD, CALLED TO ORDER AT 7:33 PM BY THE DEPUTY MAYOR, MARYANN MERLINO.

NOTICE OF TIME AND DATE FOR THIS MEETING APPEARED IN RESOLUTION #2008-6 DATED JANUARY 5, 2008 WHICH WAS SENT TO THE RECORD BREEZE AND COURIER-POST NEWSPAPERS AS A LEGAL NOTICE. ALSO COPIES OF RESOLUTION #2008-6 WERE SENT TO THE RECORD BREEZE, COURIER-POST AND INQUIRER NEWSPAPERS, AND A COPY IS POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS LAW".

**OPENING PRAYER:**

**SALUTE TO THE FLAG:**

**ROLL CALL:**

- Committeeman Clark - Present
- Committeeman Hamilton - Present
- Committeewoman Merlino - Present
- Committeeman Richardson - Present
- Mayor Halbert - Absent

**ALSO PRESENT:**

- Virginia L. Chandler, Township Clerk - Present
- Lawrence C. Ruocco, Township Coordinator - Present
- John P. Maroccia, Township Solicitor - Absent
- John Kearney, Esquire for John Maroccia, Esquire - Present

**PRESENTATIONS:** (None Submitted)

**EMERGENCY ITEMS TO BE ADDED TO THE AGENDA:** (None Submitted)

**MINUTES:**

- a. Regular Meeting August 13, 2008
- b. Regular/Workshop Meeting August 27, 2008

Moved by Hamilton, 2<sup>nd</sup> by Richardson to accept the above minutes items #1 & #2.

Poll Vote:

- Committeeman Clark - Yes
- Committeeman Hamilton - Yes
- Committeewoman Merlino - Yes (Except on August 27, 2008 Minutes)
- Committeeman Richardson - Yes

**ADOPTION OF ORDINANCES:**

Adoption of Ordinance #2008-10

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 257 OF THE CODE OF THE TOWNSHIP OF WATERFORD ENTITLED "TOWING".

DEPUTY MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

THERE WERE NO COMMENTS FROM THE PUBLIC

DEPUTY MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS:

Moved by Hamilton, 2<sup>nd</sup> by Clark to adopt Ordinance #2008-10.

Poll Vote:

- Committeeman Clark - Yes
- Committeeman Hamilton - Yes
- Committeewoman Merlino - Yes
- Committeeman Richardson - Yes

Adoption of Ordinance #2008-11 **(TABLED)**

ORDINANCE REPEALING CHAPTER 228 OF THE WATERFORD TOWNSHIP CODE ENTITLED "SEX OFFENDER PROHIBITION" OTHER WISE KNOWN AS ORDINANCE #2006-1 OF THE TOWNSHIP OF WATERFORD.

INFORMATION REGARDING THIS ORDINANCE IS AS FOLLOWS:

This Ordinance was **reluctantly** introduced per the advise of the Township Solicitor per the advise of the ACMJIF Atlantic County Municipal Joint Insurance Fund Solicitor, David S. DeWeese, Esquire's memorandum to Municipal Clerks and Municipal Solicitors of all Member Municipalities in the ACMJIF.

The memorandum is as follows: Please be advised that on July 15, 2008, the Superior Court of New Jersey, Appellate Division, decided the case of G.H. v. Township of Galloway which challenged the Galloway Township Sex Offender Ordinance. The Appellate Division held that municipal ordinances which attempt to regulate sex offenders were preempted by Megan's Law, and therefore they were declared invalid. They determined that there is a limitation on the power of municipalities to enact ordinances on matters that are otherwise under their jurisdiction in situations where the State has preempted the field. It was their conclusion that the residency restriction ordinances conflict with the policies and operational effect of the statewide scheme implemented by Megan's Law, which was intended, both expressly and impliedly, to be exclusive in the field.

Apparently, Galloway Township intends to appeal this decision to the Supreme Court of the State of New Jersey. Pending a determination by the Supreme Court, ACMJIF would recommend that if your municipality has adopted a Sex Offender Ordinance, that enforcement of its provision should be suspended

At this time it is suggested by the Township Solicitor to TABLE this ordinance until the appeal process is concluded.

Moved by Richardson, 2<sup>nd</sup> by Clark to **TABLE** Ordinance #2008-11.

Poll Vote:

- Committeeman Clark - Yes
- Committeeman Hamilton - Yes
- Committeewoman Merlino - Yes
- Committeeman Richardson - Yes

**FINANCIAL REPORTS:** (August 2008 Reports)

a. Clerk Report:	TOTAL	\$2,045.60
b. Construction Official Report:	TOTAL	\$7,339.00
c. Court Report:	TOTAL	\$45,493.35

d. Tax Collector Report - Tax Report:	TOTAL	\$4,208,830.00
e. Tax Collector Report - Redemption Report:	TOTAL	\$22,432.84
f. Tax Collector Report - Utility Report:	TOTAL	\$49,145.27
g. Treasurer Report:	TOTAL	\$5,335,789.49

Moved by Richardson, 2<sup>nd</sup> by Hamilton to accept the above Financial Reports as submitted.

Voice Vote:

Committeeman Clark - Yes

Committeeman Hamilton - Yes

Committeewoman Merlino - Yes

Committeeman Richardson - Yes

**PUBLIC COMMENT PORTION OF THE MEETING: (FOR AGENDA ITEMS ONLY)**

DEPUTY MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

THERE WERE NO COMMENTS FORM THE PUBLIC

DEPUTY MAYOR CLOSSES THE MEETING TO THE PUBLIC FOR COMMENTS:

**APPLICATIONS:**

a. Use of Facilities Applications:

1. Dazzy O's Young Guns - Men's Softball Team

Moved by Richardson, 2<sup>nd</sup> by Clark to approve the above Use of Facilities Application request which was submitted with their Insurance Certificate and a Hold Harmless Agreement.

Voice Vote:

Committeeman Clark - Yes

Committeeman Hamilton - Yes

Committeewoman Merlino - Abstain

Committeeman Richardson - Yes

**COMMUNICATIONS:**

1. Establishment of Trick or Treat hours for Halloween as follows:

Date: Friday, October 31, 2008

Time 3:00 PM to 8:00 PM

2. Request from the Atco Lions Football and Cheering Leading Association to hold their monthly meetings at the Township Municipal Building on the fourth Monday of each month and to use the Waterford Recreation Complex for their games and practices. (Their facility Use Agreement with the Hold Harmless Agreement and Insurance Certificate naming the Township as additional insured has been provided by the Atco Lions Football and Cheering Leading Association.)

3. Paris Grant 2009-2010 Shared Services Questionnaire regarding application by the County of Camden to the State of New Jersey Division of Archives and Records Management for the grant for assistance with the management of Township Records.

Moved by Hamilton, 2<sup>nd</sup> by Richardson approve the above communication items #1, #2 & #3.

Voice Vote:

Committeeman Clark - Yes

Committeeman Hamilton - Yes

Committeewoman Merlino - Yes

Committeeman Richardson - Yes

**DISCUSSION:**

a. Discussion on a new HVAC System for the Township Municipal Building.

Lawrence Ruocco and Victor Pangia will look further into a new HVAC System.

b. Discussion on Interlocal Services Agreement with the County of Camden for Participation in a County-Wide Geographic Information System (GIS) Data Sharing Project.

It was agreed that a resolution regarding the GIS will be placed on the next meeting agenda.

**OLD BUSINESS:** (None Submitted)

**NEW BUSINESS:**

**INTRODUCTION OF ORDINANCES:** (None Submitted)

**RESOLUTIONS:**

Resolution #2008-230

RESOLUTION AUTHORIZING THE SUSQUEHANNA BANK TO CLOSE ATCO AVENUE ON OCTOBER 11, 2008 FOR THE CRUISE THE AVENUE EVENT.

Resolution #2008-231

RESOLUTION WAIVING THE PERMIT FEES FOR THE INSTALLATION OF A 1000 GALLON DIESEL TANK AT THE WATERFORD TOWNSHIP UTILITIES AND DEPARTMENT OF PUBLIC WORKS LOCATION AT BURNT MILL ROAD.

Resolution #2008-232

RESOLUTION CHANGING THE STATUS OF THE SOLICITOR FROM AN EMPLOYEE TO AN INDEPENDENT CONTRACTOR. (Solicitor to provide a Professional Liability Insurance Certificate)

Resolution #2008-233

RESOLUTION AUTHORIZING THE ACCEPTANCE OF A PROPOSAL FROM SIGNATURE INFORMATION SOLUTIONS FOR THE TOWNSHIP TO PROVIDE WEEKLY ON LINE DATA TRANSMISSIONS OF TOWNSHIP TAX RECORDS.

Resolution #2008-234

RESOLUTION AUTHORIZING THE CANCELLATION TAXES ON THE RETENTION BASIN LOCATED AT BLOCK 401, LOT10.15.

Resolution #2008-235

RESOLUTION AUTHORIZING ENVIRONMENTAL RESOLUTIONS INCORPORATED TO PROVIDE TECHNICAL SUPPORT TO THE TOWNSHIP FOR OUTFALL MAPPING AND ILLICIT CONNECTION INSPECTION TO MEET THE 2008 REQUIREMENTS OF THE NEW JERSEY POLLUTANT ELIMINATION SYSTEM (NJPDES) TIER A MUNICIPAL STORMWATER GENERAL PERMIT REQUIREMENTS.

Resolution #2008-236

RESOLUTION RELEASING THE PERFORMANCE GUARANTEE FOR THE WOOSTER FUNERAL HOME IN THE AMOUNT OF \$178,787.40 WITH CERTAIN CONDITIONS. (WOOSTER PARKING LOT PROJECT)

Resolution #2008-237

RESOLUTION TO AWARD THE PURCHASE OF THREE 2008 DODGE DURANGO FOUR WHEEL DRIVE POLICE VEHICLES FROM WARNOCK MOTORCARS, INC., DBA WARNOCK FLEET PURSUANT TO STATE CONTRACT NUMBER A70852.

Resolution #2008-238

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION FOR THE TOWNSHIP OF WATERFORD MUNICIPAL ALLIANCE GRANT FOR THE CALENDAR YEAR 2009.

Moved by Hamilton, 2<sup>nd</sup> by Richardson to adopt Resolution #2008-230 through Resolution #2008-238.

Poll Vote:

- Committeeman Clark - Yes
- Committeeman Hamilton - Yes
- Committeewoman Merlino - Yes
- Committeeman Richardson - Yes

**PAYMENT OF BILLS:**

a.	Current Fund Bill List 2008.	TOTAL	\$554,449.74
b.	Capital Fund Bill List.	TOTAL	\$1,936.09
c.	Utility Fund Bill List 2008.	TOTAL	\$11,144.12
d.	Animal Control/Dog Fund Trust Fund Bill List.	TOTAL	\$49.00
e.	State Grant Bill List 2008.	TOTAL	\$9,422.27

Moved by Richardson, 2<sup>nd</sup> by Clark to approve and pay the above bills as submitted if documentation is present and when funds are available.

Poll Vote:

- Committeeman Clark - Yes
- Committeeman Hamilton - Yes
- Committeewoman Merlino - Yes
- Committeeman Richardson - Yes

**PUBLIC COMMENT PORTION OF THE MEETING:**

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

Al Campbell, Linden Avenue noted Waterford Township Day was successful. He inquired about Resolution #2008-237 regarding the purchase of Police Vehicles.

LeRoy Wooster, White Horse Pike voiced his concerns regarding the problems he is having with Pinelands and Engineers regarding his new parking lot.

MAYOR CLOSSES THE MEETING TO THE PUBLIC FOR COMMENTS:

**ISSUES FROM THE TOWNSHIP COMMITTEE:**

Insurance covering the Township History Committee Documents stored off site at the Susquehanna Bank on Atco Avenue.

Waterford Township Day was a successful event by the Waterford Township Civic & Events Association.

**CLOSING PRAYER:**

**ADJOURNMENT:** (8:20 PM)

Moved by Richardson, 2<sup>nd</sup> by Hamilton to adjourn.

ALL IN FAVOR:

Committeeman Clark - Yes

Committeeman Hamilton - Yes

Committeewoman Merlino - Yes

Committeeman Richardson - Yes

RESPECTFULLY SUBMITTED BY:

Virginia L. Chandler, RMC  
Township Clerk