

October 27, 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 welcomed members of Cub Scout Pack Den 1 who presented the Colors and led in the Flag Salute. Mayor Chell said the Cub Scouts were present for their Citizenship Badge.

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 Committeewoman Lorraine Beckett, Deputy Mayor Peter Scirrotto, Mayor Chell, August Knestaut, Esquire, Township Solicitor, Michael Datz, Township Administrator and Shawn G. Menzies, Township Clerk.

Deputy Mayor Scirrotto made a motion to approve the meeting minutes of the Township Committee's September 22, 2008 Regular Meeting, seconded by Committeeman Zimmerman. All were in favor. Committeewoman Lawrence abstained.

Deputy Mayor Scirrotto made a motion to open the meeting to the public, seconded by Committeeman Zimmerman. All were in favor.

James Slemp, 536 Mount Royal Road, asked if there were any plans to rebuild the hockey rink in the Chestnut Branch Park and if there are enough funds in the Recreation Trust account to pay for it. Mayor Chell said the Township of Mantua is not planning on using the recreation trust for the project. Mr. Datz explained that there are no plans at this time but resurfacing would have to be done first before replacing the boards. He added they are drawing up a cost estimate but nothing has been designed or official. Mr. Slemp asked if the Township of Mantua would perform the resurfacing, to which Mr. Datz said no.

Mr. Slemp asked if the South Jersey Technology Park would figure into new Council on Affordable Housing rules and obligations pertaining to jobs created and housing to be built. Mayor Chell said he believes Rowan University is a state agency and they would not be part of future housing creation obligations. Mr. Slemp asked if schools and when they increase the size of a school would also fall into being exempt, to which Mayor Chell said he believes they also would be exempt.

Mr. Slempp asked if COAH obligations for housing would be increased if the zoning of a residential property for example changed to commercial. Mayor Chell explained COAH reviews a town's zoning map and performs its own calculations for its job estimates for housing figures and COAH reviews the zoning and makes an estimate on job creation.

Mr. Slempp said the town owes about 600 homes now and 2018 but those rules could change and he asked what is owed by the end of the year. Mayor Chell explained the town has to be protected from builders remedy suits and have certification from COAH and Mantua has certifications, and to keep the certification the Township of Mantua has to be in compliance with COAH rules and regulations. He further explained a plan has to be in place to meet the obligations for housing by 2018.

Mr. Slempp asked about prior obligations, to which Mayor Chell said there is a prior obligation from Round 2 COAH Cycle, to which the obligation was shortened.

Mr. Slempp then asked, on behalf of a resident of Cedar Grove who could not attend, if political signs not being allowed in the Cedar Grove development are part of an agreement between the resident and the landlord owner which also does not allow For Sale signs. Mayor Chell said there is a lot of case law about political signs and homeowner association banning them and the courts have ruled against the homeowner associations as matters of free and protected speech under the Constitution and homeowner association can not enforce a ban on political signs.

Mr. Slempp asked what happens if the resident signs an agreement with the homeowners association, to which Mayor Chell explained the Constitution trumps a homeowners association.

Mr. Slempp asked if there is a remediation plan in place that is paid for with public funds and is it or has it been ongoing for the former Struthers Dunn site off Lambs Road. Mayor Chell said the New Jersey Department of Environmental Protection has been studying the site for years and there will be remediation at the site when the study is complete, but they have not started remediation at the site.

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

Deputy Mayor Scirrotto made a motion to adopt by Title Only Ordinance O-16-2008, seconded by Committeewoman Lawrence.

ORDINANCE O-16-2008
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: AN ORDINANCE DETERMINING POSITIONS ELIGIBLE
FOR THE DEFINED CONTRIBUTION RETIREMENT PROGRAM

All members voted in the affirmative to adopt by Title Only, 5-0.

Committeewoman Lawrence made a motion to adopt by Title Only Ordinance O-17-2008, seconded by Committeewoman Beckett.

ORDINANCE O-17-2008

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA**

**RE: AN ORDINANCE ADOPTING A CODIFICATION AND REVISION
OF THE ORDINANCES OF THE TOWNSHIP OF MANTUA; PROVIDING
FOR THE MAINTENANCE OF SAID CODE; REPEALING AND
SAVING FROM REPEAL CERTAIN ORDINANCES NOT
INCLUDED THEREIN; ESTABLISHING A PENALTY FOR
ALTERING OR TAMPERING WITH THE CODE; AND MAKING
CERTAIN CHANGES IN PREVIOUSLY ADOPTED ORDINANCES**

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

Committeewoman Lawrence made a motion to approve Resolutions R-159-2008 through Resolution R-173-2008, seconded by Committeewoman Beckett.

RESOLUTION R-159-2008

**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 MANTUA TOWNSHIP POLICE DEPARTMENT
AND THE TOWNSHIP OF MANTUA**

RESOLUTION R-160-2008

**A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA**

**RE: A RESOLUTION AUTHORIZING AND APPROVING AN
INTERLOCAL SERVICES AGREEMENT BETWEEN THE
BOROUGH OF WENONAH AND THE TOWNSHIP OF MANTUA
FOR THE DISPOSAL OF LEAF COLLECTION DEBRIS**

RESOLUTION R-161-2008

**A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA**

**RE: A RESOLUTION REAFFIRMING THE APPOINTMENT OF ADAM
HASSELMAN AS A SPECIAL LAW ENFORCEMENT OFFICER II**

RESOLUTION R-162- 2008

**A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA**

**RE: A RESOLUTION REQUESTING THE APPROVAL OF
ITEMS OF REVENUE IN THE AMOUNT OF \$2,950.00
FOR A HAZARDOUS DISCHARGE SITE REMEDIATION
GRANT, (N.J.S.A. 40A:4-87) IN THE AMOUNT OF THE SAME**

RESOLUTION R-163-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING THE OVERPAYMENT
& REFUND OF TAXES FOR VARIOUS REAL
PROPERTIES IN THE TOWNSHIP OF MANTUA

RESOLUTION R-164-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING AN
INCREASE THE AMOUNT IN THE PETTY CASH FUND

RESOLUTION R-165-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING A JUNKYARD LICENSE RENEWAL
FOR NEW JERSEY AUTO & TRUCK, FORMERLY EASY PICKENS,
RETROACTIVE MARCH 1, 2008 AND TO END FEBRUARY 28, 2009

RESOLUTION R-166-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE
CANCELLATION OF OUTSTANDING CHECKS FOR
THE MANTUA TOWNSHIP MUNICIPAL COURT BAIL ACCOUNT

RESOLUTION R-167-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE
CANCELLATION OF OUTSTANDING CHECKS FOR
THE MANTUA TOWNSHIP MUNICIPAL COURT

RESOLUTION R-168-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE CANCELLATION
OF THE ASSESSMENT ON THE IMPROVEMENT LOCATED AT 488
LAMBS ROAD, BLOCK 253.01, LOT 32 IN THE AMOUNT OF
\$84,300.00 FOR THE 2009 FEBRUARY AND MAY TAX QUARTERS DUE
TO A FIRE AND ADJUSTING THE TAX ASSESSMENT TO \$543.84 FOR
FEBRUARY 2009 AND \$543.84 FOR MAY 2009 FOR LAND ASSESSMENT

RESOLUTION R-169-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING THE REDUCTION OF A PERFORMANCE
BOND IN THE AMOUNT OF \$1,925,085.00 FILED WITH THE TOWNSHIP
OF MANTUA BY METRO ACQUISITIONS GROUP FOR THE TARGET
PROJECT TO A NEW AMOUNT OF \$462,190.80 AND SHALL ACT AS THE
REQUIRED MAINTENANCE GUARANTEE FOR THIS PROJECT

RESOLUTION R-170-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING THE REDUCTION OF A PERFORMANCE
BOND IN THE AMOUNT OF \$3,998,282.76 FILED WITH THE TOWNSHIP
OF MANTUA BY METRO ACQUISITIONS GROUP FOR THE LOWES
PROJECT TO A NEW AMOUNT OF \$1,049,211.75 AND SHALL ACT AS THE
REQUIRED MAINTENANCE GUARANTEE FOR THIS PROJECT

RESOLUTION R-171-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AND AUTHORIZING A
MECHANICS LIEN IN THE AMOUNT OF \$45.84 ON REAL PROPERTY
LOCATED AT 189 DENVER AVENUE, BLOCK 12, LOT 3 OF THE OFFICIAL
TAX MAP OF THE TOWNSHIP OF MANTUA FOR MAINTENANCE
WORK PERFORMED BY THE TOWNSHIP OF MANTUA

RESOLUTION R-172-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AND AUTHORIZING A
MECHANICS LIEN IN THE AMOUNT OF \$45.84 ON REAL PROPERTY
LOCATED AT 870 MANTUA BOULEVARD, BLOCK 208, LOT 10 OF THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF MANTUA FOR
MAINTENANCE WORK PERFORMED BY THE TOWNSHIP OF MANTUA.

RESOLUTION R-173-2008
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING AN ESCROW
AGREEMENT FOR AFFORDABLE HOUSING DEVELOPMENT
FEES COLLECTED BY THE TOWNSHIP OF MANTUA

All members voted in the affirmative to a roll call vote, 5-0 to approve Resolutions R-159-2008 through R-173-2008.

Deputy Mayor Scirrotto made a motion to approve for a Raffle License filed by the Clearview Wenonah Junior Women's Club for an event to be held on November 14, 2008, seconded by Committeewoman Lawrence. All were in favor.

Under Committee reports, Committeewoman Lawrence wished everyone a Happy Thanksgiving and praised the Mantua Township Economic Development Commission and Planning Board on their work to on the Inversand/Ledden property and thinking for the long term for the Township of Mantua.

Committeewoman Beckett also thanked the Economic Development Commission and also announced the annual Veterans Day ceremony will be held on November 11, 2008 at 11:00 a.m. at the Mantua Township Veterans Memorial Plaza in front of the municipal building.

Committeeman Zimmerman reported that the public works department did a fine job on recent resurfacing program for New York Avenue, Boody's Mill Road and the parking lot at the wrestling building and Branch Road.

Deputy Mayor Scirrotto also wished everyone a Happy Thanksgiving and a safe Halloween.

Mayor Chell read aloud a letter from Paul Stankard, who is a well known glass artist and a resident. Mr. Stankard thanked the Township of Mantua for the good work resurfacing Norwood Avenue and also for preserving the Kammerer farm.

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

It was at this time did the Township Committee enter into Closed Session which was approved with the adoption of Resolution R-159-2008. Deputy Mayor Scirrotto made the motion to enter, seconded by Committeeman Zimmerman. All were in favor. The time was 7:50 p.m.

At 8:28 p.m. the Committee entered back into open session by a motion from Deputy Mayor Scirrotto, seconded by Committeewoman Lawrence. All were in favor.

The Township Committee approved a Family Medical Leave Act request for an employee in the Clerk's Office. The motion to approve was made by Committeewoman Lawrence, seconded by Committeewoman Beckett. All were in favor.

Regina DeWitt, chairwoman of the Mantua Township Recreation Commission, asked for approval for a fireworks display at a cost of \$2,600.00 for the Holiday Tree Lighting Ceremony to be held December 4, 2008 at 7:00 p.m. Mrs. DeWitt explained that in 2006 the Commission received donations for the event and in 2007 they were approved for the use of Recreation funding for the fireworks and are present to ask for approval.

Mayor Chell said he was not in support for the fireworks for the event.

Committeewoman Lawrence said with the economy going down it is hard to justify the use of funds for the fireworks.

Mr. Zimmerman asked if they event could be a success without fireworks.

Mayor Chell suggested taking a year off from fireworks at the event and check the reaction to it.

Deputy Mayor Scirrotto said he would rather see the \$2,600.00 go to food baskets for needy residents, but Mrs. DeWitt said the funds could not be used for food baskets.

The Committee agreed to not have fireworks at the Tree Lighting event this year and will review it at a later date for next year's event.

Mrs. DeWitt then asked how the Committee felt about changing the day of Community Day to the fall as this year saw 37 vendors not show up and not many people attended due to the heat. The event would be combined with Oktoberfest. The Committee agreed it could be a good idea.

It was at this time did Committeeman Zimmerman make a motion to adjourn the meeting, seconded by Committeewoman Lawrence. All were in favor. The time was 8:38 p.m.