

Shamong, New Jersey 08088

April 5, 2011

The Shamong Township Committee held a regular meeting on the above date at the Municipal Building.

Mayor Shevelew called the meeting to order at approximately 7:30 p.m..

The Clerk stated please be advised that proper notice of this meeting has been given in compliance with the Open Public Meeting Act in the following manner. Written notice has been sent to the Burlington County Times and published in the Central Record and posted as required by the Open Public Meeting Act.

The Pledge of Allegiance followed by a moment of silence to honor the passing of former State Senator John Adler was lead by Mayor Shevelew.

Roll Call and)	Mr. Sean Gray	P
Absentees)	Mr. Kenneth Long	P
Noted)	Mr. Martin Mozitis	P
	Mr. Christopher Norman	P
	Mr. Jonathon Shevelew	P

Public Comment

Mayor Shevelew opened the meeting for public comment. Mr. Pete Mitchell of 531 Oakshade Rd. commented on the construction on Oakshade road due to the installation of the gas line stating the traffic and construction was a problem. Now they are starting the construction of the repaving and Mr. Mitchell would like the road closed to all but local traffic so that the homes would not be inconvenienced again with the traffic and construction issues. Mayor Shevelew informed Mr. Mitchell that this is not a township project but a county project, but did direct the Township Administrator to inform the county of the residents concerns.

There being no other questions or comments from the public, Mayor Shevelew closed the meeting to public comment and moved on to the other agenda items.

ITEMS FOR OFFICIAL ACTION:

Mayor Shevelew asks for the Regular and Executive Session Meeting Minutes from the March 1, 2011 meeting to be accepted. On motion of Committeeman Long, seconded by Committeeman Mozitis, it was moved to approve the minutes. A roll call showed all members voting yes.

Mayor Shevelew asks for a report from Mr. Volpa on the Pakenah Trail issue next on the agenda. Mr. Volpa reports the Committee of residents and organizers have decided that the trails on the conservancy property will be for walking only. They will be marked and mapped, and the trails will be narrowed at entry points to encourage hikers. A long range plan was discussed to maintain the trails and in the future any muti use trails will be planed at the Dingtletown site. Mr. Long reiterates that the Pakenah Trail will be used

for hiking only. Mr. Volpa reports on the spring and fall maintenance of the walking trails on the Rancocas Conservancy and the township residents concern of the 18 acres of township owned property. Nelson Anderson will help with cutting trails and mapping out. Mayor Shevelew makes sure the Committee is clear on the recommendations of the resident/STRAC committee and that the Township Committee supports the recommendations. Bill Givonetti, 16 Tuckerton Rd., speaks in support of a bike trail. Ed Bohi speaks about the residents concerns about the trails, and doesn't want the trail in his area. Mayor Shevelew tells the residents that the Rancocas Conservancy property is not township owned and the conservancy has the final say as to the use of their property. This is not a township decision and the conservancy does not have to come to the Township for approval. The residents have to go to the conservancy for answers to their questions and concerns. A discussion ensues between the township residents Ed Bohi, Dennis Forthryt, Nelson Anderson, and John Volpa.

Again Mayor Shevelew states that the recommendation from STRAC is not to do anything back there and the Township Committee is not going to do anything with the township owned property. The Township Committee has listened to the residents concerns and is not doing anything to this area of Township land as requested. Bernie Winters, 17 Packenah Trail, reported on a meeting that the residents had on this property. We need action on the pit, fencing, and parking. Mayor Shevelew again tells him that this is a public area and can not be restricted. Mr. Winters asks for no parking signs and Mayor Shevelew tells him that the residents will also be subject to no parking tickets if the signs are in place. Laura King comments on the Murphy's pit and no amount of signage or fencing stops that. Nels Anderson weighs in on Packenah trail problems. Bernie Winters asks for more discussion on the problems of the area. Bill Schoen spoke on the existence of an attractive hazard and fencing in the entire area. Mr. Volpa speaks on the no parking sign issue. Delores of 1013 Shawnee Trail on maintaining the area. John Volpa reported on the planned maintenance of the area. Bill Giovetti asks about the Township doing work out there. Other residents comment that something must be done. Bernie Winters questioned why can't the township just level off the pit. Paul Mathee of 1013 Shawnee Lane stated since this called an attractive nuisance why can't it be filled in. Mrs. King explains the Township Committee process to other residents and how residents should come to meetings and learn how the process of change happens. Mr. Schoen can we draw up sketches and estimates on correcting the problem and will the Committee look at this. Mayor Shevelew stated the Committee will entertain the ideas.

Next item on the agenda Mayor Shevelew ask Administrator to read three tax appeals.

The registrars request to attend educational seminar. **On motion of Committeeman Gray, seconded by Committeeman Long, a roll call of all members voting, all members voted yes.**

The Court Administrators request to attend annual conference. **On motion of Committeeman Mozitis, seconded by Committeeman Gray, a roll call of all members voting, all members voted yes.**

The Tax Assessors request to attend educational seminar. **On motion of Committeeman Mozitis, seconded by Committeeman Long, a roll call of all members voting, all members voted yes.**

The boy scouts are requesting a decommissioned bleacher frame from the township. The solicitor will look into an indemnification agreement and upon review of the agreement a motion is requested to give the bleacher to the boy scouts. **On motion of Committeeman Gray, seconded by Committeeman Long, a roll call of all members voting, all members voted yes.**

The reading of the approval of a Foul Ball Netting, at the Dingletown-Babe Ruth Field cost of approximately \$3,000. **On motion of Committeeman Norman, seconded by Committeeman Mozitis, a roll call of all members voting, all members voted yes.**

Mayor Shevelew asks the Township Administrator to report on the process of the Reassessment.

ORDINANCES:

Mayor Shevelew read the 2011-02 Snow Emergency Ordinance-second reading and public comment. Doug Heinold, Solicitor, further explained the ordinance. There being no public comment from public or the committee the mayor asked for a motion on Ordinance 2011-02. **On motion of Committeeman Long, seconded by Committeeman Mozitis, a roll call of all members voting, all members voted yes.**

Mayor Shevelew read the 2011-03 Ordinance to exceed the Municipal Budget appropriation limits and to establish a cap bank (NJSA 40A:4-45.14) second reading and public comment. Doug Heinold, Solicitor, further explained the ordinance. Public Comment, a question from Elaine Billmeyer on the percentage of the cap. Seeing no further comments from public or committee the mayor asked for a motion on Ordinance 2011-03. **On motion of Committeeman Long, seconded by Committeeman Mozitis, a roll call of all members voting, all members voted yes.**

Mayor Shevelew read Ordinance 2011-04 authorizing sale of 28 Manitoba Trail (Block 19.02, Lot 6.14) an undersized lot to adjacent property owners through sealed bidding. Doug Heinold, Solicitor, further explained the ordinance to the public. There being no comment from the public or the committee the mayor asked for a motion on Ordinance 2011-04. **On motion of Committeeman Mozitis, seconded by Committeeman Long, a roll call of all members voting, all members voted yes.**

Mayor Shevelew read the 2011-05 Salary Ordinance. First reading, scheduled for second reading and public hearing on May 3, 2011. **On motion of Committeeman Gray, seconded by Committeeman Norman, a roll call of all members voting, all members voted yes.**

RESOLUTIONS:

Mayor Shevelew summarized Resolution 2011R-56, 2010 Recycling Tonnage Grant. There were no questions or comments. **On motion of Committeeman Mozitis, seconded by Committeeman Long to approve Resolution 2011R-56, a roll call of all members voting, all members voted yes.**

Mayor Shevelew summarized Resolution 2011R-57, Budget Resolution-Education Funds. There were no questions or comments. **On motion of Committeeman Norman, seconded by Committeeman Mozitis to approve Resolution 2011R-57, a roll call of all members voting, all members voted yes.**

Mayor Shevelew summarized Resolution 2011R-58, authorizing an agreement with Burlington County for cooperative participation in the Community Development act of 1974. There were no questions or comments. **On motion of Committeeman Mozitis, seconded by Committeeman Long to approve Resolution 2011R-58, a roll call of all members voting, all members voted yes.**

Mayor Shevelew summarized Resolution 2011R-59 authorizing submittal for State of NJ, Department of Transportation Grant Application-Oak Shade Road. There were no questions or comments. **On motion of Committeeman Mozitis, seconded by Committeeman Long to approve Resolution 2011R-59, a roll call of all members voting, all members voted yes.**

Mayor Shevelew summarized Resolution 2011R-60, urging the swift passage of A-3430, A-3431, and A-3432. Township Administrator and Solicitor Doug Heinold explained these are protection to the township on liability from sidewalk injuries. There were no questions or comments. **On motion of Committeeman Norman, seconded by Committeeman Long to approve Resolution 2011R-60, a roll call of all members voting, all members voted yes.**

Mayor Shevelew read a summary of the 2011 Annual Budget Introduction. Township Administrator Susan Onorato explains. Committeeman Gray reported the Committee is again taking a 50% cut in their pay and the township employees did not get raises last year. There were no further questions or comments. **On motion of Committeeman Mozitis, seconded by Committeeman Norman to introduce the 2011 Annual Budget, a roll call of all members voting, all members voted yes.**

APPROVAL OF ATTACHED BILL LIST:

Mayor Shevelew asks for approval of bill list. No questions or comments from the Committee. **On motion of Committeeman Long, seconded by Committeeman Gray, the attached bill list was approved, a roll call of all members voting, all members voted yes.**

REPORTS:

Township Engineer reported on the trust fund grant that we are resubmitting. We have three construction projects. Tax maps have been resubmitted to the state, no word from that. Mr. Mannix stated he is still waiting word on the energy audit grants. Mr. Mannix stated regarding the fuel spill issue on Atsion Road, Mr. Heinold would like to address to recap where we are at before we go any further. No questions or comments.

Township Solicitor reports on the Oil Spill on Atsion Rd. involving a spill from a truck owned by 7 Oil Co. of Cinnaminson. The company did address the issue, however, we have additional concerns involving a long term signoff from DEP which I am fairly certain we will obtain. The bigger issue is the quality or condition of the road long term, the Engineer has explained that there could be impact from the spill to the roadway. 7 Oil has been non-responsive to the problem that we have identified. The Solicitor and the Engineer are concerned 7 Oil will do enough to clean up the spill area properly. We have also requested an escrow to the curtsy of the township for the cost that we have already incurred and future cost but they have not done so. What I would like from the Committee is the authority to continue following the path laid out by the Engineer as to what our concerns are. After a brief discussion between the Township Professionals and the Committee, the Committee directed the Township Solicitor and Engineer to continue their discussions with 7 Oil to insure the Township that Atsion Road will be repaired properly. The Township Solicitor reported on the Dingtletown lighting litigation and stated he has filed a brief at the appellate division and the IMAA is also submitting a brief but their attorney has been hospitalized so they have an extension of their brief submission which will bring us to the end of April. Mr. Heinold stated the Appellate division will set a date which he anticipates to be later this summer.

Township Administrator reported that Waterford Township has notified Shamong that they plan to spray for Gypsy Moths. STASA awarded a grant of \$18,040 for 2011. Solar Project construction will begin this month. Al Maffie has resigned as a back up security officer. The net work server is being replaced. Costs for Litigation so far are \$22,440 and another \$1,668 in engineering costs. There were no additional questions for the Administrator.

Mayor Shevelew opens the meeting for public comment. An unknown resident questions the committee on repaving of Tuckerton Road. The Administrator stated this is a County road and the Township has been notified the work is scheduled to be done this summer, but no exact date has been provided by Burlington County Highway Department. Mrs. King comments on Waterford spraying for Gypsy Moths, Stink Bugs retrieving balls from the woods at the ball field, and where do we have sidewalks. Unknown resident questions the amount so far spent on the lighting Litigation. No other questions from the public. Mayor Shevelew closes the meeting to the public.

Executive session to discuss Resolution 2011-61 Attorney Client and Contract negation.
Motion to go into Executive Session by Committeeman Long, Seconded by Committeeman Mozitis, a roll call vote of members, all members voting yes.

The Committee reconvened their meeting after Executive Session. Mayor Shevelew stated that there were no formal actions to be taken as a result of the Executive Session and asks for a Motion to Adjourn. **On motion of Committeeman Long, Seconded by Committeeman Norman, a roll call of all members having all members voting yes.**

There being no further business, the meeting was adjourned.

Attest:

**Susan D. Onorato
Municipal Clerk**