

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

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

Pledge of Allegiance was recited.

The Clerk stated to 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 and published in the Burlington County Times and sent to the Central Record and posted as required by the Open Public Meeting Act.

Roll Call (absentees noted)	Mr. Michael Cooney	P
	Mr. Michael Di Croce	P
	Mr. Timothy Gimbel	P
	Mr. Sean Gray	P
	Mr. Martin Mozitis	P

Also, in attendance: D. Heinold, Solicitor and D. Guzzi, Engineer

Mayor Di Croce addressed the public with a brief summary advising the previous version of the pending animal ordinance will be dissolved (die on the table) due to lack of action. The Mayor thanked all interested parties for their input, advising a new ordinance on animals will be considered for introduction, and that ordinance will be posted for review on the website Wednesday (10/3/18). The Mayor briefly mentioned some issues the new ordinance will address - public concerns regarding the impact on other animals (other than dogs); the number of dogs allowed; information on hobby breeders and details on nuisance dogs.

The Solicitor reported the previous proposed ordinance would intentionally “die on the table” tonight and there would be a new ordinance introduced that would have a second hearing and public comment session at the November 7th Committee Meeting. The Solicitor advised a few highlights regarding the new proposed ordinance were – updated fees for licensing; number of dogs owned; required registration/inspection with Township; provisions with regards to State regulations; supplemental provisions regarding record keeping, primary enclosures, vet care; and a cap on number of dogs permitted.

PRESENTATION OF KIA (Killed in Action) FLAG

Mayor Di Croce invited Mr. Timothy Tyler, the Burlington County Clerk, for the presentation of the KIA (Killed in Action) Flag. Mr. Tyler opened by reminding the public his office was always available for questions or assistance. Mr. Tyler then spoke briefly regarding the KIA Flag, afterwards presenting the Shamong Township Committee with an official flag.

PUBLIC COMMENT

Mayor Di Croce opened the meeting to the public for comments, at which time the following people spoke:

Donna Roberts (539 Oakshade Road) – reported she received zoning approval to put up a fence around her property. Donna advised she is taking the dogs in each night and letting them back out at 10:00 am each morning. Donna advised she has never debarked any dogs; all dogs are taken care of; inspections have been made; and she thinks this new ruling is great. Donna advised she has adopted out three dogs in the last two weeks. Donna reported being under quarantine in the past (by the County) and not being allowed to sell or place any of the 180 dogs at that time. She feels she's done a good job getting that number down to 70 dogs now and will continue to place dogs.

Ernie Lazos (6 Kingswood Road) – commented on Donna Roberts statement regarding selling dogs referring to previous statements she has made advising she is not a puppy mill, does not sell dogs, is not a breeder and they are her pets. Mr. Lazos handed out copies of an email regarding a neighbor (Romeo) who is trying to sell their house but advises they are unable to do so due to this current neighboring issue. Mr. Lazos inquired about the new proposed cap on the number of dogs allowed.

The Solicitor reiterated a few brief comments about the number of dogs and the proposed regulations and requirements suggested in the new ordinance.

The Mayor reported the new ordinance will deal with the numbers issue and advised Mr. Lazos to take a look at the ordinance when posted on Wednesday (10/3/18), noting the ordinance will be opened back up for feedback (second reading at the next meeting).

Mr. Lazos presented the Committee with a list of signatures of people in support of an ordinance.

Denise Tollefson (524 Oakshade Road) – stated her appreciation to the Committee for working with everyone to come up with an acceptable ordinance. Ms. Tollefson also presented the Committee with a list of signatures. Ms. Tollefson questioned how the actual number of dogs can be monitored.

The Solicitor reported an ordinance will help simplify the basis for gaining access to do inspections; having the right people to do inspections; and making sure the right entities are involved to pursue legal implications if necessary.

Ms. Tollefson advised she has no issue with people who treat dogs humanely, but stated she still feels the claims of debarking are true. She concluded by thanking everyone for coming together to try and craft an ordinance that will hopefully stop inhumane treatment of animals.

Neil Wilkinson (567 Oakshade Road) – requested specification on the proposed cap/number of dogs (15) asking if this was this per household or per pet owner.

The Solicitor advised the new proposed ordinance focuses on the amount per property.

Janice Fisher (Manasquan, NJ) – advised she is with Friends of Animals United New Jersey. Ms. Fisher requested clarification on the 15 dogs, is that 15 intact females or 15 dogs total on the regardless if they are male/female/spayed/neutered. If you have 15 dogs on the premises, will you have to apply for a kennel license and be subject to the Burlington County Health inspections yearly? Ms. Fisher also inquired if there were any of the enhanced regulations or requirements removed from the previous ordinance they should be concerned about.

The Solicitor advised it was a straight head count (15) and advised to take a look at the new ordinance.

Dave Fisher (Monmouth County NJ) – advised he is a licensed professional planner and had a question based on his knowledge of the Pinelands and Zoning regulations in place. Mr. Fisher advised that upon his research, the property in question is located in an agricultural production zoning district, and as functioning, is not a permitted use in this area. Mr. Fisher commented this commercial breeding operation is not, and has not been, a lawful enterprise wondering why it has not been shut down already. Mr. Fisher stated that even with the regulations of a new ordinance, how can this type of facility continue to operate if it does not comply with the permitted use in the zoning code.

The Solicitor reported there is language in the ordinance stating the Township is not conferring any additional land-use rights and he also advised the Township is aware of the zoning issue implications. The Solicitor reported that Ms. Roberts has been cited since the last meeting for a number of existing conditions on her property that are outside the zoning ordinance.

Mr. Fisher also mentioned his concern for pet waste stormwater management regarding this facility and the nearby wetlands and stream.

Jean Clayton (Marlton) – stated she represents New Jersey residents against puppy mills. Ms. Clayton inquired if “grandfathering” was part of the new ordinance.

Mayor Di Croce replied that “grandfathering” was just a legal claim/concept a property owner may argue with regarding if their use was proper or not and he advised this is addressed in the ordinance.

Ms. Clayton inquired if the language regarding having a kennel is in the new ordinance, to which the Mayor advised her to read the new streamlined ordinance that will be posted on the website tomorrow (10/3/18).

Ms. Clayton also inquired if inspections would be complaint based.

The Solicitor replied that if someone is required to register, there would be an initial inspection, and if they failed, a subsequent inspection(s). Inspections can also be a result of a complaint received and there may be fees involved with inspections if violations are found. The Solicitor advised that inspections would be carried out by the County Health Department, who have the ability to bring additional resources with them.

Laura Anderson (Tabernacle) – she inquired if the number of dogs mentioned in the ordinance was just for a resident and how would that number apply to a perhaps a boarding kennel.

The Solicitor advised if someone wanted to establish a commercial boarding kennel or housing associated with a veterinary office, they would need to get the required commercial approvals from the Township Land Use Board. If the commercial approval was granted by the Board, the proposed new ordinance would not cap the number; but the registration and standards compliance details would still apply.

Louise Haines (Bunker Hill Road) – she inquired if inspections would be announced, to which both the Mayor and Solicitor replied to their understanding the Inspector would arrive unannounced once having received a complaint.

The Mayor thanked everyone involved for their input and excellent conduct during this process, again advising all to review the new ordinance when posted on the Shamong website (10/3/18).

As there were no additional comments, the Mayor then closed this portion of the meeting to the public (at approximately 7:59 p.m.) stating there will be a short break prior to resuming the remainder of the Committee Meeting.

The meeting resumed at approximately 8:06 p.m. at which time the Solicitor reported regarding the following: **Ordinance 2018-7** Second Reading and Public Hearing: AMENDING CHAPTER 54 OF THE TOWNSHIP CODE GOVERNING “ANIMALS” (BCT 8/13/18, tabled at 9/4/18 Township Committee meeting). The Solicitor advised the intent now is to take no action on this Ordinance, so by operation of law the Ordinance dies on the table.

The Solicitor reported the next order of business is the consideration of **Ordinance 2018-11** Introduction: Amending Chapter 54 of the Township of Shamong Code governing “Animals”. **On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve Ordinance 2018-11** Introduction: Amending Chapter 54 of the Township of Shamong Code governing “Animals”. A roll call vote showed all members present voting yes.

ITEMS FOR DISCUSSION AND POSSIBLE OFFICIAL ACTION:

On motion of Committeeman Cooney, seconded by Committeeman Gimbel, approval of the September 4, 2018 Regular and Executive Session minutes were approved as submitted. A roll call vote showed all members present voting yes.

Mrs. Onorato, the Clerk, reported having previously sent copies of the Employee Manual updates to the Committee; noting a by-annual review is required by the Joint Insurance Fund (JIF). The Clerk briefly reported on the five recommended updates supplied by JIF which have also been reviewed by the Solicitor.

The Solicitor reported there were a few changes to the Employee Manual, but most of the updates are driven by State legislature. The Solicitor advised that compliance to these updates also benefits our deductible on any possible employer related claims. **On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, it was moved to approve the 2016 Employee Policy Manual Update. A roll call vote showed all members present voting yes.**

The Clerk reported Mr. Whitcraft has been recommended by the Indian Mills Volunteer Fire Company and has provided proof of his Basic Fire Police training. **On motion of Committeeman Gray, seconded by Committeeman Mozitis, it was moved to approve the appointment of Ernest Whitcraft to Fire Police for the balance of a 5-year term expiring May 6, 2020. A roll call vote showed all members present voting yes.**

The Clerk reported staff would be carpooling to the NJ League of Municipalities Conference cutting travel costs.

On a motion of Committeeman Cooney, seconded by Committeeman Gimbel it was moved to approve a blanket motion approval of the following staff to attend the NJ League of Municipalities Conference in Atlantic City November 13 – 15 at a reduced member costs of \$55 per attendee.

- a. Susan Onorato, Clerk, JLUB, Registrar - \$170 travel, tolls and parking
- b. Kitty Taylor, Tax Collector * Riding with S. Onorato
- c. Barbara Valenzano, JLUB * Riding with S. Onorato
- d. Eugene Lera, JLUB
- e. Larry Sharrott, JLUB

And the approval for Kitty Taylor, Tax Collector attend seminar on October 17th, 2018 at \$17.00 cost of mileage only. A roll call vote showed all members present voting yes.

The Clerk advised this bid was through the Burlington County Municipal Park Grant fund. The Clerk reported the Township was responsible for the Engineering and bid document costs. The Clerk reported the original project estimate is close to the bid threshold, therefore a bid for new electric service is necessary. The electric service is for power to the new shed (Stoney Creek) and for additional security lighting at that same site. The Clerk advised the electric service can be installed as part of the Park Grant. **On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve to authorize Township Engineer to prepare bid documents for new electric service to be installed at the Stoney Creek Recreation Complex – funded through BCMPG funds. A roll call vote showed all members present voting yes.**

The Clerk advised this annual Request for Proposal/Request for Qualification sub-committee appointment, per our ordinance, can be two members of the Committee or one member of the Committee and the Clerk. This RFP/RFQ is for the Township's professional staff (Auditor, Solicitor, Engineer). **On motion of Committeeman Gray, seconded by Committeeman Mozitis, it was moved to approve the Deputy Mayor, Tim Gimbel and the Clerk, Mrs. Onorato, to the 2019 RFP/RFQ sub-committee appointment. A roll call vote showed all members present voting yes.**

The Clerk reported meeting with a web-designer, Secret Design, who was recommended by our IT (internet technology) consultant. The basic plan is to have a cemetery website that links to the Township website and vice versa. Images, documents and fill-in forms are being created/worked on as well. The Clerk reported the Cemetery website is expected to be up and running within the next month. **On motion of Committeeman Gray, seconded by Committeeman Gimbel, it was moved for approval of web design for Pineland Memorial Park Cemetery at a cost of \$2,500. A roll call vote showed all members present voting yes.**

ORDINANCES:

The Solicitor reported that the companion Ordinance, 2018-10, will need to be tabled pending the Shamong Township Joint Land Use Board review, therefore he is recommending this Ordinance be tabled as well.

Upon inquiry of Committeeman Gimbel, the Solicitor reported on a new State regulation where the Director of Alcoholic Beverage Control (ABC) issued a ruling (in the last week or so) on local breweries and smaller start-up operations, but the Solicitor advised there was a suspension of that ruling today.

On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to table Ordinance 2018-9 Second Reading: AMENDING AND SUPPLEMENTING THE SHAMONG TOWNSHIP CODE AT CHAPTER 51, ARTICLE I TO EXPAND THE PERMITTED ISSUANCE OF CLASS A LIQUOR LICENSES FOR LIMITED BREWERIES, RESTRICTED BREWERIES (BREW PUBS), PLENARY WINERIES, FARM WINERIES, INSTRUCTIONAL WINEMAKING FACILITIES, PLENARY DISTILLERIES AND LIMITED DISTILLERIES (BCT 9/9/18) to the November 7, 2018 Committee Meeting. A roll call vote showed all members present voting yes.

On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to table Ordinance 2018-10 Second Reading: AMENDING AND SUPPLEMENTING CHAPTER 110, ARTICLE IX, SECTION 125(D) OF THE SHAMONG TOWNSHIP LAND DEVELOPMENT ORDINANCE TO PERMIT LIMITED BREWERIES, RESTRICTED BREWERIES, PLENARY WINERIES, FARM WINERIES, INSTRUCTIONAL WINEMAKING FACILITIES, PLENARY DISTILLERIES AND LIMITED DISTILLERIES IN THE PINELANDS VILLAGE COMMERCIAL ZONING DISTRICT (BCT 9/9/18) to the November 7, 2018 Committee Meeting pending the Shamong Township Joint Land Use Board review. A roll call vote showed all members present voting yes.

The Solicitor advised public comment was not applicable for Ordinance 2018-9 and 2018-10 as they were being tabled.

The Solicitor reported the initial construction design phase of the Cemetery (Pinelands Memorial Park) is nearing completion. The Solicitor summarized the basics of this Ordinance framework as officially establishing the cemetery as our Municipal Cemetery; having a reference to our Township Administration and the previously established Cemetery Advisory Board; having the associated Cemetery fee schedule; deed processing information and details on disposition of funds as needed to own and operate a cemetery. **On motion of Committeeman Gray, seconded by Committeeman Mozitis, it was moved to approve Ordinance 2018-12 Introduction: Creating Chapter 65 of the Township Code Governing "Cemetery". A roll call vote showed all members present voting yes.** The Solicitor advised the second reading and public hearing will be on November 7, 2018.

RESOLUTIONS:

As there were no questions or comments, **on motion of Committeeman Gray, seconded by Committeeman Gimbel, it was moved to approve Resolution 2018R-88 authorizing and affirming Cemetery By-Laws and Standard Operating Procedures for Cemetery. A roll call vote showed all members present voting yes.** The Clerk advised the Resolution needed to adopt the Cemetery price list will be on the November 7, 2018 agenda as the second reading of 2018-12 is needed in order to adopt the fee schedule. The Clerk then advised a few of the proposed fees.

The Clerk reported the Park Grant total was \$150,000 and we are in process of trying to secure some of that money back. The Clerk reported on the current progress of completed work; the contracted \$53,000 of work at the Dingtletown recreation complex is near completion; the concrete work at Gristmill Park is completed (other work in process); there is a \$10,500 change order on the Gristmill Park contract; a 20x20 shed was installed at the Stoney Creek complex at a cost of \$8,650 - the stone footing area was prepared/installed by the Township Public Works Department, the fees for which are being charged back to the Grant. The Clerk reported a partial reimbursement of \$65,543.27 is being sought by the Township. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve Resolution 2018R-89 approve partial reimbursement and acceptance of work on the 2015 Burlington County Park Development Grant. A roll call vote showed all members present voting yes.**

The Engineer reported this DOT grant was submitted for the entire stretch of Grassy Lake Road which will allow work on a selected portion of choice/need based on amount of funding approved/received. Upon questioning, the Engineer reported he anticipates hearing a response from the State possibly February 2019. **On motion of Committeeman Gimbel, seconded by Committeeman Gray, it was moved to approve Resolution 2018R-90 approve to submit a grant application and execute a grant contract with the New Jersey Department of Transportation (DOT) for Grassy Lake Road Repaving project. A roll call vote showed all members present voting yes.**

The Clerk reported this 5K run/walk event is at Valenzano Winery and it is expected that a portion of Forked Neck Road will be closed for approximately two hours as requested for previous events. A Certificate of Insurance (COI) is required and needs to be provided to the Township by October 19, 2018 along with the Hold Harmless agreements in order to run the event as planned on November 4, 2018.

The Clerk reported the approval is based on the receipt of the required COI and Hold Harmless agreements. The Clerk reported a Special Event Permit Application has been submitted through John Lyons, Office of Emergency Management (OEM) Coordinator, who is also working with them regarding notifying the State Police regarding the road closure. **On motion of Committeeman Gray, seconded by Committeeman Mozitis, it was moved to approve Resolution 2018R-91 authorizing and permitting CK Running, LLC to conduct the Zero the End of Prostate Cancer 5K. A roll call vote showed all members present voting yes.**

The Clerk reported the refund is for Block 4.13, Lot 10 (54 Meadowview Court) for a permit paid for and issued to SunRun, Inc. after which the homeowner decided not to install product. The total fee collected was \$426.00, but the refund amount is \$331.80 after a 20% processing fee is deducted as allowed by statute. **On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve Resolution 2018R-92 refund of permit fees. A roll call vote showed all members present voting yes.**

Blanket motion: The Clerk reported these Resolutions are necessary updates at the request of our bank as a result of the staff change at the Municipal Court.

On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve by blanket motion:

2018R-93 Investors Bank signature authorization for the Accumulated Absence; Developers Escrow, Current Fund; General Capital Fund; Payroll, STASA; Animal Control; Public Defender Trust; Recreation Trust; Open Space Trust; Unemployment Trust and Multi Escrow Trust Fund accounts.

2018R-94 Investors Bank signature authorization for the Tax Title Lien Redemption account.

2018R-95 Investors Bank signature authorization for the Municipal Court General and Municipal Court Bail accounts.

A roll call vote showed all members present voting yes.

BILL LIST:

The Clerk reported the total bill list is \$1,525,936.27 as noted in the meeting pack. **On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, it was moved to approve the attached Bill List. A roll call vote showed all members present voting yes.**

REPORTS:

The Engineer Reported:

- Park Projects
 - Dingtletown is mostly complete, just some clean-up work is left.
 - Gristmill Park concrete work is done, the bollards and tables are installed and fence is completed. The parking lot, boat ramp rehab and sign installation needs to be done, but should be wrapped up the next couple of weeks.
- Oakshade Road pre-construction meeting was last week and work is scheduled to begin in the next couple of weeks.
- Cemetery finish up work is being done (top dressing and seeding). The columbarium is expected sometime November/December – waiting for confirmation.

There was a brief Committee discussion concerning a drainage issue at the Cemetery and the Engineer advised he would look into the problem to see how it can be corrected.

Upon question by the Mayor, the Clerk advised the Cemetery sign is scheduled for installation on Friday (10/5/18).

The Solicitor Reported: no additional reports

The Administrator Reported:

- Adopt-A-Road Fall clean-up will be taking place over the next four weeks.
- Pine Barrens Olympics Triathlon is Saturday, October 13, 2018.
- Farm to Fork Fondo bike event is Sunday, October 14, 2018 through Shamong on Route 206 & Forked Neck Road.
- 2018 Pine Barrens 500 is October 26, 2018.
- Zero Prostate Cancer 5K at Valenzano Winery on November 4, 2018.
- Fawn Lake Village was awarded a rent increase.
- Shamong Township Rent Control Board is reviewing a request for a rent increase for Oak View Village.
- Department reports are included in Committee meeting packet.

PUBLIC COMMENT:

Mayor Di Croce opened the meeting to the public for comments, at which time Aldyth Keith (Springer Brook Road) inquired when Forked Neck Road would be closed down to which the Clerk advised the morning of November 4, 2018 (5K run at Valenzano Winery). As there were no additional comments, the Mayor closed the meeting to the public.

There being no further business, **on motion of Committeeman Gimbel, seconded by Committeeman Gray and a roll call vote showing all members present voting yes, the meeting was adjourned.**

Attest:



Susan D. Onorato
Municipal Clerk