

**VOORHEES TOWNSHIP COMMITTEE
MINUTES FROM THE MEETING OF NOVEMBER 12, 2012**

FLAG SALUTE

PRESENT: Mayor Mignogna, Mr. DiNatale, Mr. Friedman, Mr. Lovallo, Mr. Platt, Mr. Spellman, Township Administrator; Mr. Long, Township Solicitor; Mr. Bibbs, Township Engineer; Mr. Ciminera, Chief Financial Officer

SUNSHINE STATEMENT

The Solicitor stated for the record that this meeting is being held in compliance with the requirements of the "Open Public Meetings Act" and has been duly noticed and published as required by law.

FIRST READING ON ORDINANCE

AN ORDINANCE ESTABLISHING GUIDELINES FOR CONTROL OF CASH RECEIPTS

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. FRIEDMAN
AYES: ALL
NAYS: NONE

FIRST READING ON ORDINANCE

REFUNDING BOND ORDINANCE

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

PUBLIC PORTION FOR RESOLUTIONS ONLY - No One Spoke

MOTION TO CLOSE
THE PUBLIC PORTION: MR. PLATT
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

RESOLUTION NO. 206-12 RESCINDING RESOLUTION 205-12

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. FRIEDMAN
AYES: ALL
NAYS: NONE

RESOLUTION NO. 207-12 AUTHORIZING SUBMISSION OF A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROADWAY IMPROVEMENTS TO VICTOR BOULEVARD – PHASE III FROM BRIARWOOD DRIVE TO HADDONFIELD-BERLIN ROAD (COUNTY ROUTE 561).

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 208-12 APPOINTMENT OF JOSEPH PANE, TIFFANY REID
AND BRETT WATERS TO THE VOORHEES
TOWNSHIP CULTURAL & DIVERSITY COMMITTEE

MOTION TO APPROVE: MR. DiNATALE
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 209-12 INSERTION OF AN ITEM OF REVENUE
\$7,340.49, from NJ Dept. of Transportation Highway Safety Fund;

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 210-12 APPROVAL OF A TRAFFIC SIGNAL AGREEMENT
FOR ROUTE 73 & DUCTHTOWN ROAD

MOTION TO APPROVE: MR. DiNATALE
SECONDED: MR. LOVALLO
AYES: ALL
NAYS: NONE

RESOLUTION NO. 211-12 EMERGENCY MANAGEMENT COORDINATOR

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 212-12 RELEASE OF A MAINTENANCE GUARANTY FOR
TERRE VERDE ESTATES, BLK 213.04; LOTS 164 &
178

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 213-12 TAX COLLECTOR – RECORDS ADJUSTMENTS

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

RESOLUTION NO. 214-12 ACCEPTING RETIREMENTS

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

RESOLUTION NO. 215-15 APPOINTING ARTHUR F. JONES AS MECHANIC

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 216-12 APPOINTING LOUIS BORDI AS POLICE CHIEF

MOTION TO APPROVE: MR. DiNATALE
SECONDED: MR. LOVALLO
AYES: ALL
NAYS: NONE

RESOLUTION NO. 217-12 AUTHORIZING AWARD OF CONTRACT BY AND BETWEEN VOORHEES TOWNSHIP AND CAMDEN COUNTY ENERGY RECOVERY ASSOCIATES, LP FOR SOLID WASTE DISPOSAL

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 218-12 BUDGET TRANSFERS

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

RESOLUTION NO. 219-12 INSERTION OF AN ITEM OF REVENUE
\$4,440.46, from the NJ Body Armor Replacement Fund Program

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 220-12 BOND REDUCTION #2 FOR LAPID VENTURES, BLOCK 227.01; LOT 54

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

RESOLUTION NO. 221-12 ACCEPTENANCE OF MAINTENANCE BONDS FOR VIRTUA SEWER IMPROVEMENTS

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 222-12 TAX ASSESSOR – Senior/Vet Deductions

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

RESOLUTION NO. 223-12 AUTHORIZING A LOCAL FINANCE BOARD
RESOLUTION

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. DiNATALE
AYES: ALL
NAYS: NONE

MINUTES FROM OCTOBER 9, 2012

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

BILLS POSTED FOR OCTOBER 22, 2012

MOTION TO APPROVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: 4
NAYS: 1 MR. FRIEDMAN

BILLS POSTED FOR NOVEMBER 12, 2012
TREASURER'S REPORTS – AUGUST, SEPTEMBER & OCTOBER OF 2012
COURT REPORT SEPTEMBER 2012 & OCTOBER 2012

MOTION TO APPROVE
ALL OF THE ABOVE: MR. LOVALLO
SECONDED: MR. PLATT
AYES: ALL
NAYS: NONE

COMMENTS FROM COMMITTEE

Mayor Mignogna wished a happy veterans' day to Jeanette Schelberg, Municipal Clerk and Wendell Bibbs, Township Engineer, as well as to all veterans residing in the Township.

Mr. Friedman congratulated Mr. DiNatale and Ms. Ayes on their victory in the recent election.

Mr. Friedman then opened a discussion regarding a lawsuit he learned the Township had filed against a resident and explained the following:

In February 2012, an OPRA request was filed by a resident for certain police records.

He stated that Committee received no notice of this request but later he learned that conflict counsel was hired as a result. Again, he stated that Committee was not notified of the hiring of conflict counsel.

Mr. Friedman asked why Committee did not receive the OPRA request nor were they notified of the appointment of a conflict counsel.

Mr. Long, Township Solicitor, stated that since the request was in regard to a member of Committee, it created a conflict for his firm to review and rule on the validity of the request. Thus conflict counsel needed to be hired.

RFPs were advertised and reviewed and a person appointed. He noted that Mr. Friedman had voted for that appointment.

Mr. Friedman stated that he felt the OPRA request should have been submitted to Committee, and that they should have been notified of appointment of the conflict counsel.

Mr. Friedman also stated that the OPRA request was denied without any discussion by Committee as to whether the information should have been released. Since the request was not fulfilled, the resident filed a lawsuit against the Township and again Mr. Friedman said he was not made aware of this.

Following the filing of the lawsuit by the resident, a counter claim was filed against the requestor by the Township, citing among other things harassment, fraud, and extortion.

Mr. Friedman asked who authorized the answer to the OPRA and the counter claim.

Mayor Mignogna stated that would be a decision at the discretion of the attorney appointed to handle the case.

Mr. Friedman stated that if he were to do such a thing to one of his clients, he would be fired immediately and does not agree with the Mayor's assertion that it should be left solely to the attorney handling the case.

Once the lawsuit was filed, it reflected on the entire Committee. Eventually, the lawsuit was withdrawn, and the Township withdrew the counter claim, but not before the Township incurred costs towards it.

Mr. Spellman stated that when the request came in, it was forwarded to the police since it was requesting police records. It was then reviewed by the police and the county prosecutor as to whether it was a valid request.

The township receives dozens of OPRA requests each week. (State Statute specifically assigns the responsibility of determining whether a request is valid and for fulfilling the request to the Municipal Clerk. In Voorhees, the Municipal Clerk has designated the Police Chief as the person responsible for fulfilling requests regarding police records.) In matters where a legal opinion is required, it would be forwarded to the municipal attorney. Because of the conflict with the municipal attorney, the conflict attorney was assigned to review and make a determination of the validity of the request. Three conflict attorneys were appointed, but the other two already were engaged so Mr. Altamurro was chosen.

Mr. Friedman stated that regardless of why Mr. Altamurro was chosen, he should have obtained the approval of Committee before filing that lawsuit. He also stated that he would like Committee to review all the bills from Mr. Altamurro to determine that things were done properly.

Mr. Friedman stated that he would be proposing an ordinance that would require the approval of Committee before hiring outside counsel; another one that will require a status report be submitted every month regarding lawsuits; and also an ordinance requiring notification to Committee of any lawsuit that is filed by or against the Township and requiring approval of Committee before the filing of any pleadings.

COMMENTS FROM THE PUBLIC

MR. CRAIG PETTIMONE
VOORHEES

Thanked the Township for the good work doing storm removal/cleanup as a result of Hurricane Sandy.

There being no further comments from the public,

MOTION TO CLOSE
THE PUBLIC PORTION: MR. PLATT
SECONDED: MR. LOVALLO
AYES: ALL
NAYS: NONE

ADJOURNMENT