

Shamong, NJ 08088

August 3, 2010

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

The meeting was called to order by Mayor Shevelew at approximately 7:34 p.m.

The Clerk stated please be advised that proper notice of this meeting has been given in compliance with the Open Public Meetings Act in the following manner. Written notice has been sent to the Burlington County Times, published in the Central Record, and posted on the official bulletin board and Website of Shamong Township.

The Pledge of Allegiance

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

At this time Mayor Shevelew opened the meeting to the public for comments and Bob Fay representing the boy scouts reiterated his last request to the Township Committee, wherein, he wanted to place a storage building at the fire house that was being donated to the scouts but zoning did not allow it and the Committee said they would address it. Mr. Fay asked if anything had been done to address this and Mayor Shevelew said yes they did and asked Mr. Heinold to discuss. Mr. Heinold explained there is an ordinance on the agenda and it creates a new chapter of the code governing portable storage units. He stated this will recognize portable storage units or pods so the Zoning Officer now has a basis to issue an approval. It also controls the use in residential areas. Mr. Fay asked if he would need to get a permit and Mayor Shevelew said yes and the Committee could waive any fees. There being no further comments the public portion of the meeting was closed.

Mayor Shevelew read a Proclamation by Mayor “National Donate Life Month, 2010” into the minutes.

On motion of Committeeman Mozitis, seconded by Committeeman Norman, it was moved to approve the minutes of June 22nd regular session, July 6th regular and executive session, a roll call vote showed Committeemen Mozitis, Norman, and Shevelew voting yes to all minutes, Committeeman Long abstaining from June 22nd and yes for July 6th regular and executive session, Committeeman Gray abstaining from all minutes.

On motion of Committeeman Norman, seconded by Committeeman Gray, it was moved to approve the Contract Administration for Old Indian Mills Road, Phase I

and II to Remington and Vernick Engineers. A roll call vote showed all members present voting yes.

On motion of Committeeman Norman, seconded by Committeeman Mozitis, it was moved to approve the Old Indian Mills Road Phase I and II Contract Bid recommendations from the Engineer's Office. The Engineer recommended Asphalt Paving Systems as they were low bid for both phases. Phase I bid was \$122,155.84, Phase II was \$156,527.57. A roll call vote showed all members present voting yes.

On motion of Committeeman Gray, seconded by Committeeman Long, it was moved to approve the Dingtletown Softball Field Lighting Proposal from Remington & Vernick at \$6,430. A roll call vote showed all members present voting yes.

On motion of Committeeman Long, seconded by Committeeman Gray, it was moved to approve the application for a Survey of Gypsy Moth Egg Masses by the State. A roll call vote showed all members present voting yes.

On motion of Committeeman Norman, seconded by Committeeman Mozitis, it was moved to approve the New Jersey State Police amendment to 2010-2011 Court Security Contract. A roll call vote showed all members present voting yes.

On motion of Committeeman Long, seconded by Committeeman Norman, it was moved to approve the Court Administrator to attend class that is a requirement. The approximate cost will be \$30.00. A roll call vote showed all members present voting yes.

Mayor Shevelew talked about having a Fall Concert at the Dingtletown Field and said it could be done with no cost to the township. He has spoken to some people and feels he can get sponsors. Mayor Shevelew said if the Committee is okay with his idea he would like to move forward. He is trying to find someone with a stage who would be willing to let him use it. Mr. Heinold recommended contacting the cancer society in Cherry Hill and he will give the Administrator a contact person. Mayor Shevelew is looking at a date of September 18th and will report his progress to the Committee.

On motion of Committeeman Norman, seconded by Committeeman Long, it was moved to approve a letter of "No Contest" for helicopter flights at the Valenzano Winery 2010. A roll call vote showed all members present voting yes.

On motion of Committeeman Norman, seconded by Committeeman Mozitis, it was moved to approve Resolution 2010-59 Certification of 2009 Annual Audit. A roll call vote showed all members present voting yes.

On motion of Committeeman Mozitis, seconded by Committeeman Norman, it was moved to approve Resolution 2010R-60 approving Corrective Action Plan to the

2009 Annual Audit submitted by the Township's Chief Financial Officer. A roll call vote showed all members present voting yes.

The auditor reviewed Ordinance 2010-11 To exceed the Municipal Budget Appropriations Limit and to Establish a Cap Bank, Mayor Shevelew opened the meeting to the public for comment, there being none, he closed the meeting to the public, and on motion of Committeeman Mozitis, seconded by Committeeman Long, Ordinance 2010-11 was passed on second reading. A roll call vote showed all members present voting yes.

Mayor Shevelew opened the meeting to the public on the 2010 Budget and Mr. Knight asked about the Land Use Salary and Wages of \$11,500 and wanted to know who that covers. The Administrator explained it paid the Zoning Official and the Secretary. Mr. Knight questioned the \$1,200 under Rent Control and the Administrator said that was the secretary's salary. Mr. Knight asked what the \$5,000 Operating Expenses under Rent Control covered and the Administrator explained that covered their professionals. Mr. Knight questioned why the township was involved in rent control for 2 trailer parks and why the township was worried what they charged. Mayor Shevelew answered the township is required by ordinance to have a Rent Control Board. Mr. Heinold stated the ordinance predates anyone now on the board and he does not know the history of the parks but is sure there were some issues from the tenants of the parks and they suggested having a rent control board to protect them. Mr. Knight feels it is not the township's responsibility and no money should be spent by the township for this. Mr. Knight also feels the township should not be paying \$2,000 to the JIF Commissioner when other townships do not pay anything. Mayor Shevelew said when someone volunteers to do it for nothing that could change. Mr. Knight said he would volunteer and Mayor Shevelew said they will discuss it. Mr. Knight asked where the \$4,500 for Emergency Management Salary and Wages went and the Administrator explained that was for the Office of Emergency Management and the Co-coordinator and 2 Deputies who take care of any situation, such as a forest fire, work with the State Police, County, and FEMA. Mr. Knight said he thought that was a volunteer job and Mayor Shevelew said it has never been a volunteer job. The Administrator also stated there is a lot of paper work associated with that job. Mr. Knight also questioned the breakdown of the electric, wherein, it reads electric \$20,000 and street lighting \$10,000. He asked why the \$20,000 is not broken out and Mayor Shevelew explained it is for all the electric use, such as, the municipal building, public works building, park buildings, and well pumps and the township is not required to break each item down. Mayor Shevelew said last year \$20,000 was budgeted but \$14,000 was actually spent. There being no further comments from the public the public portion of the meeting were closed. Mayor Shevelew asked if the Committee had any comments on the budget and there was none. On motion of Committeeman Long, seconded by Committeeman Gray, it was moved to adopt the 2010 Budget after public hearing. A roll call vote showed all members present voting yes.

On motion of Committeeman Mozitis, seconded by Committeeman Long, it was moved to approve Resolution 2010R-62 Salary Resolution. A roll call vote showed all members present voting yes.

On motion of Committeeman Long, seconded by Committeeman Gray, it was moved to approve Resolution 2010-63 calling on the Sate Legislature and the Governor to enact property tax reform with the passage of the “Municipal Toolkit” and Mandates Relief. A roll call vote showed all members present voting yes.

On motion of Committeeman Mozitis, seconded by Committeeman Norman, it was moved to approve Resolution 2010-64 to submit a grant application and execute a grant agreement with NJDOT for Reconstruction of Oak Shade Road. A roll call vote showed all members present voting yes.

Mayor Shevelew opened the meeting to the public for comment on Ordinance 2010-08 Amending the Township Code at Chapter 159 Governing “Vehicles and Traffic” – No Parking Zone – Forked Neck Road. There being none, he closed the meeting to the public and on motion of Committeeman Long, seconded by Committeeman Norman, Ordinance 2010-08 was approved on second reading and after a public hearing. A roll call vote showed all members present voting yes.

Mr. Heinold read into the minutes by title Ordinance 2010-09 “Bond Ordinance Providing for the Township’s Development of Stony Creek Recreation Complex Located at 347 Atsion Road in and by the Township of Shamong, in the County of Burlington, New Jersey, Appropriating \$340,000 Therefore, and Authorizing the Issuance of \$250,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof and explained this basically tracts the Green Acres application that was filed for the Stony Creek Project that is being done in conjunction with IMAA and the \$250,000 is the amount of the Grant. Mayor Shevelew opened the meeting to the public for comments and Mr. Billmeyer said this had been talked about previously and his understanding was the grant would be for \$250,000 and IMAA would be paying back the full amount. Now, the amount is \$340,000, so is the Township now paying \$90,000? Mr. Heinold said that is the function of the grant application and he is not sure what the project amount is. Mayor Shevelew stated it is in the \$250,000 range and Mr. Heinold stated there is no requirement that the Township spend that \$90,000. Mr. Billmeyer stated when this was talked about before the \$90,000 was never mentioned. Mayor Shevelew stated he was not aware of the \$90,000 either but knew the project cost was approximately \$250,000. Mr. Billmeyer asked who is paying back the Green Acres money and Mayor Shevelew said IMAA is probably going to contribute most of it but nothing has been finalized yet. They will be making this year and next year’s payment then it will go year to year and see who can handle it. Mr. Billmeyer asked if the township was guaranteeing this and Mayor Shevelew stated it is township property, township improvement, and the township is guaranteeing it. Mr. Dean Egan, President of IMAA, stated they can definitely pay the first two years. Mrs. Billmeyer asked if contracts will be drawn up. Mayor Shevelew explained the township works with the organizations in town on a hand shake and that is the way it has always been done.

Mayor Shevelew stated in the last 2 years IMAA has put \$180,000 of their money into the fields. Committeeman Norman commented on the good partnership Shamong has with IMAA and that it works. Mr. Heinold stated he feels we are better off than Medford because the township does not spend money on an in-house recreation department since they are all volunteers and the money that Medford spends out of their budget for field maintenance far exceeds what Shamong spends due to our great Public Works Department who gets the work done and the volunteers. Mr. Heinold explained the County has a program this year where they will be given \$250,000 grants to municipalities for recreation projects and Shamong may be eligible. Mr. Egan stated things are different then when he was a kid and you took your bike and went out to play. Today you need a place for the kids to play because they don't organize themselves and they will just be hanging out somewhere which isn't good. He said times have changed and the kids need an organized sport and that is why he and the others volunteer their time. He feels the kids are the future of the town and approximately 70% of the kids participate in one sport or another so it is necessary to have organized sports for them. Mayor Shevelew stressed on the amount of kids involved in the sports program and why it is so important to the community for the township to support this program. He also stressed how much the IMAA does fixing things at the fields without coming to the township for reimbursement. Mrs. Billmeyer stated it's a very worthy cause but it makes her nervous spending a lot of money with the way this economy is right now, unless it is really necessary. Committeeman Long stated due to no development there is no money coming to the township through the builders for recreation so the township needs to support it. Mr. Heinold explained, if needed, there is money in the Open Space Recreation Fund that could be used and there would still be excess. Mayor Shevelew explained the township is not spending money they don't have. Mr. Knight said he realizes the Committee said they are not going to issue any bonds but, if they did, he asked if the bonds would be on the open market and Mr. Heinold said yes there is a general bond process that the State has to go through under the bond laws which is heavily regulated. A gentleman asked where the IMAA gets their money and Dean Egan said mostly through volunteers and they just had a baseball tournament and raised \$29,500. They also had a girls tournament and paid them a fee of \$3700 and they are going to have another one. There was a golf outing which raised \$17,000 and also the registration fees for all the sports bring in revenue. Dean Egan thanked the Committee for working with IMAA and thanked the people of the community. There being no further comment from the public the public portion was closed. **On motion of Committeeman Long, seconded by Committeeman Norman, it was moved to adopt Ordinance 2010-09 Bond ordinance providing for development of Stony Creek Recreation Complex after second reading and a public hearing. A roll call vote showed all members present voting yes.**

On motion of Committeeman Mozitis, seconded by Committeeman Norman, it was moved to adopt Ordinance 2010-10 Amending Chapter 85 Governing "Fees" after public hearing and second reading. A roll call vote showed all members present voting yes.

Mayor Shevelew read Ordinance 2010-12 An ordinance of the Township of Shamong in Burlington County, State of New Jersey amending the Shamong Township Code and Creating Chapter 134 Establishing Regulations for the Placement of Portable Home Storage Units by title and opened the meeting to the public at which time Mr. Billmeyer questioned the use of the pods and if a permit was required. Mr. Heinold explained you do need to get a zoning permit which he believes is \$50 and there are specific restrictions for the use, such as, can not store solid waste, construction debris, demolition debris, recyclable materials, business inventory, commercial goods, or goods for property other than at the residential property where the storage unit is located. There being no further comments from the public the meeting was closed to the public. Committeeman Mozitis asked if there was a time limit on how long it can be kept on your property and the Administrator read section 134-2 Duration which allows them 60 days with a 30 day extension only for good cause. **On motion of Committeeman Gray, seconded by Committeeman Long, it was moved to adopt Ordinance 2010-12 after second reading and a public hearing. A roll call vote showed all members present voting yes.**

Mayor Shevelew read Ordinance 2010-13 Amending the Township Code at Chapter 51 Governing “Alcoholic Beverages” by title and opened the meeting to the public. There being no comments from the public, the meeting was closed to the public. **On motion of Committeeman Gray, seconded by Committeeman Mozitis, it was moved to adopt Ordinance 2010-13 after second reading and a public hearing. A roll call vote showed all members present voting yes.**

Mr. Heinold read Ordinance 2010-14 An Ordinance of the Township of Shamong in Burlington County, State of New Jersey Amending the Shamong Township Code at Chapter 110 to Create Chapter 110-110.1 Governing “Clustering” on first reading and explained the township wants to ensure that there is no misapplication of the clustering provisions and to avoid contentions that the ordinance should be interpreted otherwise and desires to amend Chapter 110 to specifically address and clarify these requirements. Mr. Heinold has reached out to the Pinelands Commission and feels they have no issues with the ordinance. Mr. Heinold suggested talking to the Planning Board to see if they want to do a Master Plan up-date at this time. **On motion of Committeeman Mozitis, seconded by Committeeman Long, it was moved to adopt Ordinance 2010-14 on first reading. A roll call vote showed all members present voting yes.**

On motion of Committeeman Long, seconded by Committeeman Norman, it was moved to approve the attached Bill List. A roll call vote showed all members present voting yes.

Mr. Arango, township engineer, referred to his report dated August 3rd, wherein, he stated Atsion Road, Sections 12 and 13 were inspected and found the road to be in good condition. They have made a submission to the State of the existing maps for revaluation compliance review and comments and are waiting to hear from the State.

Mr. Heinold, the solicitor, reported he would need to go into executive session with the Committee.

The Administrator reported on the following items; softball field lighting litigation costs as of July 2010 is \$12,964.15, 2010 recycling tonnage grant is anticipated to be reduced by 15 to 20% of the 2009 reimbursement and the 2010 estimated grant for Shamong Township is \$2,074, Valenzano Winery's 2010 Winefest is scheduled for September 18 and 19, 2010, 2010 Jeep Jamboree will be held October 28 -30, 2010, the township website has been updated, Public Works Department is painting the Stony Creek Basketball Court due to graffiti, 2010-2011 tax bills will be mailed out late this year due to delays in budget process so the residents will receive a 25 day grace period from the date the bills are mailed out as per state statute.

Mayor Shevelew opened the meeting to the public for comments or questions and Mr. Swift stated sometime back the township did a survey on putting a traffic light at Route 206 and Flyatt Road. He feels this is a dangerous intersection and wanted to know if anything could be done. Mayor Shevelew asked the Administrator to look into this. There being no other comments from the public the public portion of the meeting was closed.

Mayor Shevelew stated the Committee will go into executive session to discuss attorney client privilege and litigation topics. They may or may not decide to take action in executive session but if they do it will be done when they reconvene their regular meeting. **On motion of Committeeman Long, seconded by Committeeman Gray, it was moved to convene the regular meeting and go into executive session. A roll call vote showed all members present voting yes.**

The Committee reconvened their regular meeting stating no action will be taken.

There being no further business the meeting was adjourned.

Attest:

Susan D. Onorato
Municipal Clerk