

THE MAY 13, 2009 REGULAR/WORKSHOP TOWNSHIP COMMITTEE MEETING OF THE TOWNSHIP OF WATERFORD, CALLED TO ORDER AT 7:40 PM BY THE MAYOR, MARYANN MERLINO.

NOTICE OF TIME AND DATE FOR THIS MEETING APPEARED IN RESOLUTION #2009-6 DATED JANUARY 4, 2009 WHICH WAS SENT TO THE RECORD BREEZE AND COURIER-POST NEWSPAPERS AS A LEGAL NOTICE. ALSO, COPIES OF RESOLUTION #2009-6 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 Condo - Present

Committeewoman Finnerty - Present

Committeeman Halbert - Present

Committeeman Hamilton - Present

Mayor Merlino - Present

ALSO PRESENT:

Virginia L. Chandler, Township Clerk - Present

Lawrence C. Ruocco, Township Administrator - Present

John P. Maroccia, Township Solicitor - Present

Christopher J. Noll, Environmental Resolutions, Inc., Township Engineer - Present

PRESENTATIONS:

PROCLAMATION: EMERGENCY MEDICAL SERVICES MONTH.

MAYOR'S AWARD: RETIREMENT OF JAMES JANKOWSKI AS FIRE CHIEF FOR THE TOWNSHIP OF WATERFORD FIRE DEPARTMENT.

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

ADOPTION OF ORDINANCES:

Adoption of Ordinance #2009-8

ORDINANCE AMENDING ORDINANCE #2004-12 CHANGING THE RATES FOR SANITARY SEWER AND WATER SERVICES FOR THE TOWNSHIP OF WATERFORD.

Moved by Hamilton, 2nd by Condo to accept the amendment to Ordinance #2009-8 as follows:

Water Consumption new rates effective July 1, 2009
Sewer Collection new rates effective July 1, 2009

Poll Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS ON ORDINANCE #2009-8.

THERE WERE NO COMMENTS FROM THE PUBLIC ON ORDINANCE #2009-8.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS ON ORDINANCE #2009-8.

Moved by Halbert, 2nd by Condo to adopt Ordinance #2009-8 as amended.

Poll Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

Adoption of Ordinance #2009-9

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET COST OF LIVING ALLOWANCE AND TO ESTABLISH A CAP BANK WHEN THE COLA IS EQUAL TO OR GREATER THAN 2.5 PERCENT (N.J.S.A. 40A:4-45.14). (Stephen Miller Explain)

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS ON ORDINANCE #2009-9.

THERE WERE NO COMMENTS FORM THE PUBLIC ON ORDINANCE #2009-9.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS ON ORDINANCE #2009-9.

Moved by Condo, 2nd by Hamilton to adopt Ordinance #2009-9.

Poll Vote:

Poll Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

BUDGET ITEMS:

Discussion on Possible Budget Reductions:

Stephen Miller, Chief Financial Officer explained the present budget with a four cent increase and noted he supported the increase. He noted it is better to increase the budget each year a small amount rather than not increasing it and then have to increase it a large amount in future year/years.

Ralph Condo noted he would like to be at a zero increase for the budget and presented possible cuts in the budget. He noted his disapproval of the increase in the Solicitor and Auditor salaries.

Pamela Finnerty noted she would like to be at zero increase for the budget and that she supports the possible cuts in the budget that Mr. Condo presented.

John Maroccia, Esq. noted that he had taken a cut in the year 2008 from the previous solicitor as he agreed to include BEMS Litigation in his salary.

Maryann Merlino noted she was in support of the budget as it stands and supported Steve Miller's rational on increasing the budget each year a small amount rather than not increasing it and then having to increase it a large amount in future year/years.

Roeder Halbert noted he was in support of the budget as it stands and supported Steve Miller's rational on increasing the budget each year a small amount rather than not increasing it and then having to increase it a large amount in future year/years.

Charles Hamilton noted he was in support of the budget as it stands and supported Steve Miller's rational on increasing the budget each year a small amount rather than not increasing it and then having to increase it a large amount in future year/years.

Resolution #2009-123

RESOLUTION TO READ THE BUDGET BY TITLE ONLY.

Moved by Halbert, 2nd by Hamilton to adopt Resolution #2009-123.

Poll Vote:

Poll Vote:

Committeeman Condo - Yes

Committeewoman Finnerty - Yes

Committeeman Halbert - Yes

Committeeman Hamilton - Yes

Mayor Merlino - Yes

BUDGET HEARING:

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS ON THE BUDGET:

Eileen Conte, Old White Horse indicated she supported budget cuts.

Ron Passarella, Almira Avenue indicated he supported the budget as it stands.

MAYOR CLOSSES THE MEETING TO THE PUBLIC FOR COMMENTS ON THE BUDGET:

COMMITTEE REPORTS:

Christopher J. Noll: Township Engineer, Environmental Resolutions, Inc.:

MARYANN MERLINO:

Mayor

Library Chairman

Director of Buildings and Grounds

ROEDER D. HALBERT:

Deputy Mayor
Director of Public Works

CHARLES HAMILTON:

Director of Public Safety

RALPH J. CONDO:

Director of Finance
Liaison to the School Board
Liaison to the Environmental Commission

PAMELA FINNERTY:

Director of Construction and Zoning & Code Enforcement
Director of Recreation

Resolution #2009-140

RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SEND A LETTER TO THE PLANNING BOARD CHAIR AND PLANNING BOARD MEMBERS AND THE ENVIRONMENTAL COMMISSION REGARDING ANIMAL CONTROL AND OR LIVE STOCK ORDINANCES. (VOTE TAKEN DURING COMMITTEEWOMAN FINNERTY'S REPORT)

Moved by Finnerty, 2nd by Condo to adopt Resolution #2009-140

Voice Vote:

Committeeman Condo - Yes
Committeewoman Finnerty - Yes
Committeeman Halbert - Yes
Committeeman Hamilton - Yes
Mayor Merlino - Yes

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

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

Robert Baranowski of Ballard Spahr, Esq. the attorney representing Alisha Vitale of Rack's voiced his support of Resolution #2009-125 and noted the Special Conditions Imposed in the resolution are acceptable to him and his client.

Vickie Taylor, Laurie Court voiced her concerns regarding James Lombardo's property.

Elizabeth Huminski, Laurie Court voiced her concerns regarding James Lombardo's property.

Joann Taormina, Laurie Court voiced her concerns regarding James Lombardo's property.

Liz Valenti, Memorial Court voiced her concerns regarding James Lombardo's property.

Maxine Galiyano, Laurie Court voiced her concerns regarding James Lombardo's property.

John Prokapus, owner of the Town Tavern on Jackson Road voiced his concerns about the outside bar at the new Rack's establishment.

Robert Baranowski of Ballard Spahr, Esq. the attorney for Rack's and John Prokapus owner of the Town Tavern had a back and forth discussion.

Alisha Vitale noted her responsibility to the neighbors, the outside service area/bar is on the front and side of the establishment and the retention pond and trees are a buffer.

John Prokapus, owner of Town Tavern on Jackson Road voiced his concerns about the outside bar at the new Rack's establishment.

Carl Lange, Raritan Avenue and a member of the Planning Board noted he did not remember the outside bar when the issue came before the Planning Board.

Robert Baranowski of Ballard Spahr, Esq. the attorney for Rack's voiced his objection to Mr. Lange referring to the Planning Board on the Rack's issue as he was not under oath as a Planning Board Member.

Carl Lange, Raritan Avenue noted the noise of the band was mentioned at the Planning Board Meeting.

Robert Baranowski of Ballard Spahr, Esq. the attorney for Rack's noted that the written transcript of the Planning Board Meeting is what is important.

Tim Richardson, Bellevue Avenue voiced his support for Rack's new establishment.

James Lombardo, White Horse Pike voiced his concern for the situation regarding the neighbors that have concerns about his property and he noted his hardship. He noted a Township Easement behind his property and that some of the neighbors have fencing in the easement.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS:

APPLICATIONS:

a. Contractor Registration Applications:

1. Lynmar Builders - Michael B. Palmieri

Moved by Condo, 2nd by Finnerty to approve the applications.

Voice Vote:

Committeeman Condo - Yes

Committeewoman Finnerty - Yes

Committeeman Halbert - Yes

Committeeman Hamilton - Yes

Mayor Merlino - Yes

COMMUNICATIONS:

1. ATCO CHRISTIAN PRESCHOOL: Request to hold their annual end of the year picnic at Rotary Park on Friday, May 29, 2009 between the hours of 10:00 AM and 12:00 Noon.

Notation: An Insurance Certificate naming the Township as additional insured and a Hold Harmless Agreement have been provided.

Moved by Hamilton, 2nd by Halbert to approve the request of the Atco Christian Preschool.

Voice Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

2. WATERFORD TOWNSHIP CIVIC AND EVENTS ASSOCIATION: Request to hold their Annual Concert in the Park sponsored by the Camden County Board of Chosen Freeholders and the Waterford Township Civic and Events Association on June 17, 2009. This year it will be a Dixieland Land Band with free ice cream and bottled water to be provided. They would also like to request the assistance of the EMS and the Department of Public Works.

Notation: An Insurance Certificate naming the Township as additional insured and a Hold Harmless Agreement have been provided.

Moved by Condo, 2nd by Finnerty to approve the request form the Waterford Township Civic and Events Association.

Voice Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

OLD BUSINESS:

1. BUSINESS REGISTRATION AND RETAIL FOOD LICENSE: Proposal submitted by the Township Zoning Official/Code Enforcement Officer Brian Kraus.

Moved by Condo, 2nd by Finnerty to direct the solicitor to prepare an ordinance regarding the Zoning Official, Brian Kraus's recommendation regarding the repeal of the Retail Food License requirement and the establishment of fees for the Business Registration.

Voice Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

2. Swine Flue update noting the Township's efforts to inform the public.

NEW BUSINESS:

INTRODUCTION OF ORDINANCES:

None Submitted.

RESOLUTIONS:

Resolution #2009-124

RESOLUTION AUTHORIZING THE PARTICIPATION OF THE WATERFORD TOWNSHIP POLICE DEPARTMENT IN THE RECOVERY ACT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM COLLABORATIVE EFFORT WITH THE COUNTY OF CAMDEN.

Resolution #2009-125

RESOLUTION AUTHORIZING THE "PLACE TO PLACE" ALCOHOLIC BEVERAGE PLENARY RETAIL CONSUMPTION LICENSE TRANSFER FOR LICENSE NUMBER 0435-33-005-007 RACK'S BAR & GRILLE, INC. TRANSFERRING LICENSE FROM 298 A1-A2 WHITE HORSE PIKE TO NEW LOCATION AT 286 WHITE HORSE PIKE RACK'S RESTAURANT & SPORTS BAR WITH THE EFFECTIVE DATE OF MAY 27, 2009.

Resolution #2009-126

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF WATERFORD AND THE COUNTY OF CAMDEN FOR ACCESS TO THE COUNTY'S ARMORED VEHICLE FOR CERTAIN CRITICAL INCIDENTS.

Resolution #2009-127

RESOLUTION AMENDING RESOLUTION #2009-49 AUTHORIZING A SAFE DEPOSIT BOX AT THE SUSQUEHANNA BANK DV, AND DESIGNATING THE HOLDER AND CUSTODIANS OF THE SAFE DEPOSIT BOX (SUSAN WAINWRIGHT-DANSON AS ADDITIONAL SIGNATURE)

Resolution #2009-128

RESOLUTION REQUESTING PERMISSION FROM THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR THE DEDICATION BY RIDER FOR POLICE DONATION TRUST FUNDS.

Resolution #2009-129

RESOLUTION REQUESTING PERMISSION FROM THE DIVISION OF LOCAL GOVERNMENT FOR THE DEDICATION BY RIDER FOR HISTORIC COMMITTEE DONATION TRUST FUNDS.

Resolution #2009-130

RESOLUTION AUTHORIZING THE CANCELLATION OF OUTSTANDING CHECKS.

Resolution #2009-131

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 17, LOT 2.01.

Resolution #2009-132

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 401.12, LOT 3.

Resolution #2009-133

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 266.01, LOT 54.

Resolution #2009-134

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 144, LOT 55.

Resolution #2009-135

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 43, LOT 23.

Resolution #2009-136

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 95.03, LOT 10.

Resolution #2009-137

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 241.01, LOT 23.

Resolution #2009-138

RESOLUTION AUTHORIZING THE RESIDENTS OF A SECTION OF FIFTH STREET BETWEEN RARITAN AND MAPLE AVENUE TO CLOSE THAT SECTION OF THE STREET ON SATURDAY, JUNE 13, 2009 FOR THEIR ANNUAL BLOCK PARTY (RAIN DATE SUNDAY, JUNE 14, 2009)

Resolution #2009-139

RESOLUTION CONFIRMING THE NEW APPOINTMENTS FOR THE OFFICERS WITHIN THE WATERFORD TOWNSHIP FIRE DEPARTMENT DUE TO THE RETIREMENT OF JAMES JANKOWSKI AS TOWNSHIP FIRE CHIEF.

David Cilona moved from Deputy Chief to Chief of the Department for the unexpired term of James Jankowski - Term May 1, 2009 through December 31, 2010.

William Webb III moved from Battalion Chief to Deputy Chief of the Department for the unexpired term of David Cilona - Term May 1, 2009 through December 31, 2010.

Robert Gardner moved from Captain to Battalion Chief of the Department for the unexpired term of William Webb III - Term May 1, 2009 through December 31, 2010.

Moved by Halbert, 2nd by Hamilton to adopt Resolution #2008-124 through Resolution #2008-139.

Poll Vote:

Committeeman Condo - Yes (Except Abstain on Resolution #2009-125)

Committeewoman Finnerty - Yes

Committeeman Halbert - Yes

Committeeman Hamilton - Yes

Mayor Merlino - Yes

Resolution #2009-140

RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SEND A LETTER TO THE PLANNING BOARD CHAIR AND PLANNING BOARD MEMBERS AND THE ENVIRONMENTAL COMMISSION REGARDING ANIMAL CONTROL AND OR LIVE STOCK ORDINANCES. (VOTE TAKEN DURING COMMITTEEWOMAN FINNERTY'S REPORT)

PAYMENT OF BILLS:

a.	Current Fund Bill List.	TOTAL	\$2,768,849.65
b.	Capital Fund Bill List.	TOTAL	\$51,155.23
c.	Utility Fund Bill List.	TOTAL	\$163,319.25
d.	Utility Capital Fund Bill List.	TOTAL	\$180.00
e.	State Grant Fund Bill List.	TOTAL	\$21,943.92
f.	Dog/Animal Trust Fund Bill List.	TOTAL	\$295.46
g.	Municipal Alliance Trust Fund Bill List.	TOTAL	\$53.00
h.	Planning Board Escrow Fund Bill List.	TOTAL	\$6,158.41

Moved by Condo, 2nd by Halbert to approve and pay the above bills as submitted if documentation is present and when funds are available.

Voice Vote:

- Committeeman Condo - Yes
- Committeewoman Finnerty - Yes
- Committeeman Halbert - Yes
- Committeeman Hamilton - Yes
- Mayor Merlino - Yes

PUBLIC COMMENT PORTION OF THE MEETING:

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

THERE WERE NO COMMENTS FROM THE PUBLIC.

MAYOR CLOSSES THE MEETING TO THE PUBLIC FOR COMMENTS:

ISSUES FROM THE TOWNSHIP COMMITTEE:

REQUEST EVERYONE SUPPORT THE MEMORIAL DAY PARADE.

CLOSING PRAYER:

ADJOURNMENT: (10:30 PM)

Moved by Halbert, 2nd by Condo to adjourn.

ALL IN FAVOR:

Committeeman Condo - Yes

Committeewoman Finnerty - Yes

Committeeman Halbert - Yes

Committeeman Hamilton - Yes

Mayor Merlino - Yes

ATTACHMENTS:

PROCLAMATION: EMERGENCY MEDICAL SERVICES MONTH.

TOWNSHIP ENGINEER REPORT - ENVIRONMENTAL RESOLUTION, INC.

RESPECTFULLY SUBMITTED BY:

Virginia L. Chandler, RMC
Township Clerk