

JULY 19, 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 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, Gayle Tschopp, Chief Financial Officer, and Michael Welding, CPA, of Bowman, the Township Auditor.

Committeeman Zimmerman made a motion to approve the meeting minutes of the Township Committee's June 21, 2010 Regular Meeting, seconded by Deputy Mayor Scirrotto. All were in favor. Committeewoman Lawrence abstained.

Mayor Chell read aloud and presented a proclamation to Cassandra Lenkowski on her Group III State Champions for the 400 meter hurdles event.

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

Sara Marcheck, of Berkley Drive, asked the status of a problematic ditch near her property as she complained about it back in April. Mayor Chell said he will have Mike Datz, Township Administrator, perform a follow up and report to her on this matter.

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

Committeewoman Lawrence made a motion to open for a public hearing Ordinance O-11-2010, seconded by Committeeman Zimmerman. All were in favor.

As no one wished to speak on Ordinance O-11-2010, Committeewoman Lawrence made a motion to close the public hearing, seconded by Deputy Mayor Scirrotto. All were in favor.

Committeewoman Lawrence made a motion to adopt Ordinance O-11-2010, seconded by Committeeman Zimmerman.

ORDINANCE O-11-2010
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: AN ORDINANCE ESTABLISHING THE MANTUA
TOWNSHIP ANIMAL CONTROL ORDINANCE OF 2010

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

Deputy Mayor Scirrotto made a motion to open for a public hearing Ordinance O-12-2010, seconded by Committeeman Zimmerman. All were in favor.

As no one wished to speak on Ordinance O-12-2010, Committeewoman Lawrence made a motion to close the public hearing, seconded by Committeeman Zimmerman. All were in favor.

Deputy Mayor Scirrotto made a motion to adopt Ordinance O-12-2010, seconded by Committeewoman Lawrence.

ORDINANCE O-12-2010
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: AN ORDINANCE RESCINDING
CHAPTER 26, CODE OF ETHICS

All members voted in the affirmative to a roll call vote to adopt, 5-0. Mayor Chell announced the Township of Mantua was removing this chapter as the state now has a comprehensive Code of Ethics for all municipalities to follow.

Committee made a motion to open for a public hearing Ordinance O-13-2010, seconded by Committeeman Zimmerman. All were in favor.

As no one wished to speak on Ordinance O-13-2010, Committeewoman Lawrence made a motion to close the public hearing, seconded by Committeeman Zimmerman. All were in favor.

Deputy Mayor Scirrotto made a motion to adopt Ordinance O-13-2010, seconded by Committeewoman Lawrence.

ORDINANCE O-13-2010
AN ORDINANCE OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA

RE: AN ORDINANCE RESCINDING AND REPEALING
ORDINANCE 07-2005, FARMLAND PRESERVATION INCENTIVE PROGRAM

All members voted in the affirmative to a roll call vote to adopt, 5-0. Mayor Chell explained while the Township of Mantua believes this program was a benefit in preserving land, the State has found it to be unconstitutional and demanded all towns to repeal the legislation.

Committeewoman Lawrence made a motion to approve Resolution R-125-2010, seconded by Deputy Mayor Scirrotto.

RESOLUTION R-125-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA,
RE: A RESOLUTION TO READ THE 2010
MUNICIPAL BUDGET BY TITLE ONLY

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

Committeewoman Lawrence made a motion to open to a public hearing the 2010 Municipal Budget, seconded by Deputy Mayor Scirrotto. All were in favor. Prior to the public hearing on the municipal budget, Mayor Chell reported it comes with a zero local tax increase, eight layoffs, there was no increases for non-contractual employees, and there was give backs by the police union.

Debbie Sutton, 108 Weatherby Road, asked that on sheet four of the budget in General Revenues, that in realized cash there is listed a \$500,000.00 decrease in 2010 and what will the money be used for? Mayor Chell asked if she was asking about the surplus anticipated line item, to which she indicated she was. Mr. Welding explained that in 2009, the surplus is retained earnings leftover from the prior year, and each year you want to anticipate. At the end of 2008, \$2.5 million was anticipated in the municipal budget. At the end of 2009 funds were leftover, \$2,228,000.00 available in surplus and funds from this figure were used to balance the budget, which the \$500,000.00 remain.

Mrs. Sutton said the sheet, number 4, shows that \$500,000.00 remains and is realized in cash in 2009, to which Mr. Welding explained it was spent in 2009 as it was budgeted and not realized as it was funds remaining from 2008. In 2010, \$2 million is budgeted with \$2.228 million leftover from 2009 from extra revenue brought in. Mrs. Sutton asked why was something remaining reflected, to which Mr. Welding explained something has to be used as working capital. And while making the estimates, it is an estimate based on un-audited financial statements.

Mrs. Sutton asked about, on sheet seven, where it lists in 2009 \$75,700, and anticipated in 2010 is \$79,000 and how can you anticipate \$105,000.00 and how is that number

determined? Mayor Chell explained insurance has gone up and the fire district is covered under the Township of Mantua and the fire district pays the Township of Mantua as it would be too costly for the district to go out on its own for insurance coverage and this practice saves tax payers money. Mr. Welding further explained this is part of an Interlocal Agreement between the Township of Mantua and the fire district. Mrs. Sutton said she feels this is deceptive. Mayor Chell explained that the budgets and how they are prepared are at the rules and regulations set by the State and not locally.

Mrs. Sutton asked about sheet 9A, revenues, where she asked why there is listed a \$300,000.00 loss. Mr. Datz replied it is due to a loss in state municipal aid and federal grants. Mr. Welding explained further that it also lists grants received in a given year but are no longer being received in either the prior or current year.

Mrs. Sutton said the Township needs to learn to trim its budget as the State is broke and there will not be any more grants. Mayor Chell said if her question is that there will be no more state aid that is right. Mrs. Sutton said more needs to be done. Mayor Chell said they have laid-off 8 people and asked if she wants more layoffs, to which she answered yes. Deputy Mayor Scirrotto asked if she would want to layoff police, to which she said no but she would for parks and recreation and park staff. Deputy Mayor Scirrotto said the grass needs to be cut. Mrs. Sutton suggested volunteers. To which Deputy Mayor Scirrotto said she can sign up. Committeewoman Beckett said during these tough economic times the only thing left for some people to do to have fun is the park.

Mrs. Sutton asked why in 2009 on page 12 there is no listing for election expenses, but in 2010 it is \$8,000.00? Mrs. Tschopp explained it was in the General Administration and now it was listed in the Clerk's line item. Mrs. Sutton asked why comparing 2009 and 2010 why is the money going up for tax collector after the retirement of the tax collector? Mayor Chell said a tax collector was hired to replace her. Mrs. Sutton asked why? Mayor Chell said it was State law.

Mrs. Sutton asked about legal services on page 13, which in 2009 is listed \$10,000.00 and now it is zero for 2010. Mayor Chell explained in 2009 the \$10,000.00 was paid to the solicitor, but now the town is being billed hourly. She also asked about the \$100,000.00, to which Mayor Chell explained that was for Council on Affordable Housing attorney and general legal services, adding it is the hope that under the new governor the Township of Mantua's COAH issues will drastically be different and the town will not have to fight in court over the rules issues by COAH. Mrs. Sutton added insurance premiums have also increased a lot.

Mrs. Sutton asked if the \$150,000 difference in public works was from the two employees laid off, to which Mayor Chell explained the salaries are included in that figure but so are other cuts made in that line item for public works as the two employees laid off did not have salaries equaling \$150,000.00.

Mrs. Sutton asked why on sheet 13 there was \$20,000.00 is cuts out of parks and recreation, to which Mayor Chell that is the aid to youth as the Township of Mantua

would contribute \$5.00 per Mantua child involved in youth activities to that activity such as soccer or baseball, but the program has been cut entirely.

Mrs. Sutton asked about the \$153,000.00 in tipping fees, which is \$50,000.00 less than in 2009, to which Deputy Mayor Scirrotto said tipping fees are going down.

Mrs. Sutton asked on sheet 16 if the fees and expenses are to be a wash, but are not. Mayor Chell explained this is the construction office where at one time the Township of Mantua would make money off of inspections and permits, but not anymore and it is why the Township of Mantua has gone to a third party to handle inspections to save money.

Mrs. Sutton asked on sheet 19 for other appropriations, going from \$116,000 to \$183,000 and if the employees were reduced shouldn't the number of social security and Medicare and Medicaid be reduced. Mayor Chell explained that number should go down and that under the employee policy notice employees are given 45 days until they are laid off so some employees are still on the books as of today and that number will not be lower until next year's budget.

Mrs. Sutton said police and fire has gone up \$70,000.00, to which Mr. Mr. Welding explained that is the Police and Fire Public Retirement System which increased this year. Mayor Chell said this is one of the problems we face as the State continues to ask for more and gives less and we have to contribute more to retirements. Mrs. Sutton said she believes the town should get out of the state and pay its own bills and this is why people change their governments.

Mrs. Sutton, on sheet 26, asked about acquisitions for sanitation, landfill cap and why is this here. Mayor Chell said the capital fund was cut in half and that fund is used to for the down payment of services and equipment if a street is getting repaired for instance. She asked for what items would be purchased? Mayor Chell said trash containers could be one of the items as when a homeowner's break it has to be replaced. Mr. Welding further explained the four numbers in that line item are specific to the item, such as what is allocated in the budget for trash container replacement as it must be anticipated in a given year not just one will break and need to be replaced but many so funds need to be available for replacements, for example. If funds are not used it goes into the reserve fund to build surplus for next year, he explained.

Mrs. Sutton stated she is missing pages 38 and 39. As a footnote, those pages are not included in the budget as the Township of Mantua does not maintain its own authority and the Mantua Municipal Utilities Authority is separate to the Township of Mantua.

Under sheet 40C, Mrs. Sutton asked about demolition is listed at \$450,000.00 for the Struthers and Dunn vacant building. She added that why should tax payers pay for it when the company is located in South Carolina as per her Google search. Mayor Chell said those funds will only be used as a down payment if a federal grant is awarded to demolish the structure and it must be in the budget for this to occur if it does. Mrs. Sutton said grants are still funded by tax payers. Committeewoman Lawrence said the company

is no longer operating but that another company bought the name and have nothing to do with the site. She added a tax search by the court has proven this as well. Mrs. Sutton said the foreclosure of the property and it be obtained by the Township of Mantua is a bad move. Committeewoman Lawrence said it was a good move as it is now a Brownfield site and able to receive federal cleanup funds and get it back on the tax rolls.

Bob Hudgins, 52 Maryland Avenue, asked about the Township of Mantua receiving funds from the Municipal Utilities Authority, to which Mayor Chell said under a state law that was adopted the municipality can collect 5 percent of the MUA's operating budget of any surplus from the MUA. Mr. Hudgins said not everyone uses the MUA so the MUA should not subsidize the town, to which Mayor Chell said the law is there and the township is going take advantage of it.

Mr. Hudgins asked if the Length of Service Award Program, or LOSAP, is still in use, to which Mayor Chell said yes for the volunteer members of the fire department only, as EMS is now with the County of Gloucester and until there are no more volunteers in the fire district the LOSAP will continue.

Mr. Hudgins asked about the recycling tax, to which Mr. Welding explained that all towns must pay on amount of tonnage of recyclable material.

As no one else wished to speak on the 2010 Municipal Budget, Committeeman Zimmerman made a motion to close the public hearing, seconded by Committeewoman Beckett. All were in favor.

Committeewoman Lawrence made a motion to adopt Resolution R-126-2010, seconded by Committeewoman Beckett.

RESOLUTION R-126-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: THE ADOPTION OF THE 2010 MUNICIPAL BUDGET

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

Committeewoman Lawrence made a motion to approve Resolution R-127-2010, seconded by Committeewoman Beckett.

RESOLUTION R-127-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AND AUTHORIZING A LIEN ON
REAL PROPERTY LOCATED AT 45 MEADOW COURT, BLOCK 198.01,
LOT 38 OF THE OFFICIAL TAX MAP OF THE TOWNSHIP OF
MANTUA FOR MAINTENANCE WORK PERFORMED BY THE
DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$140.08

All members were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-128-2010, seconded by Committeeman Zimmerman.

RESOLUTION R-128-2010
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AND AUTHORIZING A LIEN ON
REAL PROPERTY LOCATED AT 649 SANTA FE DRIVE, BLOCK 15,
LOT 1 OF THE OFFICIAL TAX MAP OF THE TOWNSHIP OF
MANTUA FOR MAINTENANCE WORK PERFORMED BY THE
DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$120.09

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-129-2010, seconded by Committeeman Zimmerman.

RESOLUTION R-129-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION MEMORIALIZING THE RESOLUTION AUTHORIZING
FOR THE REORGANIZATION OF THE CONSTRUCTION OFFICE

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-130-2010, seconded by Committeewoman Beckett.

RESOLUTION R-130-2010
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION MEMORIALIZING THE RESOLUTION
AUTHORIZING THE RESTRUCTURING OF THE CONSTRUCTION OFFICE

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-131-2010, seconded by Committeeman Zimmerman.

RESOLUTION R-131-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AND AUTHORIZING A LIEN ON
REAL PROPERTY LOCATED AT 290 MONTGOMERY DRIVE, BLOCK
27, LOT 31 OF THE OFFICIAL TAX MAP OF THE TOWNSHIP OF
MANTUA FOR MAINTENANCE WORK PERFORMED BY THE
DEPARTMENT OF PUBLIC WORKS IN THE AMOUNT OF \$125.14

All were in favor.

Committeeman Zimmerman made a motion to approve Resolution R-132-2010, seconded by Deputy Mayor Scirrotto.

RESOLUTION R-132-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE
TOWNSHIP OF MANTUA AND THE COUNTY OF GLOUCESTER FOR THE
INSTALLATION, INSPECTION, OPERATION, MAINTENANCE AND
ENFORCEMENT OF A FLASHING SIGNAL LIGHT TO BE LOCATED ON
BARNSBORO ROAD, COUNTY ROUTE 609, WHERE SAID ROAD
INTERSECTS WITH PITMAN-JEFFERSON ROAD, COUNTY ROUTE 624, IN
THE TOWNSHIP OF MANTUA AND AUTHORIZING THE MAYOR AND
TOWNSHIP CLERK TO EXECUTE THE AGREEMENT

All were in favor.

Deputy Mayor Scirrotto made a motion to approve Resolution R-133-2010, seconded by Committeeman Zimmerman.

RESOLUTION R-133-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE REFUNDING OF AN
OVERPAYMENT OF TAXES TO BANK OF AMERICA IN THE AMOUNT OF
\$4,121.49 FOR REAL PROPERTY LOCATED AT 33 KRISTEN LANE

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-134-2010, seconded by Committeewoman Beckett.

RESOLUTION R-134-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION DESIGNATING CONIFER REALTY, LLC; SORA
HOLDINGS, LLC; AND RYAN HOMES AS MIXED-USE REDEVELOPER OF
THE BRANCH ROAD/HUNGERFORD PROPERTIES AND AUTHORIZING
THE TOWNSHIP'S ENTRY INTO A MEMORANDUM OF UNDERSTANDING,
A REDEVELOPMENT AGREEMENT, AND OTHER RELATED
PROJECT AGREEMENTS WITH REDEVELOPER

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-135-2010, seconded by Committeewoman Beckett.

RESOLUTION R-135-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE SELF-
EXAMINATION OF THE 2010 MUNICIPAL BUDGET

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-136-2010, seconded by Committeewoman Beckett.

RESOLUTION R-136-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION APPROVING A SHARED SERVICE
AGREEMENT BETWEEN THE TOWNSHIP OF MANTUA
AND THE GLOUCESTER COUNTY IMPROVEMENT AUTHORITY
FOR THE USE OF CERTAIN PERFORMING STAGE UNITS

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-137-2010, seconded by Committeewoman Beckett.

RESOLUTION R-137-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING THE REFUNDING OF
AN OVERPAYMENT OF TAXES FOR 279 MADISON ROAD, BLOCK 27,
LOT 8 IN THE TOTAL AMOUNT OF \$638.82

All were in favor.

Committeeman Zimmerman made a motion to approve Resolution R-138-2010, seconded by Committeewoman Lawrence.

RESOLUTION R-138-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION ACCEPTING THE PERFORMANCE BOND, NO. 1019
ISSUED BY FRANKLIN BANK FOR GEORGE GAUGHAN FOR A SITE
IMPROVEMENT PROJECT TO BE LOCATED AT 745 WOODBURY-
GLASSBORO ROAD, BLOCK 197, LOT 1 IN THE AMOUNT OF \$174,312.98

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-139-2010, seconded by Committeeman Zimmerman.

RESOLUTION R-139-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING SETTLEMENT IN LITIGATION
BETWEEN THE TOWNSHIP OF MANTUA AND DANIEL MATOZZO

All were in favor.

Committeewoman Lawrence made a motion to approve Resolution R-140-2010, seconded by Committeewoman Beckett.

RESOLUTION R-140-2010
A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF MANTUA
RE: A RESOLUTION AUTHORIZING A CLOSED
SESSION MEETING TO DISCUSS CONTRACT
NEGOTIATION BETWEEN THE TOWNSHIP OF MANTUA
AND THE MANTUA TOWNSHIP POLICE DEPARTMENT

All were in favor.

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

Committeewoman Lawrence made a motion to adjourn the meeting into Closed Session, seconded by Committeewoman Beckett. All were in favor. The time was 8:05 p.m.

At this time the meeting was called back to order on a motion made by Committeeman Zimmerman, seconded by Committeewoman Lawrence. The time was 8:28 p.m.

Committeewoman Beckett made a motion to adjourn the meeting, seconded by Committeewoman Lawrence. All were in favor. The time was 8:31 p.m.