Shamong, NJ 08088 November 6, 2019

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 PM

The Clerk, Susan Onorato, stated the Sunshine Statement advising that proper notice of this meeting has been given in compliance with the Open Public Meeting Act.

Pledge of Allegiance was recited.

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

Also, in attendance: D. Heinold, Solicitor and S. Brown, Engineer

PUBLIC COMMENT:

Mayor Di Croce opened the meeting to the public for comments, at which time Deputy Mayor Gimbel thanked the voters and complimented the number of people who came out on a non-election year stating it validated the work being done in Shamong. Deputy Mayor Gimbel also commended Ms. Carlos and Ms. Smith for their efforts. Mayor Di Croce expressed his agreement and thanks as well.

Eileen Carlos (Indian Mills Road) expressed her appreciation commenting she met a lot of great people in Shamong and advised she will be attending every meeting.

Bill Humphries (Willow Grove Road) advised he had attended a meeting earlier in the year at which time he expressed concerns about the appearance of the Municipal complex. He then thanked the Committee for all the work that had been done and all the items that were addressed stating the complex looked great now.

Neil Wilkinson (Oakshade Road) congratulated the Committee advising he was a Democrat who changed over to vote Republican. He stated the reason he did this was due to a card he received in the mail from Eileen Carlos. Ms. Carlos interjected that card was from the campaign. Mr. Wilkinson inquired how having inaccurate statements, referring to the $20 million circle comment printed on the card, going out to the residents of Shamong would help progress us along? Mr. Wilkinson stated both he and Ms. Carlos have both been to recent meetings and know the $20 Million amount was not an accurate number. Mr. Wilkinson advised he was also at the meeting that Mr. Di Croce had voted against the circle.

Ms. Carlos stated this was campaigns literature and she then advised the $20 M amount was a statement made in a Shamong Sun article in March 2019 by Mr. Di Croce. The Mayor stated the Township was initially advised the amount would be $20 M, but they were later advised that was an erroneous number which the Committee revealed on record as soon as they knew. Mr. Wilkinson commented he would like to have it clarified that the verbiage on the mailer was not correct in stating that it was Di Croce's and Gimbel's traffic circle – it's a County traffic circle.

Aldyth Keith (Springer's Brook Road) commented there was a lot of nonsense going on about a stupid thing that we really don't have anything to do about. The circle is not the State, it's Federal funded.

Bill Humphries stated he lives three houses from the intersection and has seen multiples deaths there. Even if it was $20 M, if it was your loved one, you'd pay $40 M to make it safer.

Eileen Carlos confronted Mr. Humphries regarding his statement of multiple deaths asking how many. Mr. Humphries advised there had been several and referencing in particular a fatal motorcycle accident he had witnessed.

Ms. Carlos made comments we are all granted our opinions and advised she had the best campaign ever complimenting the poll workers and everyone working together.

As there were no further questions or comments, the Mayor then closed the meeting to the public.

ITEMS FOR DISCUSSION AND POSSIBLE OFFICIAL ACTION:

On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, approval of the October 1, 2019 Regular Session minutes were approved as submitted. A roll call vote showed all members present voting yes.

Brian Monaghan from the Burlington County Joint Insurance Fund (BurlCo JIF) gave the yearly report on the state of JIF and the state of Shamong within the JIF. Mr. Monaghan gave brief history on the JIF, its financial stability and product lines. Mr. Monaghan commented a big part of the JIF is safety training mentioning Shamong's emphasis on safety meetings/talks resulting in their excellent loss history ratio. Shamong's loss ratio is well below the JIF average resulting in the Township getting the best pricing in the JIF – we have no claims.

Eileen Carlos asked Mr. Monaghan to explain what the JIF program is for the for Township. Mr. Monaghan commented there was a crisis in the 80's with prices going through the roof. With the combination of all the towns pooling their resources together, there is preferred pricing – as well as the use of safety as a method to reduce claims.

The Clerk reported through JIF there had been cyber security training in which the staff was later blind tested by the JIF – all staff passed with flying colors. The Clerk advised the E-JIF (environmental) inspection was also completed with no issues.

The Clerk reported the JIF 2019 Dividend award is $7,492 advising we have the option to credit this amount to next year's premium, take a check or split the difference. **On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve the total JIF dividend amount of $7,492 be credited to next year's premium. A roll call vote showed all members present voting yes.**

The Mayor reminded the Committee about the December 5th Elected Officials Seminar. The Clerk reported that between the Elected Officials Seminar reimbursement and the other Safety Incentives earned, the Township received back over $5,000 in JIF reimbursements - in addition to the dividend.

Janet Wilkins (Millstone Development) requested clarification on the E-JIF inspection. The Clerk advised it was an environmental insurance coverage.

The Mayor advised the Grassy Lake solar speed limit sign options would be tabled due to quote errors.

The Clerk reported resident Mrs. Durham, who is organizing the 3rd Annual Holiday Lights event, has requested $1,850 from the Township for funding. All residents can participate in this event and may sign up through the Face Book page. The Clerk advised there is an availability of fees collected by people that were interested in pursuing the potential cannabis business and that these fees could off-set most of this cost. The Clerk confirmed $1,500 in fees collected. The Mayor suggested using just the $1,500 for the Holiday Lights funding request. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve funding the Holiday Lights award ceremony in the amount of $1,500. A roll call vote showed all members present voting yes.**

The Clerk reported the Indian Mills Athletic Association (IMAA) is requesting to host a fund-raising event at the Dingletown complex – all proceeds going to IMAA. The Clerk advised the Indian Mills Fire Company, the Office of Emergency Management and the State Forestry are all involved and there is a permit for the bon fire. The Mayor commented it was nice to see community members stepping up and getting involved – it was confirmed there are no taxpayer funds involved. **On motion of Committeeman Cooney, seconded by Committeeman Mozitis, it was moved to approve Indian Mills Athletic Association request to host a Community Night on Saturday, November 16th from 5 PM – 8 PM including a bon fire. A roll call vote showed all members present voting yes.**

The Mayor read into the record two pending special event permits – the December 7, 2019 annual tree lighting ceremony at Crossroads Church from 5:00-7:00 PM and the December 13, 2019 holiday lights award ceremony at Atsion Lake from 6:30-9:00 PM.

The Clerk commented on the need for the Office of Emergency Management (OEM) to be prepared for anything that happens in the community and discussed potential emergency busing needs in case of evacuations due to floods or forest fires. The following companies were contacted for quotes: Hillmans Bus Service, First Student, Tabernacle School District, Lenape Regional High School District and Wills Bus Service.

It was suggested to have approval for all these bussing companies since, in an emergency situation, schools may be in session and working around that scheduling could be an issue. The Clerk advised the average quoted price is $72.50-$75.00 per hour with a four (4) hour minimum – the Tabernacle and Lenape District quotes are still pending. The Clerk advised this would go into the overall emergency management budget and the emergency bussing plan is part of documentation which Mr. Lyons needs to submit to the County. The Clerk stated this is a recommended, not mandated plan. **On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, it was moved to approve the review and putting together an emergency bussing plan and estimated costs for OEM. A roll call vote showed all members present voting yes.**

The Clerk reported on a drainage easement between two property owners in which a series of sink holes have formed. Public Works inspection determined the Township does not have the proper equipment to fix the issue. Guzzi Engineering, Township Engineer, evaluated the site. The Clerk advised this could become a potential safety risk if situation worsens. Guzzi Engineering submitted quote details for a Base Bid (excavation/clean-out/repair/backfill/seed) and Alternate (fill area with flowable fill and dispose of solids): Coastline Construction, LLC at $7,500 total ($4,000 base - $2,500 alternate), Gower's Inc. at $7,900 total ($4,400 base - $3,500 alternate) and Giberson Plumbing at $8,500 total ($8,500 base – no quote on alternate). Guzzi Engineering has recommended Coastline Construction, LLC for the Base Bid price of $4,000, but do not recommend the Alternate due to cost and feels it's not necessary. The Clerk confirmed sufficient funds are available in the budget. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve Coastline Construction, LLC quote of $4,000 Base Bid Price only to repair drainage storm drainpipe within easement on Meetinghouse Court/Lane. A roll call vote showed all members present voting yes.**

The Clerk advised on the report submitted by Kathryn Taylor, Tax Collector, on properties acquired by the Township at the October 23, 2019 Tax Sale – tax maps of the parcels are in the meeting packet and the following properties were read into the record. No action required.

a. Block 12.01 lot 16
b. Block 9.02, lot 15
c. Block 23.11, lot 11
d. Block 32, lot 13

The Solicitor stated for clarification the Township obtains a tax lien at the Tax Sale – if six (6) months pass and there has been no addressing of the lien, the Township has the ability to foreclose on the tax lien if it makes sense to do so.

The Mayor reported there is a Veterans Day Ceremony and official opening of the Pinelands Memorial Park Cemetery scheduled for Saturday, November 9th at 11:00 AM.

On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve by blanket motion the Clerk's request to attend the following two seminars.

a. Municipal Recycling Coordinator seminar at an estimated cost of $30 travel.
b. Ethics Seminar on December 11, 2019 at an estimated cost of $40 travel (Free seminar)

A roll call vote showed all members present voting yes.

The Clerk reported the heating system above the meeting room recently had an internal fire resulting in a total loss of the unit and causing close to $1,000 in damages to the second unit above the same room. Both units were close to 25 years old. It being an emergency situation, the Clerk reached out to the Solicitor, proper protocol was followed and the Township reached out for repair quotes – Shamrock Inc. at $16,127 to replace the 3 ½ ton units with 4 ton units; Dewpoint Mechanical at $17,845 to replace the 3 ½ ton units with 3 ton units and Raynor Electric at $18,400 to replace 3 ½ ton units with same. The Township went with the low quote with Shamrock who did an excellent job with a quick turnaround. The Clerk stated that several years ago a building fund was established for just such emergencies enabling the repair without going into the current budget. Official approval of the expenditure is needed. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve the purchase of replacement heaters for the main meeting room. A roll call vote showed all members present voting yes.**

RESOLUTIONS:

The Clerk stated this is a success story for the tax abatement program started several years ago in an effort to gain development in the Township Industrial Park and Commercial areas. Taxes on improvements done to a preexisting site are reduced, requiring a credit in taxes - first two quarters of 2020 are $4,281.94 with a continuance of credits going forward for the first five (5) years. **On motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve Resolution 2019R-100 to cancel taxes on Block 27.01/Lot 9.09 which qualify for the redevelopment zone – Industrial Park Area tax abatement program. A roll call vote showed all members present voting yes.**

The Clerk reported the request was generated from the Medford Lakes Municipal Court with whom we have a Shared Service Agreement. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve Resolution 2019R-101 Cash Management Resolution for Investors Bank to add the Court Administrator and Deputy Court Administrator as signers to the Municipal Court Accounts. A roll call vote showed all members present voting yes.**

The Clerk advised 2019R-102 would amend the Municipal Court positions signature requirements, established by 2019R-08, in accordance with 2019R-101 just approved. **On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, it as moved to approve Resolution 2019R-102 amendment to Resolution 2019R-08. A roll call vote showed all members present voting yes.**

ORDINANCES:

The Clerk reported this ordinance is to propose a $10.00 Delivery Fee to residents requesting delivery of a second recycling Cart that are unable to pick it up at no charge directly from the Township. There is also a provision for a Supplemental Cart Fee - $55.00 for a 95-gallon Cart and $50.00 for a 65-gallon Cart - if a resident requested a third Cart. *Aldyth Keith* inquired if the new blue Carts were recyclable. The Clerk advised she would inquire with the County at the Recycling Seminar.

The Clerk advised there are several hundred Carts currently available and approximately 100 second Carts have already been picked up by residents. **On motion of Committeeman Cooney, seconded by Committeeman Gimbel, it was moved to approve Ordinance 2019-10 Amending Chapter 5 of the Township Code Governing "Fees". A roll call vote showed all members present voting yes.**

The Clerk reported on the current challenge of finding/notifying the correct responsible party for a vacant property to advise accountability of applicable fees and/or State violations. It is a time-consuming task to get the right person on the phone and track down the current Mortgage Company that owns the property. The Clerk advised Mr. Toussaint, Building Code and Zoning Official, has recommended outsourcing this service – the company would retain $100 of the $500 Township fee. The Solicitor stated Mr. Toussaint's recommendation is based upon his successful use of this service in another municipality and trusts his recommendation. The Solicitor advised the ordinance is a good avenue to address these properties and outsourcing makes a lot of sense – Shamong is a small office already handling numerous issues including OPRA responses and the Cemetery. The Clerk advised it is a proactive process with self-sustaining fees and can potentially make the Township some money. **On motion of Committeeman Gimbel, seconded by Committeeman Mozitis, it was moved to approve Ordinance 2019-11 Amending the Township code of Shamong by repealing, in its entirety, Chapter 137 entitled "PROPERTY, VACANT AND ABANDONED" and replacing it, in its entirety with Chapter 137 to be entitled, "REGISTRATION OF FORECLOSURE MORTGAGES AND VACANT PROPERTY"; providing for purpose, intent and applicability of the ordinance requiring the registration and maintenance of certain real property by mortgages and vacant property by owners; providing for penalties and enforcement, as well as the regulation, limitation and reduction of registrable real property within the township; providing for severability, repealer, codification and an effective date. A roll call vote showed all members present voting yes.**

BILL LIST:

The Mayor requested any questions or comments; as there were none, **on motion of Committeeman Gimbel, seconded by Committeeman Cooney, it was moved to approve the attached Bill List. A roll call vote showed all members present voting yes.**

REPORTS:

The Engineer Reported:

- 2018 Road Program – Oakshade Road – all work completed, working on final reimbursement paperwork with DOT (Department of Transportation).
- Grassy Lake Road Repaving plans reviewed by DOT – revisions made based on comments received and sent back to DOT.

The Solicitor Reported:

- Reached out to County Prosecutor for update on Roberts/Corbett cases and was advised they are being actively prosecuted – no additional information was shared.
- Recently closed on the Taylor property – approx. 15 acres for $10,000 – adding to the Township Open Space totals.
- There is a land-locked property adjacent to an existing parcel owned by the Rancocas Conservancy – property owner is interested in selling and Rancocas Conservancy is pursuing. This would benefit the Township by contributing to the total Open Space acreage relating back to the PIOLET fee issue on the State level.

The Administrator Reported:

- $10K OEM Grant payment was received for the 2018 EMAA Grant.
- Rent Control Board Vacancy – please contact Clerk's office for additional information.
- Federal census is currently scheduled to take place in our community from August – October 2019.
- November 15th – National recycling day.
- Water will be shut down at Dingletown Recreational Complex due to cold weather.
- Township office reports in meeting packet.

The OEM Coordinator Reported: Tabled

PUBLIC COMMENT:

Mayor Di Croce opened the meeting to the public for comments, at which time *Eileen Carlos* (Indian Mills Road) inquired about how affordable housing for Shamong Township falls under State rules. The Solicitor advised the Township is 100% Pinelands Community and we have never been challenged with a builder's remedy lawsuit which is the primary form of relief of a developer of affordable housing. The biggest issue is we are 100% in the Pinelands jurisdiction and have no sewer service area. Most minimum lots sizes are 3.2 acres in town and not conducive to affordable housing. The Solicitor advised the mobile home parks in Shamong can meet available housing needs.

Neil Wilkinson (Oakshade Road) inquired about a Senate law making animal cruelty a Federal felony. As the Solicitor understands, it still awaits the President's signature – moving it to a Federal level is a positive thing.

Eileen Carlos inquired about the petition entered with the Township Committee to release funds to acquire professionals (to review options available to the JLUB regarding the cell tower application) and did the Committee limit the funds to the Joint Land Use Board in any way that would force them to not be able to hire the type of professionals they would need to review the application. The Solicitor advised this is in pending litigation which has been remanded back to the JLUB for another hearing. The Solicitor reported the JLUB was provided whatever latitude desired relative to the issue. The motion as was stated was approved and the JLUB had the authority to hire whatever experts they felt were appropriate.

Ms. Carlos asked if the limit on professional fees still $17,500 per professional. The Solicitor advised if they thought the fees were going to be in excess – they would have to go through an RFP process.

Ms. Carlos then brought up cell tower Ordinance 2000-8 mentioning the preferable location on Township owned lands and potential of revenue benefits. Ms. Carlos inquired if the Township Committee, since Mayor Long, has talked to Pinelands about having these Township owned properties prioritized under their CMP plan. The Solicitor replied the Township went through an exhaustive process with the Pinelands proposing Municipal properties, none of which satisfied Pinelands requirements – nor were they suitable for rezoning/re-designation in accordance with their CMP (Comprehensive Management Plan).

Ms. Carlos questioned that there was no application formally introduced to the Pinelands from the Township qualifying their own properties. The Solicitor stated for clarification, the Township does not apply for a site, but sought to have sites that would have been approved. The Solicitor stated again that process was exhaustive and concluded that no Township owned available sites were going to be approved by Pinelands. The Solicitor advised if the Township thought there was a suitable application that had a decent chance of being approved, then a formal application would have been filed or a formal rezoning request.

Ms. Carlos advised she did call, and submitted an OPRA to, the Pinelands for any formal application that would have been filed by the Township or any other applicant and there was one for 449 Oakshade Road. Ms. Carlos stated that because of Ordinance 2000-8 and that the Township has 77 pieces of property – why wouldn't we go to the Pinelands with the 77 pieces of property and look to qualify them for cell towers. She made a formal request for the Township to look to see if these properties could be rezoned the way Medford Township did.

As there were no additional questions or comments, the Mayor closed the meeting to the public.

On motion of Committeeman Gimbel, seconded by Committeeman Cooney and a roll call vote showing all members present voting yes, by <u>Resolution 2019R-103</u>, the Committee went into Executive Session for matters of Attorney Client privilege.

The Committee reconvened their regular meeting. Mayor Di Croce went out into the hallway to invite residents back into the meeting. The Solicitor reported discussing pending personnel matters and that there was no formal action to be taken at this time.

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

Attest:

Susan D. Onorato

Susan D. Onorato
Municipal Clerk