

THE NOVEMBER 9, 2015 REGULAR TOWNSHIP COMMITTEE MEETING OF THE TOWNSHIP OF WATERFORD, CALLED TO ORDER AT 7:00 PM BY THE MAYOR, WILLIAM A. RICHARDSON.

NOTICE OF TIME AND DATE FOR THIS MEETING APPEARED IN RESOLUTION #2015-7 DATED JANUARY 7, 2015. THIS NOTICE WAS SENT TO THE COURIER-POST AND CENTRAL RECORD NEWSPAPERS AS A LEGAL NOTICE AND SUNSHINE NOTICE IN COMPLIANCE WITH THE "OPEN PUBLIC MEETINGS LAW". IT IS ALSO POSTED ON THE BULLETIN BOARD IN THE MUNICIPAL BUILDING.

PLEASE SILENCE ALL CELL PHONES TO ALLEVIATE DISRUPTION OF THE MEETING.

SALUTE TO THE FLAG:

OPENING PRAYER:

Committeeman Yeatman

ROLL CALL:

Committeeman Yeatman - Present
Committeeman Chiddenton - Present
Committeeman Ferguson - Present
Committeeman Campbell - Present
Mayor Richardson - Present

PROFESSIONALS:

Susan E. Danson, Township Administrator - Present
David C. Patterson, Esquire, Township Solicitor - Present
Debra L. Shaw-Blemings, Township Clerk - Present
Kijona L. Thompson, Deputy Township Clerk - Present
Douglas A. White, PE CME, Township Engineer, ARH Associates - Present

PRESENTATIONS:

Resolution #2015-284

RESOLUTION OF THE TOWNSHIP OF WATERFORD PROMOTING PATROLMAN WILLIAM GALLAGHER TO POSITION OF SERGEANT IN THE WATERFORD TOWNSHIP POLICE DEPARTMENT

Resolution #2015-285

RESOLUTION OF THE TOWNSHIP OF WATERFORD PROMOTING PATROLMAN LUCRETIA SCHNURR TO POSITION OF SERGEANT IN THE WATERFORD TOWNSHIP POLICE DEPARTMENT

Resolution #2015-286

RESOLUTION OF THE TOWNSHIP OF WATERFORD PROMOTING PATROLMAN LISA VANDYKE TO POSITION OF DETECTIVE IN THE WATERFORD TOWNSHIP POLICE DEPARTMENT

Moved by Ferguson, 2nd by Campbell to adopt Resolution #2015-284 through Resolution #2015-286

Poll Vote: Yeatman - Yes
Chiddenton - Yes
Ferguson - Yes
Campbell - Yes
Richardson - Yes

Police Department Promotions:

1. Administer Oath to Newly Appointed Police Sergeant William Gallagher
2. Administer Oath to Newly Appointed Police Sergeant Lucretia Schnurr
3. Administer Oath to Newly Appointed Police Detective Lisa VanDyke

CLOSED SESSION:***Resolution # 2015-287***

RESOLUTION OF THE TOWNSHIP OF WATERFORD AUTHORIZING THE TOWNSHIP COMMITTEE TO GO INTO CLOSED SESSION PURSUANT TO N.J.S.A. 10:4-12. **Related to:** 1) Pending Litigation: COAH; 2) Professional Appointment: Professional Planner; 3) Collective Bargaining Agreement: Police Contract; and 4) McNally v. Waterford Township et al

Moved by Ferguson, 2nd by Chiddenton to adopt Resolution #2015-287
Voice Vote: All yes, no objections, motion passed

MAYOR RECESS MEETING FOR CLOSED SESSION: (7:09PM)

MAYOR RECONVENE MEETING: (7:57PM)

ROLL CALL:

Committeeman Yeatman - Present
Committeeman Chiddenton - Present
Committeeman Ferguson - Present
Committeeman Campbell - Present
Mayor Richardson - Present

RETURN FROM CLOSED SESSION STATEMENT:

Solicitor Patterson reported there were two (2) decisions made in closed session which would be evidenced in Resolutions area of meeting.

EMERGENCY ITEMS TO BE ADDED TO THE AGENDA: (NONE SUBMITTED)

APPROVAL OF MINUTES:

1. Workshop Meeting October 28, 2015 (All Present)

Moved by Yeatman, 2nd by Ferguson, to approve the Meeting Minutes item #1

Poll Vote: Yeatman - Yes
 Chiddenton - Yes
 Ferguson - Yes
 Campbell - Yes
 Richardson - Yes

ADOPTION OF ORDINANCES: (SECOND READING / HEARING)

Ordinance #2015-17

ORDINANCE OF THE TOWNSHIP OF WATERFORD AMDENDING CHAPTER 176 OF THE CODE OF THE TOWNSHIP OF WATERFORD, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY CAPTIONED "LAND USE, DEVELOPMENT AND ZONING" (Change Zoning Classification of Block 601, Lots 44 & 45 from Planned Highway Business to Residential R4)

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

Solicitor Patterson requested that Township Clerk Shaw-Blemings confirm she had mailed a notice of public hearing to all property owners within 200 feet of the proposed zoning change (exhibit "A"); placed a legal notice in the Township Official newspaper and provided an Affidavit of Publication (exhibit "B"); and received Planning Board response via Resolution #15-15 (exhibit "C")

Township Clerk Shaw-Blemings attested all required notices and responses were completed and confirmed by an Affidavit of Service along with exhibits "A", "B" and "C".

Solicitor Patterson explained the zoning change stated in Ordinance #2015-17 was strictly done to meet the constitutional obligation determined by the Council on Affordable Housing (COAH) as there is no construction project planned at this time. The Township Committee must demonstrate good faith action toward meeting the future growth quota by submitting a plan to the Court on or before December 14, 2015. The Court will hold hearing on such plan February 22, 2016 pending no opposition or challenge.

John Howarth, Anthony Road, requested clarification of the COAH construction characteristics and any consideration of traffic patterns and school capacity.

Zoning Officer Toussaint disclosed density, environmental conditions, utility availability, mass transit and roadway access were essential elements reviewed for all properties throughout the Township.

Administrator Danson offered she had confirmed the student capacity with the Superintendent of Schools could handle approximately 300 to 400 more.

Chick McAleer, Almira Avenue, inquired how many R4 zoning areas are in town and the actual number of units needed to comply with COAH.

Solicitor Patterson responded Fair Share Housing calculated the 200 units were needed to comply and the Township calculates 106 units.

Richard Peters, Second Street, requested clarification of the number needed to comply with Affordable Housing requirements and expressed his opposition to the zoning change.

Administrator Danson noted the Waterford Township median income is \$74,000 which is also a contributing factor in determining Affordable Housing eligibility and the Township has determined that 106 additional units were needed to meet COAH requirements.

John Black, Cooper Road, suggested the rezoning be done on Haines Boulevard as Cooper Road does not need extra cars traveling on it.

Jeff Clark, Lelache Avenue, questioned the determination that the subject property is located near public transportation, if an 8" sewer main could handle the output from 106 units, and if any environmental studies were performed. He further noted this zoning change would change his lifestyle.

Zoning Officer Toussaint explained that all typical studies would be required if a development plan was submitted to the Planning Board, which there is none. NJ Transit would install access to public transportation and any upgrades to water or sewer would be the developer responsibility.

Solicitor Patterson interjected the Township would be responsible for the cost to install infrastructure, water & sewer on Haines Boulevard in order to comply with COAH requirements.

Jim Foley, Camilla Avenue, commended the Committee for their position and efforts to comply with COAH. He also noted Public Safety may be affected due to increased need for EMS, Fire and Police and suggested the Committee get an opinion from an independent Professional Planner.

Dan Hoover, Alsara Court, expressed his appreciation for the letter posted on the Township website and requested updates be posted in December and February following the court decisions.

Karen Strauss, Cooper Road, asked how many units are currently considered Affordable Housing in Waterford Township, why there was an extension to comply granted in March 2015, why the delay in responding, and why was Haines Boulevard not considered.

Solicitor Patterson stated previous Planner, Barbara Fegley, began the COAH report in 2008 however, litigation halted the process for many years delaying the State determination regarding COAH requirements. Upon rendering decisions on new regulations the State granted additional time for municipalities to present their plans. Administrator Danson and Zoning Officer Toussaint looked throughout the Township and determined this property best suited the need, reiterating that Haines Boulevard does not fit requirements due to water/sewer availability.

Jackie Fanelli, Sapling Run, also noted her opposition to this location versus Haines Boulevard.

Shannon Tartamosa, Jackson Road, expressed her opinion that this property does not qualify for such a project due to job market, sewer/water sustainability, transit access, density bonuses, and suggested Haines Boulevard be considered.

James Lombardo, White Horse Pike, stated with heavy heart that Americans have lost their way and Corporate America must go.

William Furterer, Pinewood Lane, respects what the Committee is trying to do but has other property suggestions.

Mark Whiter, Murray Hill Drive, asked who owns the property being rezoned.

Solicitor Patterson replied GSV Pliner was the owner of the property.

Scott Furdel, Murray Hill Drive, asked who will manage the construction and if any consideration given to traffic issues.

Kim Lauria, Sapling Way, questioned if comments made tonight would change any minds and when the results of Ordinance would be known.

Rosemarie Andress, Gardens Avenue, noted consideration needs to be given to busing, traffic, effect on property values and requested the Committee consider another area.

Solicitor Patterson explained Affordable Housing must be in every municipality however, there is no building plan in progress now.

Bob Pine, Carolyn Lane, stated he also opposed the decision to rezone this property to comply with COAH.

Beth Garcia, Third Street, noted due to Pinelands designation we already have no land to develop.

Solicitor Patterson interjected the Supreme Court made the decision every municipality must comply regardless of Pinelands or any other designation.

Bob Coney, Hilltop Road, mentioned his concerns of tax impact and quality of life going forward and asked for clarity on Movie Theater site consideration.

Zoning Officer Toussaint explained R4 zoning and density credits noting all requirements are met at the area chosen and reiterated there is no project planned currently.

Administrator Danson informed residents that she had visited several Affordable Housing projects in surrounding municipalities in order to record examples of similar projects finding all to be well-planned and beautifully maintained developments. She also verified Police, EMS and Fire statistics with each municipality visited and reported there were no issues regarding the sites. She invited residents to visit her office to view photos of the example projects.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS:

Moved by Campbell, 2nd by Ferguson, to adopt Ordinance #2015-17

Poll Vote: **Yeatman** - Present, stating "Fighting this matter would be a high cost to the tax payers".
Chiddenton - Yes, stating "Opposing this matter would be at high cost and he trusts the opinions of the professionals".
Ferguson - Yes, stating "The Committee is obligated to comply by a Supreme Court Order and trusts the advice of the professionals".
Campbell - Yes, stating "I agree with Mr. Ferguson, we must comply due to Supreme Court Order".
Richardson - Yes, stating "The Committee is required by the Supreme Court to file a plan. There is no project currently in planning or development. Any plans would have to be submitted to the Planning Board where they would be diligent in assuring all concerns were addressed while maintaining compliance of COAH regulations. This action is to comply with the Supreme Court order and to insure Builders Remedy does not dictate what is developed in the Township".

COMMITTEE REPORTS: (Dispensed with verbal reports, except Engineer, due to time dedicated to Hearing)

TOWNSHIP ENGINEER

Douglas A. White, PE CME
Adams, Rehman & Heggan Associates, Inc.

ADMINISTRATOR REPORT

Susan E. Danson

CLERK REPORT

Debra L. Shaw-Blemings

RICHARD T. YEATMAN, SR.

Director of Building & Grounds
Liaison to Historical Society

DAVID CHIDDENTON

Director of Public Works
Liaison to Environmental Commission

RALPH FERGUSON

Director of Zoning & Construction
Liaison to Civic & Events Association

ALPHONS CAMPBELL

Deputy Mayor
Director of Finance
Liaison to School Board

WILLIAM A. RICHARDSON

Mayor
Director of Public Safety
Director of Communications
Liaison to Recreation Committee

OPEN MEETING TO THE PUBLIC: (FOR AGENDA ITEMS ONLY)

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

William Furterer, Pinewood Lane, commented on Jackson Road water and sewer extension.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS:

APPLICATIONS:

1. SEASONAL SALES: Archway Programs - from 12/01/2015 to 12/24/2015
Archway School Store, 280 Jackson Road, Atco on Monday – Friday 9am to 2pm
Sale of Holiday/Christmas trees, poinsettias, & decorations
2. GAMING APPLICATIONS:
 - a. Bingo Application #BA336 – Tuesdays in 2016 from 7pm to 10pm
Knights of Columbus Our Lady of Guadeloupe 4th Degree #2021
@ Knights of Columbus Hall, 157 Oak Street, Waterford
 - b. Bingo Application #BA337 - Sundays in 2016 from 2pm to 5pm
Knights of Columbus Shane's Castle Council #7463
@ Knights of Columbus Hall, 157 Oak Street, Waterford
 - c. Raffles Application #RA561 - Pull Tabs on Premise at all Bingos in 2016
Knights of Columbus Shane's Castle Council #7463
@ Knights of Columbus Hall, 157 Oak Street, Waterford

Moved by Yeatman, 2nd by Campbell to approve Application items #1, 2a, 2b, and 2c subject to NJ State LGCCC approval

Poll Vote: Yeatman - Yes
Chiddenton - Yes
Ferguson - Yes
Campbell - Yes
Richardson - Yes

COMMUNICATIONS: (NONE)**DISCUSSIONS:**

- Consideration and possible action regarding selection of date and time of the 2016 Reorganization Meeting at the Waterford Township Elementary School.

Moved by Ferguson, 2nd by Campbell to schedule the 2016 Reorganization Meeting for Saturday, January 2nd, 2016, 4:00pm at the Waterford Elementary School subject to Waterford Township School Board approval of facility use.

Poll Vote: Yeatman - Yes
Chiddenton - Yes
Ferguson - Yes
Campbell - Yes
Richardson - Yes

OLD BUSINESS: (NONE)

NEW BUSINESS: (INCLUDES RESOLUTIONS AND ORDINANCES)**RESOLUTIONS:*****Resolution #2015-288***

RESOLUTION AUTHORIZING DECREASING CHANGE ORDER #1 TO ARAWAK PAVING COMPANY, INC. FOR THE 2014 ROAD IMPROVEMENT PROGRAM (REDUCTION AMOUNT OF \$43,585.48)

Resolution #2015-289

RESOLUTION AUTHORIZING FINAL PAYMENT #3 TO ARAWAK PAVING COMPANY, INC. FOR THE 2014 ROAD IMPROVEMENT PROGRAM (REFUND OWED \$1,451.33)

Resolution #2015-290

RESOLUTION AUTHORIZING REFUND OF TAXES DUE TO OVERPAYMENT ON BLOCK 7004 LOT 12 (REFUND AMOUNT \$1,191.22)

Resolution #2015-291

RESOLUTION AUTHORIZING REFUND OF OVERPAID SEWER CHARGES TO WINSLOW TOWNSHIP

Resolution #2015-292

AUTHORIZING EXECUTION OF A TREATMENT WORKS APPROVAL APPLICATION AND RELATED DOCUMENTS FOR THE WATERFORD TOWNSHIP USDA PUMP STATIONS IMPROVEMENTS PROJECT BLOCK 125, LOT 1.01; BLOCK 3001, LOT 1; BLOCK 2401.01, LOT 107; BLOCK 95.01, LOT 49

Resolution #2015-293

RESOLUTION AUTHORIZING THE CERTIFIED MUNICIPAL FINANCE OFFICER TO MAKE TRANSFERS WITHIN THE MUNICIPAL BUDGET FOR 2015 APPROPRIATIONS AS SPECIFIED HEREIN PER N.J.S.A. 40A:4-58

Resolution #2015-294

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF GARAGE HEATERS FROM FIRST CHOICE AUTO EQUIPMENT OF HILLSBOROUGH, NEW JERSEY FOR THE TOWNSHIP OF WATERFORD PUBLIC WORKS UTILITY GARAGE (AMOUNT \$25,984.00)

Resolution #2015-295

RESOLUTION OF THE TOWNSHIP OF WATERFORD AWARDED LIME FEED PROJECT BID

Resolution #2015-296

RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF FENCING FROM ATCO FENCE COMPANY OF ATCO, NEW JERSEY FOR THE WATERFORD TOWNSHIP RITTER RECREATIONAL SOFTBALL FIELD

Resolution #2015-297

RESOLUTION OF THE TOWNSHIP OF WATERFORD APPROVING A SETTLEMENT AGREEMENT AND RELEASE WITH JOSEPH McNALLY

Resolution #2015-298

RESOLUTION OF THE TOWNSHIP OF WATERFORD APPOINTING PLANNER TO PREPARE THE HAINES BOULEVARD REDEVELOPMENT PLAN

Moved by Chiddenton, 2nd by Yeatman to adopt Resolution #2015-288 through #2015-298

Poll Vote: Yeatman - Yes
 Chiddenton - Yes
 Ferguson - Yes
 Campbell - Yes
 Richardson - Yes

INTRODUCTION OF ORDINANCES: (FIRST READING)

Moved by Campbell, 2nd by Ferguson to remove Ordinance #2015-20 from the Table

Poll Vote: Yeatman - Yes
 Chiddenton - No
 Ferguson - Yes
 Campbell - Yes
 Richardson - Yes

Ordinance #2015-20

ORDINANCE OF THE TOWNSHIP OF WATERFORD ACCEPTING FOR DEDICATION VARIOUS STREETS IN THE WATERFORD PINES PROJECT IDENTIFIED AS VIRGINIA DRIVE, JOSIE LANE AND COLGATE ROAD”

Moved by Campbell, 2nd by Ferguson, to introduce Ordinance #2015-20 with Public Hearing and Second Reading on November 23, 2015

Poll Vote: Yeatman - Yes
 Chiddenton - No
 Ferguson - Yes
 Campbell - Yes
 Richardson - Yes

PAYMENT OF BILLS:

- Current Fund Bill List. \$ 2,908,351.58
- Capital Fund Bill List. \$ 40,737.65
- Utility Fund Bill List. \$ 10,806.50
- Utility Capital Fund Bill List \$ 5,750.00
- Trust Fund Bill List. \$ 742.29
- Planning Board Escrow Bill List \$ 875.00

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

Poll Vote: Yeatman - Yes
 Chiddenton - No
 Ferguson - Yes
 Campbell - Yes
 Richardson - Yes

OPEN MEETING TO THE PUBLIC:

MAYOR OPENS THE MEETING TO THE PUBLIC FOR COMMENTS:

Thomas Giangiulio, Committeeman Elect, expressed his appreciation of the professionalism exhibited by Dave Chiddenton during the election for his part in maintaining a campaign free of negative propaganda.

William Furterer, Pinewood Lane, commented on the clearing of acreage at Atco Raceway and vacation of two paper streets effecting the noise buffer recommending an agreement be negotiated to correct the intolerable noise caused by the races.

Zoning Officer Toussaint noted there is a Noise Control wall that was installed over 3 years ago as per Engineer recommendation.

Administrator Danson stated the owners of the Atco Raceway have assured her they had planned to install more barriers in April.

MAYOR CLOSES THE MEETING TO THE PUBLIC FOR COMMENTS:

ISSUES FROM THE TOWNSHIP COMMITTEE:

Mayor Richardson commented on the positive campaigns run this election setting a high standard for future elections and congratulated newly elected Mr. Giangiulio and School Board members. He also expressed it had been an honor to serve on Committee with Mr. Chiddenton working as a team to accomplish many goals this past year.

CLOSED SESSION: (NOT NEEDED)

ADJOURNMENT:

Moved by Ferguson, 2nd by Yeatman to adjourn meeting at 9:30PM

Voice Vote: All yes, no objections, motion carried.

Respectfully submitted by,

Debra L. Shaw-Blemings

Debra L. Shaw-Blemings, RMC
Township Clerk

ATTACHMENTS:

1. Engineer's Report dated 11/9/2015