

ANGELINI, VINIAR & FREEDMAN, L.L.P.

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Cherry Hill Office:

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Cherry Hill, NJ 08034

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FACSIMILE TRANSMITTAL SHEET

To: *Beinvenido Rodriguez*

Fax Number: *856-845-8340*

From: *Maria DeT. Ho*

Date: *6/17/10*

Re: *Sent in response to OPRA inquiry to Mantua Township*

THIS FAX CONSISTS OF 31 PAGES FOLLOWING THIS COVER SHEET

OUR FAX NUMBER IS: (856) 384-1230

IF YOU DO NOT RECEIVE ALL PAGES OR HAVE ANY PROBLEMS WITH
RECEIVING, PLEASE CALL (856) 853-8500 AND ASK FOR: Maria

CONFIDENTIALITY NOTE

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MESSAGE:

Two properties with Seven (7) cases

**TOWNSHIP OF MANTUA**

Gloucester County, New Jersey
Office of the Township Clerk
401 MAIN STREET MANTUA, NJ 08051
(856) 468-1500 Fax (856) 464-1022
www.mantuatownship.com

June 14, 2010

Beinvenido Rodriques
Sent Via Fax to 856-845-8340

Re: Open Public Records Request filed June 7, 2010

Mr. Rodriques,

Please find along with this letter pertaining to your OPRA request filed June 7, 2010 for documentation about the last five cases of eminent domain and all documents related to current investigations in eminent domain.

A review of any eminent domain with my office and that of the Township Solicitor found two properties.

Included in this fax is the case involving the Township of Mantua and Delonis. Our solicitor's office will be faxing to you the other case.

In regards to any current matters involving eminent domain, I can not locate any action being undertaken by the Township of Mantua at this time. You had previously responded about something on Route 45 and Acme. I have included minutes of the March 18, 2010 Planning Board meeting, which was taken from a discussion in the public session between the board solicitor and a resident.

If you should require any further information, please contact me.

Thank you,

Shawn Menzies
Township Clerk

OPRA Request Township of Mantua

Submitted on 06/07/10 via E-Mail to smenzies@mantuatownship.com

To the Custodian of Records: Please accept this as my request for government records. Please note that the Open Public Records Act (OPRA) is not the only basis for my request. I claim entitlement to the records sought under both OPRA and the Common Law right of access.

Requestor's Name: Beinvenido Rodriques
Address: DO NOT use regular mail either for replying to this request
or or sending me the responsive records.
Please use e-mail or fax Instead.
Phone: 856-693-4901
FAX: 856-845-8340
E-Mail: Greenaction@verizon.net

Background:

I am a member of local environmental action organization in your county. It has been brought to our attention there could be some issues with the enforcement of environmental statutes. NJ Permanent Statutes, Title 40 Municipalities and Counties, 40:55D-18 sets the guidelines for zoning operations, and enforcement

The purpose of this request is to review the procedures for the allocation of eminent domain.

- 1) all documents related to the last 5 cases of eminent domain
- 2) all the documents related current investigations in eminent domain

AUG 02 2005

FINANCE DIVISION
Gloucester

Maria DeTitto, Esquire
ANGELINI, VINIAR & FREEDMAN
70 Euclid Street
Woodbury, NJ 08096
(856) 853-8500
Attorney for Plaintiff

Batch/Date: 4/88
CHK# 15265 MO#
CA CHG
Amount \$ 30.00
Initials (m)

TOWNSHIP OF MANTUA,

Plaintiff,

vs.

JOSEPH J. DELONIS and JAMES
DELONIS,

Defendants,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
GLOUCESTER COUNTY

DOCKET NO. GLO-L- 1299-05

Civil Action

ORDER TO SHOW CAUSE

THIS MATTER, having been opened to the court on application of the plaintiff and the court having read and considered the Verified Complaint and other pleadings filed in this action and good cause appearing;

IT IS ON THIS 22nd day of August, 2005,

ORDERED that the defendants herein show cause before this court on 2nd day of Nov. 10:00 Cumberland 2005 at 9:00 a.m. at the Gloucester County Court House, North Broad Street, Woodbury, New Jersey, why final judgment should not be entered:

A. Determining that plaintiff has duly exercised its power of eminent domain to acquire the property being condemned for the purpose of easement;

B. Appointing commissioners, pursuant to N.J.S.A. 20:3-12 to make a just and equitable appraisal of the value of the lands and premises and to fix compensation to be paid for the taking thereof;

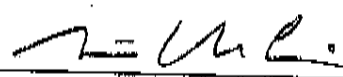
C. Determining that upon compliance with the provisions of *N.J.S.A. 20:3-19*, plaintiff shall have the right to immediate possession of the property as against each of the defendants in this action.

IT IS FURTHER ORDERED that a copy of this Order, and Verified Complaint, each certified by the attorney for the plaintiff to be a true copy, be served upon each of the defendants in accordance with New Jersey Court Rules 4:67-3 and 4:73-3 or by certified mail, return receipt requested, with a copy by regular mail at least ten (10) days before the return date specified above.

James J. Delonis
455 Main Street
Sewell, NJ 08080

Joseph J. Delonis
455 Main Street
Sewell, NJ 08080

IT IS FURTHER ORDERED that each of the defendants shall, no later than three (3) days before the return date hereof, serve and file an answer to the Verified Complaint; in default thereof the action may proceed ex parte and the Court may enter final judgment by default against the defendants for the relief requested in the Verified Complaint. If any of the defendants are unable to obtain an attorney he or she may communicate with the New Jersey State Bar Association (908) 249-5000 or the Lawyer Referral Service of Gloucester County (856) 848-4589 or the county in which such defendants reside. If any of the defendants cannot afford an attorney, it may communicate with the Legal Services office of Gloucester County (856) 848-5360 or the county in which such defendant resides.


GEORGIA M. CURIO, A.J.S.C., J.S.C.

ANGELINI, VINIAR & FREEDMAN, L.L.P.

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(856) 429-0020
FAX (856) 429-0070

November 30, 2006

Honorable Georgia M. Curio, A.J.S.C.
Superior Court of New Jersey
Cumberland County Courthouse
Broad and Fayette Streets
Southwing, 3rd Floor
Bridgeton, New Jersey 08302

**Re: Township of Mantua v. Joseph J. Delonis and James Delonis
Condemnation Action Docket No. GLO-L-1299-05**

Dear Judge Curio:

My office represents Township of Mantua with regard to the above-referenced matter. Your Honor signed an Order on May 25, 2006 allowing the withdrawal of monies deposited with the Trust Fund Unit and directing same be paid to the Defendants. The Order was promptly forwarded to the Trust Fund Unit. Thereafter the Trust Fund Unit changed their procedure and would not honor the Order as drafted. I was unaware that they were not honoring the Order until a clerk finally responded to my repeated requests for the status of the release of the monies.

Under cover of correspondence dated July 25, 2006 my office forwarded an amended Order for signature to Your Honor which language complied with the new procedures from the Trust Fund Unit. Consistent with the new procedures the Order needed to be either Certified, allowing my office to forward it to the Trust Fund Unit, or the Order needed to be sent directly by Chambers. The Court forwarded the Order directly to the Trust Fund Unit.

After repeated requests as to the status of the release of the deposited monies I was contacted and advised that they did not receive a copy of the Order. Your Honor's secretary graciously sent a second copy of the Order to the Trust Fund Unit. Again, my office made repeated attempts to determine the status of the release of the monies without success.

On November 21, 2006 I was finally able to reach an individual from the Trust Fund Unit who agreed to assist with obtaining the release of the monies. Unfortunately, she refused to honor either of the two prior Orders and insisted that a new Order be drafted. Without a new Order we would not be able to obtain the release of the monies.

Honorable Georgia M. Curio, A.J.S.C.
November 30, 2006
Page Two


I am again requesting Your Honor's assistance in this matter. Enclosed is a copy of the Order to Withdraw Funds Deposited with the Court. Kindly sign the enclosed Order and have either Your Honor's secretary or a clerk in Civil Intake seal the Order and return same to my attention. In turn, I will have it hand delivered to the Trust Fund Unit receiving an acknowledgment of receipt. Please do not remove the pink note attached to the Order.

Thank you for Your Honor's kind attention to this matter. Should Your Honor or your staff have any additional questions, please do not hesitate to contact my office.

Very truly yours,

ANGELINI, VINIAR & FREEDMAN, LLP

By:


MARIA DeTITTO, ESQUIRE

MD/dls

Enclosure

cc: Jane C. Rickenbach, Esquire (w/encl.)
Rich Subers, Administrator (w/o encl.)
James Delonis, *Pro Se* Defendant (w/enc.)(via Certified Mail, Return Receipt Requested)
Joseph Delonis, *Pro Se* Defendant (w/enc.)(via Certified Mail, Return Receipt Requested)

ANGELINI, VINIAR & FREEDMAN, L.L.P.

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*Members of
NJ & PA Bars

December 8, 2006

+ L.L.M. in Taxation

via Certified Mail - Return Receipt Requested

Jane Rickenbach
Superior Court of New Jersey - Trust Funds
Hughes Justice Complex
25 West Market Street
P.O. Box 971
Trenton, New Jersey 08625-0971

**Re: Township of Mantua v. Joseph J. Delonis and James Delonis
Condemnation Action Docket No. GLO-L-1299-05
Superior Court Receipt No. 17933**

Dear Ms Rickenbach:

My office represents the Township of Mantua with regard to the above-referenced matter. Under cover of correspondence dated August 22, 2006 my office forwarded the required documents per your new procedure to disburse funds deposited with the Court. Three times the Superior Court has advised that they have forwarded the Order allowing the release of funds. Three time the Trust Fund Unit has responded indicating that they have not received the Certified Order from the Court allowing the release of funds.

Enclosed is a certified copy of the Order to release funds. Since the Orders sent directly from the Court have not reached your office, I requested the Court send me a certified copy so that I may in turn forward it to you directly and receive verification of receipt.

Kindly release the requested funds payable to: "James Delonis and Joseph Delonis". The draft should be forwarded directly to my offices at 70 Euclid Street, Woodbury, New Jersey 08096.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact my office.

Very truly yours,

ANGELINI, VINIAR & FREEDMAN, LLP

By:

MARIA DeTITTO, ESQUIRE

MD/dls
Enclosure

cc: Richard Subers, Administrator (w/encl.)
James Delonis, *Pro Se* Defendant (w/encl.)
Joseph Delonis, *Pro Se* Defendant (w/encl.)

FROM : AUFWOODBURY--

FAX NO. : 8563

WHEN ORDER IS SIGNED by Judge,
please return A COPY OF THE ORDER TO:

Trust Fund Unit
 Superior Court of New Jersey
 PO Box 971 - 6th Floor North Wing
 Trenton, New Jersey 08625

Maria DeTitto, Esquire
ANGELINI, VINIAR & FREEDMAN,
 70 Euclid Street, P.O. Box 751
 Woodbury, NJ 08096
 (856) 853-8500
 Attorney for Plaintiff

Attn: Jane C. Rickenbach, Esq.

MOTION RETURNABLE ON: _____

-1467- (9/08)

TOWNSHIP OF MANTUA,

Plaintiff,

vs.

JOSEPH L. DELONIS and JAMES J.
 DELONIS,

Defendants,

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION
 GLOUCESTER COUNTY

DOCKET NO. GLQ-L-001299-05

Civil Action
In Condemnation

**ORDER TO WITHDRAW FUNDS
 DEPOSITED WITH THE COURT**

This matter being opened to the Court by Maria DeTitto, Esquire, of ANGELINI, VINIAR & FREEDMAN, LLP, solicitors for Plaintiff, Township of Mantua, appearing, and James and Joseph Delonis, Defendants, *pro se*, being duly noticed of said application and appearing; and it appearing that the Court having considered the pleadings filed herein and for good cause shown,

IT IS on the 1st day of December, 2006, ORDERED as follows:

1. The monies deposited with the Court under Receipt No. 17933 shall be released by the Superior Court Clerk in the amount of \$5,500.00, plus accrued interest, in the amount of _____, for a total sum of _____.

2. The total sum of the monies to be released shall be made payable to "Joseph L. Delonis and James J. Delonis".

3. The total sum of the monies to be released and made payable to Joseph L. and James J. Delonis shall be sent to Angelini, Viniar & Freedman, LLP, 70 Euclid Street,

FROM : AUFWOODBURY--

FAX NO. : 8563841230

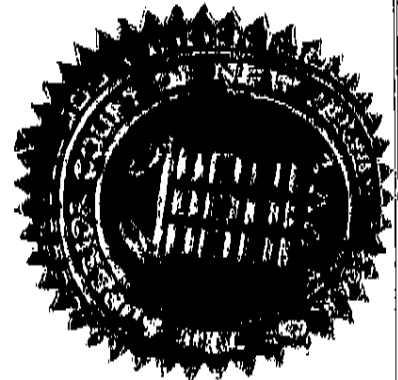
Nov. 21 2006 02:58PM P3

Woodbury, New Jersey 08096 to be thereafter forwarded to Joseph L. and James J. Delonis by certified mail with additional monies from the Township of Mantua in an amount to total the sum recommended by the Commissioners - \$7,500.00


HONORABLE GEORGIA M. CURIO, A.J.S.C.

VERIFIED AS TO THE
PRINCIPAL AMOUNT
ON DEPOSIT


THEODORE J. FETTER
ACTING CLERK



ANGELINI, VINIAR & FREEDMAN, L.L.P.

Attorneys at Law
70 Euclid Street
P.O. Box 751
Woodbury, NJ 08096

Michael A. Angelini*
Carl B. Viniar*
Richard P. Freedman**

James P. Pierson*
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Cherry Hill, NJ 08034

(856) 429-0020

FAX (856) 429-0070

*Members of
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** L.L.M. in Taxation

November 17, 2006

Jane Rickenbach
Superior Court of New Jersey - Trust Funds
Hughes Justice Complex
25 West Market Street
P.O. Box 971
Trenton, New Jersey 08025

**Re: Township of Mantua v. Joseph J. Delonis and James Delonis
Condemnation Action Docket No. GLO-L-1299-05
Superior Court Receipt No. 17933**

Dear Ms Rickenbach:

My office represents the Township of Mantua with regard to the above-referenced matter. Under cover of correspondence dated August 22, 2006 my office forwarded the required documents per your new procedure to disburse funds deposited with the Court. Twice the Trust Fund Unit has responded indicating that they have not received the Certified Order from the Court allowing the release of funds. Twice the Court has advised that they have forwarded the requested Order.

On October 16, 2006, Harriet Insler, from the Gloucester County Vicinage, stated that she was again forwarding the Order to the Trust Fund Unit. To date, I have received no communication as to the release of said funds. As you can imagine, the defendants in this matter are distressed at the delay in receiving their monies. Kindly advise as to the status of the release of the funds.

Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact my office.

Very truly yours,

ANGELINI, VINIAR & FREEDMAN, LLP

By:


MARIA DeTITTO, ESQUIRE

MD/dls

cc: Richard Subers, Administrator
James Delonis, *Pro Se* Defendant
Joseph Delonis, *Pro Se* Defendant

ANGELINI, VINIAR & FREEDMAN, LLP

By: Maria DeTitto, Esquire
 70 Euclid Street
 P.O. Box 751
 Woodbury, New Jersey 08096
 (856) 853-8500
 Attorneys for Plaintiff

TOWNSHIP OF MANTUA,

Plaintiff,

vs.

JOSEPH J. DELONIS and JAMES
DELONIS,

Defendants.

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION
 GLOUCESTER COUNTY

DOCKET NO. GLO-L-001299-05

Civil Action
In Condemnation

ATTORNEY AFFIDAVIT

I, Maria DeTitto, Esquire, of full age, do hereby certify as follows:

1. I am an attorney at law of the State of New Jersey and I am employed by ANGELINI, VINIAR & FREEDMAN, LLP, solicitors for Plaintiff, Township of Mantua, in the above-entitled matter.

2. On December 8, 2006 my office received an executed and filed Order, dated December 1, 2006 from Honorable Georgia M. Curio, A.J.S.C. with a certified gold seal affixed. Said Order allowed the release of funds deposited with the Court to be released.

3. On December 8, 2006 I drafted a letter to Jane Rickenbach of the New Jersey State Trust Fund Unit enclosing the December 1, 2006 certified Order requesting funds deposited with the Court be released.

4. On December 8, 2006 the letter and certified Order were forwarded to the New Jersey Trust Fund Unit at 25 West Market Street, P.O. Box 971, Trenton, New Jersey 08025 via certified mailing - return receipt requested.

5. Under cover of correspondence dated June 5, 2006 the following documents were forwarded to the New Jersey Trust Fund Unit:

- a. Copy of Order to Deposit Funds with the Court and for Possession;
- b. Copy of Receipt No. 17933 confirming receipt of the funds by the Court;
- c. Copy of Sheriff's Affidavit of Service confirming service on both Defendants;
- d. Copy of Order to Withdraw Funds Deposited with the Court; and
- e. Copy of child support judgment search as to both Defendants.

ANGELINI, VINIAR & FREEDMAN, LLP
Attorneys for Plaintiff

Date: 12/8/06

By:

Maria Detitto
MARIA DETITTO, ESQUIRE

Sworn to and subscribed before me
this 8th day of December, 2006.

Deann L. Smith
[Notary Public]

DEANN L. SMITH
Notary Public of New Jersey
My Commission Expires September 8, 2011

**Mantua Township Planning Board
March 18, 2008**

Call to Order

Mr. Kenneth Green, chair, called the regular meeting of the Mantua Township Planning Board to order on Tuesday, March 18, 2008 in the Main Meeting Room, Mantua Township Municipal Building, Main Street, Mantua, New Jersey. Mr. Green made statement that the notice of the meeting was published in accordance with the Open Public Meetings Act.

Roll Call

Present: Mr. Joseph Giumarello, Mr. Robert Harris, Mr. Graham Land, Mrs. Sharon Lawrence, Mr. Walter Lenkowski, Mr. John Legge and Mr. Kenneth Green. **Also present:** Ms. Pam Pellegrini planner; Mr. Jim Biegen, engineer; Sam Ragonese, Esquire, Mrs. Shirley Veacock, coordinator, and Ms. Peggy Veacock, corresponding/recording secretary. **Absent:** Miss Stephanie Salvatore, Mr. Kevin Howarth and Mr. Lou Coppolino.

Approval of Minutes

On motion by Mr. Lenkowski, seconded by Mrs. Lawrence, the Board approved the February meeting minutes. All members were in favor of the motion.

Swearing in of Professionals

Board Professionals, Mr. Biegen and Mrs. Pellegrini were sworn for testimony.

New Business

03--002, WINTERSTAR, FINAL SITE PLAN, BLOCK 109, LOTS 1 & 2

Barry Lozuke, Esquire, was present on behalf of the application. The applicant is requesting a second one-year extension until April 2009. Mr. Lozuke informed the Board that the applicant has had difficulty in attracting a tenant they feel would be acceptable to the Township. They want to be selective to appease the neighbors. This is the final extension that can be requested. Mr. Lozuke noted that the economy is also a factor.

Board Action: On motion by Mr. Lenkowski, seconded by Mrs. Lawrence, the Board approved a second one-year extension until April 2009.

Roll Call Vote: Yes - Mr. Giumarello, Mr. Harris, Mr. Land, Mrs. Lawrence, Mr. Lenkowski, Mr. Legge, and Mr. Green. No - None. Abstentions - None.

08--001, TOTAL TURF EXPERIENCE, PREL FINAL MAJ SUBDIV & SITE PLAN, BLK 254.01, LOTS 19.01, 32 & 33

Michael J. Ward, Esquire, was present on behalf of the application. The public notification and notice to neighbors was found to be in order. Mr. Ward reminded the Board that the applicant was before the Board in January. However, a wetlands issue required them to have the application tabled. The plan before the Board for action has several minor modifications. The following individuals were sworn for testimony: Mr. Andy Logar, partner, Mr. Jerry McGough, partner, Mr. Brad Yates, partner, Mr. Andy Coursen, engineer, and Mr. Andrew Feranda, traffic engineer.

A site plan drawing (TTE 1) and façade drawing (TTE 2) was submitted for the record. Mr. Coursen provided an overview of the proposed plan. The applicant proposed to consolidate the three lots into two. The project will be completed in two phases. The first phase of the site plan will include offices, concession area, a pro shop, two indoor turf fields and one outdoor grass field. Phase two for the second building includes one indoor turf field. The sewerage will be extended with an easement. Mr. Feranda presented the traffic engineering report. He confirmed that there is sufficient area for emergency vehicles. He discussed the proposed circulation and buffers.

Planning Board**Page 2****March 18, 2008**

Planner's Comments: Ms. Pellegrini reviewed the planner's March 14, 2008 review letter. There will be a storage enclosure for equipment. Ms. Pellegrini asked that a note indicating that item be added to the plan. Architectural plans are being prepared and will be submitted for review within the next week. The applicant will comply with COAH requirements.

Engineer's Comments: Mr. Biegen reviewed the engineer's March 13, 2008 review letter. Mr. Yates noted that the landmark trees will be located. Mr. Feranda added some comments regarding the circulation and parking.

Board Discussion: Mr. Graham requested sidewalks along the entrance boulevard. The applicant agreed to install sidewalks. He also asked for the proposed hours of operation. The applicant proposed the hours of operation to be between 9 a.m. through 11 p.m. Mr. Graham expressed safety concerns with the front basin. Mrs. Lawrence expressed concern for car lights shining into the homes on neighboring properties.

Public Comment: Mr. Guy Bracaloung asked the Board to require that the applicant provide a site plan showing the location of the landmark trees and the proposed storage enclosure.