

## **AUGUST 16, 2010**

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 2010. 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 5, 2010."

Mayor Chell announced that this Rescheduled Meeting Time was called pursuant to the provisions of the New Jersey Open Public Meeting Act, *N.J.S.A. 10:4-8*. Notice of this meeting was transmitted to the Gloucester County Times and the Courier-Post newspapers on Tuesday, August 10, 2010, at least 48-hours in advance as required by law. In addition, copies of the notice were posted on the bulletin board in the Mantua Township Municipal Building and filed in the office of the Township Clerk more than 48-hours in advance as required by law.

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 Scirrotto, Mayor Chell, Michael Datz, Township Administrator, Shawn G. Menzies, Township Clerk, and Marie DeTitto, Esquire, Solicitor. Also present were Police Chief Rodney Sawyer.

Committeewoman Lawrence made a motion to approve the August 2, 2010 Workshop Meeting minutes, seconded by Deputy Mayor Scirrotto. All were in favor.

Mayor Chell read aloud a proclamation honoring Madison Welsh, as New Jersey's Preteen National Teenager 2010.

Mayor Chell read aloud a proclamation designating September 2010 as Histiocytosis Awareness month in Mantua Township. Committeeman Zimmerman thanked Mr. Jeffrey M. Toughill, president of the Histiocytosis Association of America, for bringing this important cause to the attention of the Township of Mantua. Mr. Toughill thanked the Committee and said his daughter was affected by the disease when she was very young but is now 28 and in good health. He added this was the first time a town has ever designated a month to the awareness of this disease and he thanked the Committee.

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

Douglas Wagner, 39 Tatum Street, said he has an ongoing problem with a neighboring business, Mantua Street Salon, over plans agreed upon between the businesses over a project approved by the planning board. He distributed drawings and a picture of the site to the Township Committee. He also expressed his concern over bonding issues with the project. Mr. Wagner said the Smith Funeral Home and the salon agreed to a plan which was then approved by the planning board and he is still waiting for a copy of the resolution approving the plan. He said he is aggravated and that issues have been going on for six years now.

Mr. Wagner asked the Township Committee what happens when someone does not follow the approved development plans and bonding issues. He explained that he called the Clerk's Office twice today to have someone come out as he believed the work was not going as the plans required. Mr. Wagner also explained about ongoing parking problems as he has had family members with medical issues, to which he thanked Chief Sawyer for his efforts in correcting the parking problems.

Mayor Chell asked Mr. Wagner if his concerns are with the approved plan is not being followed, to which Mr. Wagner answered in the affirmative. Mr. Wagner stated there are issues with the curbing at the site. Mr. Wagner stated they wanted a gradual curb out to a 10 foot buffer to his property and place trees as a buffer but that is not what is occurring at the site.

Mr. Wagner explained that the area was marked out on Tatum Street as vehicles are parking on the roadway and are at risk of being struck by oncoming traffic due to vehicles traveling at high rates of speed. He also stated that the Mantua Boulevard and Main Street where it intersects with Tatum Street are dangerous as Dan Smith, of Smith Funeral Home was nearly struck at one of those intersections.

Mr. Wagner explained that it appears Main Street Salon owner Joseph Giumarello is negligent on what he proposed and what he is doing at the site as he wants more parking for his business.

Mayor Chell explained that the project approved by the planning board is what gets bonded and when the call comes in for the final inspection the Township Engineer will go to the site to inspect it against the approved plans. He further explained that the bond for the project is on the agenda for this evening and if and when the inspection of the site takes place and it does not conform to the plan the engineer will instruct that the curbing, for example, will need to be removed and done to the specification of the plan at the owners expense and if he puts trees in for the buffer and they do not conform to the plan they would, like the curb, have to be removed and replaced at the owners expense.

Mr. Wagner said he understands but he has made calls to the Township of Mantua for work not being done properly, to which it was framed out on Sunday and work began today, Monday, August 16, 2010. Mayor Chell said he is ahead of the curve in notifying the Township of Mantua on possible issues, but the inspectors do not get sent out to projects over and over and they are only sent when the owner wants the bond released

and that is when a final inspection will take place and the plan will be matched up to the work completed and if there are problems the engineer will generate a punch list and they will have to correct it. He added Mr. Wagner is saving the owner money as if the project gets too far along and there are problems it costs more to correct it.

Deputy Mayor Scirrotto asked if the curb line is out further than what the plan called for, to which Mr. Wagner said yes and the agreed buffer is not being done as set forth by the plans. Mr. Wagner said he did the work without the bonds, to which Mayor Chell said it does happen in land use cases in New Jersey and when it occurs it is done at his own risk and the plan approved must be followed.

James Slemph, 536 Mount Royal Road, asked if it is possible that the bill list could have notations on whether a certain bill is being paid is from tax dollars or another source such as an escrow account, to which Mayor Chell that is a good idea and if it is something the finance office can do then it should be done. Mr. Slemph said it would allow the Township of Mantua to be more transparent, to which Mayor Chell said he does not believe it to be a transparency issue, but rather it would be more accurate to show which bills are being paid by taxes out of the general fund as opposed to other sources.

Mr. Slemph asked if there is a line item in the budget for COAH legal fees or does that come out of the budget, to which Mayor Chell said some items were allowed to be paid out of the developer's fees and matters are not allowed and those come from the budget's legal services.

Mr. Slemph then asked if it is possible to get the fire district's meeting calendar updated and posted as the one now in the building ended in March 2010, to which Mayor Chell said the Township Clerk will get one but they might not be required as they have offices but we can get one and post it.

Mr. Slemph asked if the youth allocation funds are totally gone, to which Mayor Chell said yes they are not in the budget. Mr. Slemph asked if funds from the open space fund are being used for park maintenance, to which Mayor Chell said yes.

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

Committeeman Zimmerman made a motion to adopt by Title Only Ordinance O-14-2010, seconded by Committeewoman Lawrence.

**ORDINANCE O-14-2010**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: AN ORDINANCE AMENDING CHAPTER 82, "SALARIES"**  
**OF THE CODE OF THE TOWNSHIP OF MANTUA**

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

Committeewoman Lawrence made a motion to adopt by Title Only Ordinance O-15-2010, seconded by Committeewoman Beckett.

**ORDINANCE O-15-2010**  
**AN ORDINANCE OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: AN ORDINANCE AMENDING CHAPTER 62 OF THE CODE**  
**OF THE TOWNSHIP OF MANTUA, "BUILDING CONSTRUCTION"**

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 resolution R-145-2010, seconded by Deputy Mayor Scirrotto.

**RESOLUTION R-145-2010**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA,**  
**RE: A RESOLUTION AUTHORIZING THE EXTENSION OF**  
**THIRD QUARTER TAXES TO SEPTEMBER 24, 2010 WITH**  
**NO FURTHER EXTENSION**

All members were in favor.

Committeeman Zimmerman made a motion to approve Resolution R-146-2010, seconded by Committeeman Beckett.

**RESOLUTION R-146-2010**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: A RESOLUTION AUTHORIZING THE TOWNSHIP TO ENTER**  
**INTO AN AGREEMENT WITH TRAVELERS INSURANCE**  
**COMPANY REGARDING THE DEFAULT OF THE DEVELOPER**  
**HEADLEY HOMES AT CHAPEL RIDGE**

All were in favor.

Committeewoman Beckett made a motion to approve Resolution R-147-2010, seconded by Committeewoman Lawrence.

**RESOLUTION R-147-2010**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: A RESOLUTION AUTHORIZING AN APPLICATION BE MADE FOR**  
**FUNDING THE MANTUA HARRISON MUNICIPAL ALLIANCE FOR THE**  
**TERM YEAR 2011 IN THE TOTAL BUDGET AMOUNT OF \$17,977.00**

All were in favor.

Committeewoman Beckett made a motion to approve Resolution R-148-2010, seconded by Committeewoman Lawrence.

**RESOLUTION R-148-2010**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: A RESOLUTION REFUNDING \$900.00 FOR A TAX PREMIUM**  
**FOR 612 LESTERSHIRE DRIVE TO US BANK**

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-149-2010, seconded by Committeeman Zimmerman.

**RESOLUTION 149-2010**  
**A RESOLUTION OF THE TOWNSHIP COMMITTEE**  
**OF THE TOWNSHIP OF MANTUA**  
**RE: A RESOLUTION AUTHORIZING THE ACCEPTANCE**  
**OF PERFORMANCE BOND ISSUED IN THE AMOUNT OF \$21,792.00**  
**FOR THE PROJECT KNOWN AS JOSEPH & KATHLEEN GIUMARELLO**

All were in favor.

Committeewoman Lawrence made a motion to approve a one day social affair license, seconded by Committeeman Zimmerman.

**AN APPLICATION FOR A ONE DAY SOCIAL AFFAIR PERMIT**  
**FILED BY THE INCARNATION KNIGHTS OF COLUMBUS**  
**COUNCIL NO. 6364 FOR AN EVENT TO BE HELD ON**  
**OCTOBER 16, 2010 AT THE INCARNATION CHURCH HALL**

All were in favor.

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

Deputy Mayor Scirrotto made a motion to adjourn the meeting, seconded by Committeeman Zimmerman. All were in favor. The time was 5:26 p.m.