

**PILESGROVE TOWNSHIP
REGULAR MEETING
FEBRUARY 13, 2007
MINUTES**

Mayor Ernie Bickford called the regular meeting of the Pilesgrove Township Committee to order at 7:00 PM, followed by the Pledge of Allegiance. The Clerk read the annual notice statement:

This meeting is called pursuant to the provisions of the Open Public Meetings law. This meeting of February 13, 2007 was included in a list of meetings notice sent to the Today's Sunbeam and the Elmer Times on January 3, 2007, posted on the bulletin board at the Municipal Building on January 3, 2007 and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Mayor Bickford advised that proper notice having been given; the Clerk is directed to include this statement in the minutes of this meeting.

Attendance: Ernest Bickford
Edward Kille
William Miller
William L. Horner
Ruth Moynihan

Motion made by Kille, 2nd by Miller to approve the minutes of the January 2, 5, 9 (AM), 9 (PM), 23 and 30, 2007 (including closed sessions 1 & 3) meetings. Ayes all.

Motion made by Bickford, 2nd by Kille to approve the minutes of the January 30, 2007 closed session #2 minutes. Ayes Bickford, Kille, Miller abstained.

Motion made by Kille, 2nd by Miller to approve the bill list as submitted by the Treasurer. Ayes all.

Mayor Bickford presented a Certificate of Achievement to Brandon Robert Smick on attaining the rank of Eagle Scout.

Mayor Bickford issued a Proclamation recognizing March 2, 2007 as *Read Across America* day.

Representatives of the Woodstown Chapter of the FFA presented Mayor Bickford with a Proclamation naming the week of February 17 – 24 as National FFA Week. The representatives recited the creed of the organization.

Motion made by Kille, 2nd by Miller to approve the 2007 renewal of the Kennel License for Joyful Acres, 15 Williams Road. Ayes all.

Motion made by Miller, 2nd by Kille to approve the consent form for the Salem County Mosquito Commission to use State Air Spray program in the Township if necessary. Ayes all

Motion made by Miller, 2nd by Kille to approve the 2007 Municipal Alliance Service Contract with the County of Salem. Ayes all.

Motion made by Kille, 2nd by Miller to accept the annual report of the Tax Collector for the year 2006. Ayes all.

Motion made by Miller, 2nd by Kille to accept the Tax Collectors report for the month of January 2007. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 07-018, canceling balances under \$5.00. Ayes all.

Motion made by Miller, 2nd by Kille to approve Resolution 07-019, awarding a contract for services to Redoak Disposal Service in the amount of \$10,400.00 for the demolition of a Township owned building (the old Park N Wash Laundromat) at Baileys Corner. Certification of availability of funds by the CFO attached. Ayes all.

Motion made by Kille, 2nd by Miller to approve Resolution 07-020, transferring funds. Ayes all.

Motion made by Miller, 2nd by Kille to approve Resolution 07-021, denying a request for the release of a performance bond by Wawa, Inc. Mr. Horner explained the request and the reasons for the denial, as outlined in the letter from Township Engineer James McKelvie. Ayes all.

Motion made by Kille, 2nd by Miller to approve on first reading

Ordinance 07-02
An Ordinance to Exceed the Municipal Budget Appropriations Limit
and to Establish a Cap Bank

Roll call: Bickford yes, Kille yes, Miller yes.

Mr. Horner explained the purpose of Ordinance 07-03, An Ordinance Amending Chapter 145 “Land Use” of the Code of the Township of Pilesgrove, which is to clarify some existing language in the land use ordinance regarding buffers in the AR zone and reverse frontage. Mr. Miller stated that he has some questions regarding the wording and accuracy of the language of the ordinance. Mr. Horner advised that if Committee has questions on the ordinance, do not proceed with the introduction of the ordinance. Motion made by Miller, 2nd by Kille to table Ordinance 07-03, to discuss the ordinance further with the Township Planning Board. Roll call: Kille yes, Miller yes, Bickford yes.

Motion made by Kille, 2nd by Miller to approve Resolution 07-022, referring Ordinance 07-03 to the Township Planning Board. Mr. Horner advised that even though the Ordinance was tabled, this Resolution can be done at this time. Ayes all.

Motion made by Kille, 2nd by Miller to open the public comment portion of the meeting. Ayes all.

Resident Cheryl Reardon asked if the Township was aware of any court rulings where environmental issues “trump” COAH lawsuits. Mr. Horner advised that he was not aware of any.

Ms. Reardon asked if, when the zoning ordinance pertaining to the Kings Road settlement comes back to the Township Committee for action, will each member of the Township Committee not vote on the ordinance. Mr. Horner advised not to his knowledge. Ms. Reardon asked if any member of the Township Committee represented D’Anastasio or done any type of work for an attorney or the applicant who will be represented in the application. Township Committee replied no.

Ms. Reardon asked that if a resident can reasonably demonstrate a concern that damage may result from activity on an adjacent property, what laws protect the residents and or the Township. Mr. Horner advised that would be a tort action and any damages would be decided by a judge and jury. Mr. Miller asked if there is a pre-existing condition on a property, and Ms. Reardon advised that she has put thousands of dollars into her home because of water damage in her basement. Ms. Reardon asked if these issues should be considered by the Township before approving a zoning change. Mr. Horner advised that the ordinance includes setback and lot size requirement that are meant to address these issues.

Ms. Reardon advised that she feels the Township needs some type of ordinance to establish uniformity in the design, height, etc of fences in the Township. Resident Jerry Anton advised that fence design is usually addressed in the plans for major subdivisions. Ms. Reardon suggests that it be addressed throughout the Township.

Ms. Reardon inquired on the effect of the recent State Supreme Court decision on the Round 3 COAH requirements. Mr. Horner advised that the decision has had a significant effect on Round 3, and all municipalities will be effected in some way.

Motion made by Kille, 2nd by Miller to close the public comment portion of the meeting. Ayes all.

Motion made by Kille, 2nd by Miller to into closed session to discuss items in accordance with N.J.S.A. 10:4-12. Ayes all.

Motion made by Kille, 2nd by Miller to reopen to the public. Ayes all.

Motion made by Mille, 2nd by Miller to adjourn at 8:30 PM. Ayes all.

Maureen R. Abdill, Clerk