

DECEMBER 22, 2008

On the above date, the Township Committee of the Township of Mantua held its monthly Regular Meeting in the Mantua Township Municipal Building, 401 Main Street, Mantua, NJ 08051.

Mayor Timothy W. Chell called the meeting to order. The time was 7:30 p.m. Mayor Chell asked for everyone to rise for the flag salute and remain standing for a moment of silence.

Mayor Chell then read aloud the Statement of the Presiding Officer: "As required by the New Jersey Open Public Meeting Act, adequate notice of this meeting has been provided by adopting a schedule of regular meetings for the year 2008. The schedule was posted on the bulletin board of the Municipal Building and mailed to the Gloucester County Times and Courier-Post newspapers on January 2, 2008."

Mayor Chell called on Township Clerk Shawn Menzies to perform a roll call of present officials. Present were Committeeman Robert Zimmerman, Committeewoman Sharon Lawrence, Deputy Mayor Peter Scirrotto, Mayor Chell, Maria Detitto, Esquire, Township Solicitor, Michael Datz, Township Administrator and Shawn G. Menzies, Township Clerk. Committeewoman Lorraine Beckett entered the meeting at 7:35 p.m.

Committeewoman Sharon Lawrence made a motion to approve the Committee's meeting minutes of December 8, 2008, seconded by Committeeman Robert Zimmerman. All were in favor.

Committeewoman Sharon Lawrence made a motion to approve the Closed Session Meeting minutes of December 8, 2008, seconded Committeeman Robert Zimmerman. All were in favor.

Committeewoman Sharon Lawrence made a motion to open the meeting to the public, seconded by Committeeman Robert Zimmerman. All were in favor.

Jim Slempp, 536 Mount Royal Road, first wished everyone a Merry Christmas. Asked as a resident that over 2/3 of towns will not meet the Council on Affordable Housing new rules deadline by the January 1, 2009 due date and he believes it will tie the hands of towns. He added it seems the cost of a project to build affordable housing is not taken in to consideration by COAH meaning that the cost to build affordable units could fall back on the tax payers if the sales of the units or the rentals do not self sustain the project. Mr. Slempp said the idea of having 80 families off of Route 55, over 3,000 feet back with no water or sewer and be told the developer has to figure it out it will end of being bonded by the tax payers.

Mr. Slempp than asked if the affordable units built in Royal Oaks recently are self supported as he sees there are payments made for this project by the Township of Mantua

and do the rents cover everything in the bill list or is the money come from a fund or will the tax payer in the end foot the bill.

Mr. Slemph asked about the recent \$2.1 million bond adopted by the Township Committee and how it pertains to affordable housing and a potential developer.

Mayor Chell responded saying that from a point of view affordable housing will cost tax payers money, either locally or from a federal standpoint, adding the Township of Mantua has not and did not put any money towards the affordable units in the Royal Oaks development project. Mayor Chell said the developers had federal tax credits and does not believe all affordable housing will be self sustaining and as he previously said funds do come from tax payers be it Mantua, the State or federally in the form of tax credits.

Mr. Slemph asked about the administration of the properties or oversight of the rentals. Mayor Chell said a management firm is on sight, but the Township of Mantua does not pay them. The Township of Mantua, under State Law, has hired what is called an Administrative Agent, to oversee the rental and resale of affordable units, to which the service is paid from the Township of Mantua's Housing Trust.

Mr. Slemph asked if there was a separate account for the Housing Element, to which Mayor Chell said Mr. Slemph would have to check with the Township of Mantua's Finance Office.

Mr. Slemph asked if the two sites which could have some affordable housing- the Haussman site and the Ledden/Inversand site, are the only sites in town which have been investigated for affordable housing as it seems it is not cost effective to put in sewer and water in those two areas. Mayor Chell said the Township of Mantua has an obligation under the law to provide a certain number of affordable housing and the Township of Mantua has to be in compliance so it does not open itself up to a builder's remedy lawsuit, to which if a developer won they would be able to build anywhere they want without the Township of Mantua's say and that could jeopardize land eyed for preservation.

Mayor Chell said the Township Committee has to make a decision where the units would go and it is not an easy decision and they do not want to put all affordable units in one location to which the current plan spreads it out to two sites. Mayor Chell said a former site on Route 45 was taken off the table and the plan keeps evolving as COAH changes its rules and regulations

Mayor Chell said he feels COAH is a disaster, it is State regulation run amok, a bureaucratic nightmare, and there is some talk about getting rid of COAH completely. He added the current COAH plan has the Township of Mantua creating 6,000 new jobs – or 20 percent of the future job growth in the County, over several years to which he believes is not correct as there is actually no space left to build something that large which would provide those number of jobs, which COAH uses in its formula for the number of affordable houses to build. Mayor Chell said it is the recommendation by the Township of Mantua Affordable Housing professional to have the courts intervene.

Mr. Slemp said a site on the corner of Route 45 and Heritage Road was zoned for 400,000 office space to which likely added to the job totals.

Mr. Vince Christman, of Timbercrest, was inquiring in regards to the Ledden and Inversand Property. He recommended to the Committee that if the 40 plus acres by Route 55 could be bought by the County Freeholders in order to keep it as open space. Mayor Chell advised that no one is ever against keeping property as open space, and that if the owner of the property was interested in keeping it for open space the Township of Mantua and the County would not be against that suggestion. Mr. Chell also advised that at the last election in November, a ballot question was put out to the voters of Mantua to increase the tax for open space and it was turned down by not enough votes.

Mr. Chell also advised Mr. Christman that they are still working on keeping the Maple Ridge property as a preserved open space.

Bill Messinger, Campbells Express Trucking, wanted to advised the Committee that he opposes the thought of putting the affordable housing that would be backing up to his business. He was concerned that at one time the property was a wetland, and that there are approx, 160 employees that are employed there and that he felt that it would be a bad spot especially if there were children that were back there, in addition to the noise. He just wanted to go on record as being against that property being considered.

Mayor Chell thanked him for his concerns and advised that in order to meet those requirements of affordable housing that all space available had to be considered.

As no one else wished to speak, Committeewoman Sharon Lawrence made a motion to close the public portion, seconded by Committeeman Robert Zimmerman. All were in favor.

Committeewoman Sharon Lawrence made a motion to open for a public hearing Ordinance O-19-2008, seconded by Committeeman Robert Zimmerman. All were in favor.

As no one wished to speak on O-19-2008, Committee Sharon Lawrence made a motion to close the public portion, seconded by Committeeman Robert Zimmerman. All were in favor.

Deputy Mayor Scirrotto made a motion to adopt Ordinance O-19-2008, seconded by Committeewoman Beckett.

ORDINANCE O-19-2008
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA

RE: AN ORDINANCE ADOPTING REDEVELOPMENT PLAN AMENDMENT
FOR AFFORDABLE HOUSING PROJECT AT BLOCK 253.01, LOTS 38.01 & 39

All members voted in the affirmative to a roll call vote to adopt, 5-0.

Committeewoman Lawrence made a motion to open for a public hearing Ordinance O-20-2008, seconded by Deputy Mayor Scirrotto. All were in favor.

As no one wished to speak on O-20-2008, Committeewoman Lawrence made a motion to close the public portion, seconded by Committeeman Zimmerman. All were in favor.

Committeewoman Lawrence made a motion to approve Ordinance O-20-2008, seconded by Committeeman Zimmerman.

ORDINANCE O-20-2008
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA

RE: AN ORDINANCE ADOPTING REDEVELOPMENT PLAN
FOR MIXED-USE PROJECT AT BLOCK 242, LOTS 1.01, 2 AND 7

All members voted in the affirmative to a roll call vote to adopt, 5-0.

Committeewoman Lawrence made a motion to approve Resolution R-206-2008, seconded by Committeewoman Beckett.

RESOLUTION R-206-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA,
RE: A RESOLUTION ENDORSING THE TOWNSHIP'S AMENDED
HOUSING ELEMENT AND FAIR SHARE PLAN AND PETITIONING
THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING
FOR SUBSTANTIVE CERTIFICATION

All members voted in the affirmative to a roll call vote to approve, 5-0.

Deputy Mayor Scirrotto made a motion to approve Resolution R-207-2008, seconded by Committeeman Zimmerman.

RESOLUTION R-207-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE CANCELLATION OF
2008 TAXES WHICH ARE \$5.00 AND BELOW AND CANCELING
OVERPAYMENTS OF \$5.00 AND BELOW AND
TRANSFERRING ALL OVERPAYMENTS TO 2009

All members were in favor.

Committeeman Zimmerman made a motion to approve Resolution R-208-2008, seconded by Committeewoman Lawrence.

RESOLUTION R-208-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION CANCELING TAXES FOR A TOTAL DISABLED
VETERAN LOCATED AT BLOCK 146.09, LOT 3 FOR DECEMBER 2008,
FEBRUARY 2009 AND MAY 2009 IN THE TOTAL AMOUNT OF 4,001.70
AND REFUNDING DECEMBER 2008 IN THE AMOUNT OF \$679.71

All members were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-209-2008, seconded by Committeeman Zimmerman.

RESOLUTION R-209-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION CANCELING TAXES FOR A TOTAL DISABLED
VETERAN AT BLOCK 104, LOT 1 FOR FEBRUARY 2009 AND MAY
2009 IN THE TOTAL AMOUNT OF \$1,728.33 AND REFUNDING
\$293.58 FOR THE DECEMBER 2008 QUARTER

All members were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-210-2008, seconded by Deputy Mayor Scirrotto.

RESOLUTION -210- 2008
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION TO CANCEL UNEXPENDED
BALANCES OF CAPITAL IMPROVEMENT AUTHORIZATIONS

All members were in favor.

Deputy Mayor Scirrotto made a motion to approve Resolution R-211-2008, seconded by Committeewoman Lawrence.

RESOLUTION R-211-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION CANCELING RECEIVABLES AND
UNEXPENDED BALANCES IN THE GRANT FUND

All members were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-212-2008, seconded by Committeeman Zimmerman.

RESOLUTION R-212-2008
A RESOLUTION OF THE COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION REQUESTING THE COURT TO REVIEW
AND APPROVE THE TOWNSHIP'S DRAFT SPENDING PLAN

All members voted in the affirmative to a roll call vote, 5-0.

Committeewoman Beckett made a motion to approve Resolution R-213-2008, seconded by Committeewoman Lawrence.

RESOLUTION R-213-2008
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION ENDORSING THE TOWNSHIP'S AMENDED
HOUSING ELEMENT AND FAIR SHARE PLAN AND AUTHORIZING
THE TOWNSHIP'S PROFESSIONALS TO PURSUE A JUDGMENT OF
COMPLIANCE AND REPOSE PURSUANT TO SECTION 313 OF
THE NEW JERSEY FAIR HOUSING ACT

All members voted in the affirmative to a roll call vote, 5-0.

Deputy Mayor Scirrotto made a motion to approve Resolution R-214-2008, seconded by Committeewoman Lawrence.

RESOLUTION R-214-2008:
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION OF INTENT TO FUND SPENDING PLAN
SHORTFALL FOR AFFORDABLE HOUSING PROGRAMS
IN THE TOWNSHIP'S FAIR SHARE PLAN

All members voted in the affirmative to a roll call vote, 5-0.

Committeewoman Lawrence made a motion to approve Resolution R-215-2008, seconded by Committeeman Zimmerman.

RESOLUTION R-215-2008
A RESOLUTION OF THE COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION REQUESTING THE COURT TO REVIEW AND
APPROVE THE TOWNSHIP'S DRAFT DEVELOPMENT FEE ORDINANCE

All members voted in the affirmative to a roll call vote, 5-0.

Committeeman Zimmerman made a motion to approve Resolution R-216-2008, seconded by Committeewoman Lawrence.

RESOLUTION R-216-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING A CLOSED SESSION
MEETING TO DISCUSS PERSONNEL AS IT PERTAINS TO
THE POSITION OF THE DEPUTY TAX COLLECTOR

All were in favor.

Under Committee Reports:

Committeewoman Lawrence – Wished everyone a Happy Holiday Season and thanked the Personal and Business support of the new K-9 Dog that Mantua has received.

Committeewoman Becket – wished everyone a Happy Holiday Season.

Committeeman Zimmerman – Wished everyone a Happy Holiday Season and reminded residents that Public Works will be picking up Bulk Trash 12/29 – ½ and again on 1/5 – 1/9

Deputy Mayor Scirrotto - wished everyone a happy holiday season

Mayor Chell – Wished everyone a Happy Holiday season. He went onto thank Committeewoman Lawrence and Committeeman Zimmerman as well as the Planning/Zoning Board for all their hard work in regards to the affordable housing project. He realizes that it is a time consuming project.

Mike Datz – Township Administrator – Public Works employee Rick Sees asked that due to being out for a variety of reason asked if he would be able to roll over 3 weeks and 4 days of vacation time into the year 2009. Mayor Chell advised that this would be taken up at a closed meeting.

The Township Calendar was discussed that The Bank, which normally finances the entire project, has come to the Township to ask us to absorb some of the costs involved in getting the calendar completed. It was originally asked that we contribute \$6,000 and then was brought down to \$3,800. Mr. Datz then advised the Committee that he has done some research on doing the calendar in-house thus would alleviate the bank of any costs. This would mean that it would be solely a Township calendar with no advertising. Mayor Chell advised that the Township couldn't give a check to The Bank for a calendar.

Mr. Datz advised that he has already researched a printing agency, and that the information has already started to be compiled should we do the calendar ourselves.

Deputy Mayor Scirrotto made a motion to pay all duly authorized bills, seconded by Committeewoman Beckett. All were in favor.

Deputy Mayor Scirrotto made a motion to enter into Closed Session, seconded by Committeewoman Beckett. All were in favor. The time was 8:10 p.m.

At 8:30 p.m., Committeeman Zimmerman made a motion to reopen the meeting, seconded by Committeewoman Beckett. All were in favor.

Committeewoman Lawrence made a motion to approve a professional service for Ruggieri and Partners to not exceed \$5,000.00 for the project known as the Mantua Township Senior Center.

Deputy Mayor Scirrotto made a motion to adjourn the meeting, seconded by Committeewoman Beckett. All were in favor. The time was 8:32 p.m.