

MEETING CALLED TO ORDER:

Mayor Metzner called the meeting to order at 7:32 pm.

SALUTE TO FLAG:

All present pledged their allegiance to the flag of the United States of America.

OPENING PRAYER:

The Acting Deputy Clerk provided the opening prayer.

ROLL CALL:

John A. Wilson, Committeeman, present
Charles Flamini, Committeeman, present
Anthony R. Mitchell, Committeeman, present
Marie D. Lawrence, Committeewoman, present
Russell H. Bates, Committeeman, present
Karl Wm. Auwarter, Committeeman, absent
Anthony J. Tomasello, Committeeman, present
Karen D. Gibison, Committeewoman, present
Sue Ann Metzner, Mayor, present

OTHER OFFICIALS PRESENT:

Stuart A. Platt, Township Solicitor; Steve Dringus, CMFO; Joe Gallagher, Township Solicitor; Gary White, Township Engineer; Jeff Hanson, Municipal Utilities Engineer; Herb Leary, Construction Official; Ed McGlinchey, Supt. of Public Works; Gail M. Gallo, Acting Deputy Clerk; and Maria Babl, Recorder.

“OPEN PUBLIC MEETINGS LAW” ANNOUNCEMENT:

Mayor Metzner announced this meeting is being conducted in full compliance of the “Open Public Meetings Law” and notices were sent to the Courier Post, Record Breeze, Philadelphia Inquirer and other news media. In addition, the notice was provided on the Official Bulletin Board. This meeting is being electronically recorded.

EMERGENCY EXITS:

Mayor Metzner stated to please be aware in the event of an emergency, all persons in the courtroom should exit the courtroom quickly and orderly, using the two main doors in the courtroom and then locate the nearest exit to safety. In addition, all cell phones shall be turned off or placed on vibrate during the Township meeting.

ANNOUNCEMENTS:

1. Committeeman Wilson announced the **2009 Fall Leaf Collection Schedule is as follows:**

ROUND 1	
WARD 4	NOVEMBER 2
WARD 3	NOVEMBER 9
WARD 2	NOVEMBER 16
WARD 1	NOVEMBER 23
ROUND 2	
WARD 4	NOVEMBER 30
WARD 3	DECEMBER 7
WARD 2	DECEMBER 14
WARD 1	DECEMBER 21

IN EVERY INSTANCE CITED ABOVE, COLLECTION WILL BEGIN ON **MONDAY** AND CONTINUE UNTIL THE ENTIRE ROUTE IS COMPLETE. ***PLEASE HAVE LEAVES ON CURBSIDE LOOSE AT THE BEGINNING OF YOUR SCHEDULED WEEK.*** LEAVES MUST BE FREE FROM ALL OTHER YARD DEBRIS INCLUDING STICKS, TWIGS, ACORNS, ETC. ALSO, BE SURE VEHICLES ARE NOT PARKED TO CLOSE TO THE LEAVES SO THAT YOUR LEAVES CAN EASILY BE ACCESSED.

2. Committeewoman Lawrence announced the Winslow Township Department of Municipal Utilities Water Main Flushing Schedule, Fall 2009 began on September 28, 2009 and extending through week of November 6, 2009 from 7:30 am to 3:00 pm, Monday thru Friday.

Week of November 6th

Area: Ivystone Farms, Woodstream, Waterford Green, Coopers Folly Road, Pin Oaks, West Atco, Tally-Ho, Winslow Township

High School & Winslow Township Middle School, Factory Road, Dunham Loop, Heathermere, Albion, Braddock Preserve, Tansboro Road, Raven Estates, Westbury Hunt, Hearthstone, Route 73 North and South to Pump Branch Road, Berlin-Crosskeys Road and Watsonstown-New Freedom Road

Residents may encounter some rusty or discolored water during this time. Please allow house water to run clear before use. We advise customers to store sufficient water in advance for use during this time.

3. Committeeman Mitchell announced the Winslow Township Municipal Drug and Alcohol Alliance and the Winslow Township Board of Health are inviting all Senior Citizens of Winslow Township to attend a Brown Bag Brunch on Saturday, November 21 from 11:00 am until 2:00 pm at the Bud Duble Senior Citizens Center
4. Committeewoman Lawrence announced the Board of Health held a Health Fair on Saturday, October 24th. She would like thank you letters sent to all the volunteers.
5. Committeewoman Lawrence also announced Camden County Health Department "Help You Stay Alive" campaign is conducting health screening. The County will be in Winslow Township at the Camden County Regional Library on the second Thursday of every month at 10:00 am until 12:00 noon. She would like thank you letters sent to the County personnel for their help at the Health Fair.
6. Committeeman Tomasello attended the Halloween Festival, which was a success.

MINUTES OF PREVIOUS MEETINGS:

Minutes from the September 8, 2009 Municipal Utilities Meeting and the October 13, 2009 Workshop/Business Meeting of the Winslow Township Governing Body were distributed and are now subject to approval.

A Motion was made by Committeeman Flamini and seconded by Committeeman Wilson to approve the aforementioned Minutes. All present voted in favor of the Motion, except Committeeman Tomasello who abstained on October 13, 2009 meeting. The motion carried.

PROCLAMATIONS:

None.

PRESENTATIONS:

None.

CLAIMS APPROVAL:

A List of Claims was submitted by Treasury for approval and individual vouchers are available for review.

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to approve the aforementioned Claims List.

Committeeman Flamini questioned line items, to which Mr. Dringus responded.

The motion carried.

COMMUNICATIONS:

None.

INTRODUCTION OF ORDINANCES:

None.

SECOND READING OF ORDINANCES:

O-2009-028 ORDINANCE OF THE TOWNSHIP OF WINSLOW,
COUNTY OF CAMDEN AND STATE OF NEW
JERSEY, ESTABLISHING RULES AND
REGULATIONS CONCERNING THE OUTDOOR

MAINTENANCE OF ANIMALS (Requirements for domesticated animals kept outside on private or public property)

HEARING:

Mayor Metzner opened the hearing to the public.

Hearing no comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeeman Wilson and seconded by Committeewoman Gibison to adopt the aforementioned Ordinance.

A roll call vote indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

O-2009-029 ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 46 OF THE TOWNSHIP CODE ENTITLED, "OFFICERS AND EMPLOYEES" TO CREATE THE TITLE OF "ANIMAL CRUELTY INVESTIGATOR"

HEARING:

Mayor Metzner opened the hearing to the public.

Hearing no comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeeman Bates and seconded by Committeewoman Gibison to adopt the aforementioned Ordinance.

A roll call vote indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

O-2009-030 ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WINSLOW ENTITLED "LAND USE PROCEDURES" (Stormwater Check List as requested by Pinelands)

1. Planning Board Memo dated October 19, 2009 approving amendments to Chapter 40.

HEARING:

Mayor Metzner opened the hearing to the public.

Carmen Nocito, 27 Poplar Avenue – He requested a copy of the Ordinance.

Hearing no further comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeeman Flamini and seconded by Committeeman Wilson to adopt the aforementioned Ordinance.

A roll call vote indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

O-2009-031 ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 93 OF THE CODE OF THE TOWNSHIP OF WINSLOW ENTITLED "BRUSH, GRASS AND WEEDS" (100 feet property line growth)

HEARING:

Mayor Metzner opened the hearing to the public.

Hearing no comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to adopt the aforementioned Ordinance.

A roll call voted indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

O-2009-032 ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 294 OF THE CODE OF THE TOWNSHIP OF WINSLOW ENTITLED "ZONING" (Repealing Section 294-118)

1. Planning Board Memo dated October 19, 2009 approving amendments to Chapter 294.

HEARING:

Mayor Metzner opened the hearing to the public.

Hearing no comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeeman Wilson and seconded by Committeeman Tomasello to adopt the aforementioned Ordinance.

A roll call vote indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

O-2009-033 ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 296 OF THE CODE OF THE TOWNSHIP OF WINSLOW ENTITLED "ZONING WITHIN PINELANDS AREA" (Open Space for Recreational Facilities)

1. Planning Board Memo dated October 19, 2009 approving amendments to Chapter 296.

HEARING:

Mayor Metzner opened the hearing to the public.

Hearing no comments, Mayor Metzner closed the hearing to the public.

ADOPTION:

A Motion was made by Committeeman Flamini and seconded by Committeewoman Gibison to adopt the aforementioned Ordinance.

A roll call vote indicated the following:

Committeeman Wilson, yes
Committeeman Flamini, yes
Committeeman Mitchell, yes
Committeewoman Lawrence, yes
Committeeman Bates, yes
Committeeman Auwarter, absent
Committeeman Tomasello, yes
Committeewoman Gibison, yes
Mayor Metzner, yes

The motion carried.

ORDINANCE HEARING TO BE CONTINUED UNTIL DECEMBER 15, 2009:

ORDINANCE OF THE TOWNSHIP OF WINSLOW, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY, AMENDING CHAPTER 294 OF THE CODE OF THE TOWNSHIP OF WINSLOW ENTITLED "ZONING" (Wind and Solar Energy Systems)

1. Planning Board Memo dated October 19, 2009 requesting Governing Body for continuance to allow additional time from them to review and gather information.

Mr. Platt explained the continuance.

A Motion was made by Committeeman Flamini and seconded by Committeeman Tomasello to continue the hearing on this matter until December 15, 2009. The motion carried.

RESOLUTIONS:

R-2009-373 Resolution Authorizing Reimbursement of Excess Real Estate Tax and/or Utility Charges Paid

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-374 Resolution Authorizing Final Change Order No. 2 (FINAL) - PM Construction Corp. Eden Hollow Sanitary Sewer Replacement

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-375 Resolution Authorizing the Public Sale of Surplus Vehicles and Equipment

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-376 Resolution Ratifying and Authorizing Execution of Termination of Declaration of Covenants and Restrictions for Drainage Sales and Structures – Tansboro Estates Development (Block 1603, Lot 25.01)

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-377 Resolution Authorizing Receipt of Bids for Two (2) Two Wheel Drive One Ton Trucks with Utility Body and One (1) Four-Wheel Drive Utility Body

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-378 Resolution Authorizing 2009 Junkyard License Renewal (Chuckies Auto Parts)

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-379 Resolution of Award of Contract, Spring Road Electrical Inspections and Grounding

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-380 A Resolution Providing For The Refund Of Monies For A Continued Certificate Of Occupancy Inspection On Block 12101, Lot 54

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-381 Resolution Reducing Performance Guarantee for Winslow Veterinary Hospital

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibison to approve the aforementioned Resolution. The motion carried.

R-2009-382 Resolution Providing For A Meeting Not Open To The Public In Accordance With The Provisions Of The New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12 - Litigation-Petition of 528 Williamstown Road, LLC for a Waiver from the Scarce Resource Restraint before COAH; Personnel Matter; Moorlands Farms v. Winslow Township Litigation; Conflict Labor Solicitor-

Personnel Matter and Elmtowne Flooding-Potential
Litigation

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to adopt the aforementioned Ordinance.

R-2009-383 Resolution Providing for the Insertion of a Special Item of Revenue in the 2009 Budget of the Township of Winslow Pursuant to NJSA 40A:4-87 Chapter 159, PL 1948, Being \$189,337.00 From the NJDOT Fiscal Year 2010 Municipal Aid Program for Fleming Pike-Phase II

A Motion was made by Committeewoman Lawrence and seconded by Committeewoman Gibson to approve the aforementioned Resolution. The motion carried.

TABLED ITEMS-UNFINISHED BUSINESS:

1. Resolution Authorizing Winslow Township to Release Hartford Fire Insurance Company in Connection with the Subdivision Completion Agreement for the Renaissance at Woodlands Development, Phase II and Phase III

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to **untable** the aforementioned Resolution. The motion carried.

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to approve the aforementioned Resolution.

Mr. Gallagher stated letters are going out to the homeowners with regard to the installation of trees. He recommended this resolution be tabled until more information is available.

A Motion was made by Committeewoman Lawrence and seconded by Committeeman Bates to **table** the aforementioned Resolution. The motion carried.

UNFINISHED BUSINESS:

1. Gary White verbal presentation – Elmtowne Flooding

Committeeman Tomasello stated he has witnessed the flooding problems in the area. He believes the problem needs rectifying. He then deferred to Mr. White.

Mr. White explained the flooding problems in each area of Elmtowne, Elmtowne East and Orchards of Elmtowne. He believes a short term resolution would be to create a berm to slow down the water flow. He also discussed possible long term solutions.

A discussion took place regarding the height, length and life span of the berm.

Mr. Platt stated he, along with Mr. Gallagher, will be meeting with the landowner with regard to the construction of the berm.

A further discussion took place.

Mayor Metzner would like an agreement reached between the Township and the residents.

R-2009-384 Resolution Authorizing the Township of Winslow to Enter Into an Agreement with Owners of Lands Adjoining the Elmtowne Development with Regard to the Elmtowne Development Flooding Problem, or in the Alternative, Take Necessary Legal Action

A Motion was made by Committeeman Tomasello and seconded by Committeeman Bates to approve the construction of the berm contingent upon the landowner's approval.

Mr. McGlinchey believes the berm can be constructed fairly quickly.

Mr. Platt believes the Township has legal rights to construct the berm in the event the owner is not in agreement.

A discussion took place regarding possible legal action.

Committeeman Tomasello amended his motion to authorize Mr. Platt to pursue legal action if needed. Committeeman Bates seconded.

Mr. Platt explained the legal steps he will take if necessary in order to construct the berm in the event the landowner does not agree on same. It will take approximately a one week to ten days to file a claim.

Mr. Gallagher added the residents seem to be in support of the idea of a berm.

The motion carried.

NEW BUSINESS:

1. Public Buildings and Grounds Application – Community Prevention Program on December 6, 2009 from 12:00 noon until 4:30 pm at the Senior Citizens Center
2. Public Buildings and Grounds Application – Knights of Columbus on December 12, 2009 from 9:00 am until 4:30 pm at the Senior Citizens Center
3. Public Buildings and Grounds Application – Girl Scouts on January 9, 2010 from 10:00 am until 4:00 pm at the Senior Citizens Center
4. Public Buildings and Grounds Application – Girl Scouts on April 14, 2010 from 6:30 pm until 10:00 pm at the Senior Citizens Center

A Motion was made by Committeeman Wilson and seconded by Committeeman Flamini to approve the aforementioned public buildings and grounds application nos. 1-4. The motion carried.

BUSINESS LICENSE APPLICATIONS:

None.

PUBLIC PARTICIPATION:

Marie Nicito, 27 Poplar – She thanked the Governing Body for all their efforts. She also stated there has been flooding at Michael Passarella’s property on three or four occasions, wherein they had to replace carpet and furniture. She said it is illegal to have water run onto personal property. She questioned if the berm will consist of sod, to which Mr. White explained the clay content to be used. Ms. Nicito also questioned if the dam will consume the discharge basin. Mr. White responded the State will redo the dam and elevate Route 30.

Mr. White explained a sluice gate which lowers the elevation of the lake and diverts water flow.

Ms. Nicito also requested a leaf pickup schedule be rearranged to collect leaves in Ward 1 first.

Thelma Tutt, 110 Williams Avenue, Lawnside – She spoke regarding the tax lien placed on the property on Ebbetts Avenue. She believes the Township was “wrong” in doing so.

Dan Molinowski, resident of East Elmtowne – He questioned the permanent flooding solution, to which Mayor Metzner responded will be the sluice gate. He questioned the location of the berm and the maintenance of same.

Hearing no further comments, Mayor Metzner closed public participation.

COMMENTS BY OFFICIALS:

Mayor Metzner stated she does not believe the Governing Body did anything wrong when placing the lien on the property on Ebbetts Drive. She believes the Township followed the law.

Mr. Platt added Mrs. Tutt made a voluntary payment towards the lien. She did not dispute nor appeal the lien charges.

Committeewoman Gibison stated the Township will fix the flooding problem in Elmtowne.

Committeeman Bates admits he thought Mrs. Tutt was right, but after talking to the Township Solicitor, he now believes the Township acted correctly with regard to the tax lien.

CLOSING PRAYER:

The Acting Deputy Clerk provided the closing prayer.

CLOSED EXECUTIVE SESSION:

The Governing Body held a closed session at 9:03 pm.

RETURN TO PUBLIC SESSION:

The Governing Body returned to public session at 10:18 pm.

R-2009-385 Resolution Authorizing Township Solicitor to File Opposition to Motion for Waiver From Scarce Resource Restraint with the Council on Affordable Housing by Petition 528 Williamstown Road, LLC

A Motion was made by Committeeman Flamini and seconded by Committeeman Tomasello to approve the aforementioned Resolution. The motion carried.

Mayor Metzner requested a motion to authorize Mr. Gallagher to take disciplinary action against Department Heads who have been requested by the Governing Body to attend a Township meeting and fail to do so.

A Motion was made by Committeeman Tomasello and seconded by Committeewoman Lawrence to authorize the aforementioned action.

It was agreed upon that vacation leave is an excused absence.

A discussion took place.

The motion carried.

ADJOURNMENT:

A Motion was made by Committeeman Tomasello and seconded by Committeewoman Lawrence to adjourn the meeting at 10:21 pm. The motion carried.

PREPARED BY:

Gail M. Gallo, RMC
Acting Deputy Clerk
Township of Winslow

CONCURRENCE BY:

Deborah A. Puchakjian, RMC
Municipal Clerk
Township of Winslow

GMG/1ld

Total Meeting Time 2 Hours and 49 Minutes