

MANSFIELD TOWNSHIP
ZONING BOARD
REGULAR MEETING

January 4, 2012

The regular meeting of the Mansfield Township Zoning Board was held on the above shown date with the following in attendance: **William Tahirak, John Kampo, Jeanne Zalegowski, Ralph Wainwright, James Soden, Thomas Pitzer, Robert Harrison, Alfred Vardalis, Douglas F. Walker, and Temporary Secretary, Barbara Crammer.**

The meeting was called to order by **William Tahirak** who wished everyone a Happy New Year and led everyone in the salute to the flag.

The following Opening Statement was read:

Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given in the annual notice, which was adopted by the Mansfield Township Committee on January 24, 2011. Said Resolution was transmitted to the Burlington County Times on February 2, 2011, e'mailed to the Burlington County Times, Trenton Times, and Register News, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 11, 2011.

The purpose of this meeting was for reorganization of the Zoning Board.

NOMINATION FOR CHAIRMAN:

A motion was offered by **John Kampo** and second by **Ralph Wainwright** to nominate **William Tahirak** as Chairman of the Zoning Board for the year 2012. Since there were no other nominations, the nomination for **Mr. Tahirak** was closed and he was unanimously elected Chairman.

NOMINATION FOR VICE-CHAIRMAN:

A motion was offered by **Ralph Wainwright** and second by **Jeanne Zalgowski** to nominate **John Kampo** as Vice-Chairman. Since there were no other nominations, the nomination for Vice-Chairman was closed and **Mr. Kampo** was unanimously elected Vice-Chairman.

NOMINATION FOR SECRETARY:

A motion was offered by **James Soden** and second by **Ralph Wainwright** to carry this nomination over to the next meeting scheduled for February 6, 2012.

MEETING DATES FOR 2012 "ANNUAL NOTICE"

A motion was offered by **John Kampo** and second by **Ralph Wainwright** to adopt the following resolution designating the meeting dates for the year 2012. Motion carried.

Resolution 2012-01-01
ANNUAL MEETING NOTICE

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq., requires the adoption by a public body of a schedule of the regular meetings to be held during the calendar year; and

WHEREAS, upon proper notice pursuant to the act, no further notice of those meetings will be necessary, and

NOW, THEREFORE BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Mansfield, assembled in a public session on January 4, 2012, as follows:

The Zoning Board of Adjustment hereby designates the following dates as the dates of its regular meetings until the next reorganization meeting of the Zoning Board of Adjustment on Wednesday, January 7, 2013, and unless otherwise modified by Resolution of the Zoning Board of Adjustment, there will be work session meetings beginning at 7:00 P.M. followed by the regular meeting at 7:30 P.M. All meetings shall be held in the Mansfield Township Municipal Complex, 24548 East Main Street, Columbus, New Jersey.

February 6, 2012
March 5, 2012
April 2, 2012
May 7, 2012
June 4, 2012
July 2, 2012

August 6, 2012
September 4, 2012
October 1, 2012
November 5, 2012
December 3, 2012
January 7, 2013

APPOINTMENT OF ZONING BOARD SOLICITOR FOR 2012

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to appoint Raymond and Coleman as Engineer for 2012 as per Resolution Number 2012-01-02. Motion carried

Resolution Number 2012-01-02

APPOINTMENT OF ZONING BOARD SOLICITOR

WHEREAS, THE Zoning Board of Adjustment of the Township of Mansfield requires the regular services of a Zoning Board Solicitor, and

WHEREAS, consistent with the provisions of N.J.S.A. 49:44A-20.5, the Township has adopted an ordinance requiring that contracts awarded pursuant to the provision of N.J.S.A. 40A:11-5 shall be awarded through a Request for Qualifications and Proposals process, and

WHEREAS, the Zoning Board of Adjustment has reviewed all RFP'S submitted for the Zoning Board Solicitor position.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Mansfield as follows:

1. The Chairman and Secretary of the Zoning Board are hereby authorized and directed to execute an agreement with the following:

Raymond & Coleman, LLP, 325 New Albany Road, Moorestown, NJ
08057 for services as Zoning Board of Adjustment Solicitor.

2. The contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contract Law because of the specialized nature of the work.

3. A copy of this resolution shall be published in the Burlington County Times as required by law within 10 days of its passage.

APPOINTMENT OF ZONING BOARD ENGINEER FOR 2012

A motion was offered by **Ralph Wainwright** and second by **Vice-Chairman Kampo** to appoint Stout and Caldwell Engineers, LLC as Zoning Board Engineer for 2012 as per Resolution 2012-01-03. **Chairman Tahirak** said he had spoken to them

regarding the mileage rate and attempts to keep the fees down. They are aware of our concerns and will work toward keeping costs down.

Resolution Number 2012-01-03

APPOINTMENT OF ZONING BOARD ENGINEER

WHEREAS, THE Zoning Board of Adjustment of the Township of Mansfield requires the regular services of a Zoning Board Engineer, and

WHEREAS, consistent with the provisions of N.J.S.A. 49:44A-20.5, the Township has adopted an ordinance requiring that contracts awarded pursuant to the provision of N.J.S.A. 40A:11-5 shall be awarded through a Request for Qualifications and Proposals process, and

WHEREAS, the Zoning Board of Adjustment has reviewed all RFP'S submitted for the Zoning Board Engineer position.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Mansfield as follows:

1. The Chairman and Secretary of the Zoning Board are hereby authorized and directed to execute an agreement with the following:

Stout & Caldwell Engineers, LLC 705 US Rt. 130 South, Suite A. P.O. Bo2290, Cinnaminson, New Jersey 08077 to serve as the Mansfield Township Zoning Board of Adjustment Engineer..

2. The contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contract Law because of the specialized nature of the work.

3. A copy of this resolution shall be published in the Burlington County Times as required by law within 10 days of its passage.

APPOINTMENT OF ZONING BOARD PLANNING CONSULTANT FOR 2012

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to appoint Louis Glass Associates as Planning Consultant for 2012 as per the following Resolution 2012-01-04 Motion carried.

Resolution Number 2012-01-04

APPOINTMENT OF ZONING BOARD PLANNER

WHEREAS, the Zoning Board of Adjustment of the Township of Mansfield requires the regular services of a Zoning Board Planner; and

WHEREAS, consistent with the provisions of N.J.S.A. 49:44A-20.5, the Township has adopted an ordinance requiring that contracts awarded pursuant to the provision of N.J.S.A. 40A:11-5 shall be awarded through a Request for Qualifications and Proposals process, and

WHEREAS, the Zoning Board of Adjustment has reviewed all RFP'S submitted for the Zoning Board Planner position.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Mansfield as follows:

1. The Chairman and Secretary of the Zoning Board are hereby authorized and directed to execute an agreement with the following:

Louis Glass Associates, 9 Union Avenue, Bala Cynwyd, Pennsylvania 19004 to serve as the Mansfield Township Zoning Board of Adjustment Planner.

2. The contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contract Law because of the specialized nature of the work.

3. A copy of this resolution shall be published in the Burlington County Times as required by law within 10 days of its passage.

APPOINTMENT OF ZONING BOARD TRAFFIC CONSULTANT FOR 2012

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to appoint Alexander Litwornia as Traffic Consultant for the year 2012 on an as needed basis, as per Resolution 2012-01-05. Motion carried.

Resolution Number 2012-01-05

APPOINTMENT OF ZONING TRAFFIC CONSULTANT

WHEREAS, the Zoning Board of Adjustment of the Township of Mansfield requires the regular services of a Zoning Board Traffic Engineer; and

WHEREAS, consistent with the provisions of N.J.S.A. 49:44A-20.5, the Township has adopted an ordinance requiring that contracts awarded pursuant to the provision of N.J.S.A. 40A:11-5 shall be awarded through a Request for Qualifications and Proposals process, and

WHEREAS, the Zoning Board of Adjustment has reviewed all RFP'S submitted for the Zoning Board Traffic Engineer position.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Adjustment of the Township of Mansfield as follows:

1. The Chairman and Secretary of the Zoning Board are hereby authorized and directed to execute an agreement with the following:

Lithonia Associates, Inc., P.O. Box 2300, 3 Trading Post Way, Medford Lakes, New Jersey to serve as Traffic Engineer for the Mansfield Township Zoning Board of Adjustment.

2. The contract is awarded without competitive bidding as "Professional Services" under the provisions of the Local Public Contract Law because of the specialized nature of the work.

3. A copy of this resolution shall be published in the Burlington County Times as required by law within 10 days of its passage.

DESIGNATION OF OFFICIAL NEWSPAPERS

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to appoint the Burlington County Times as the official newspaper as per the Resolution 2012-01-06.

Resolution 2012-01-06

DESIGNATION OF OFFICIAL NEWSPAPERS

NOW THEREFORE BE IT RESOLVED, by the Mansfield Township Zoning Board of Adjustment, of the County of Burlington, State of New Jersey that the following are designated as the official newspapers until December 31, 2012.

- Primary: Burlington County Times
- Secondary: Trenton Times
- Bordentown Register News

Chairman Tahirak acknowledged a new board member, Rich Tarantino and welcomed him to the Board.

PUBLIC COMMENT

Chairman Tahirak noted that there were residents in the audience and commented that, if litigation is involved, the Board cannot comment on any remarks. They are free to speak.

Kate MacFarland, resident of East Main Street spoke as a resident of East Main Street and a representative for an association that has been formed, Citizens for Main Street. They are united in their opposition to Wesley's expansion. She said they had a couple of concerns after the December 27th meeting. One is the use of the building.

They were told the building would only be used for religious events although it is her understanding that Weight Watchers rents the building currently. They are not a non-profit organization. She asked for clarification of the future use of the building. **Chairman Tahirak** felt this should not be discussed at this meeting. She was advised to get the information to the attorneys. Mrs. MacFarland asked what they should do as an association and should they bring legal counsel to the next meeting in which the Wesley Methodist expansion is the topic of discussion. Or should they wait for Judge Bookbinder's final decision. Again, Mrs. MacFarland was told advice cannot be given and she should contact counsel. They cannot act as a board on this. She asked if they will be formally notified when Wesley is on the agenda. She was told that, if they come back to the board, she will be. Currently, the lawyers are working with the Judge and the Board does not know the status. Mrs. MacFarland was told that no judgment or calls can be made nor can the board listen to any testimony. Mrs. MacFarland that she does not want more costs incurred by the Township. They are pleased how the board has worked with them on this issue. They want to know what the next step would be to protect their interest. She was told to contact her attorney.

Ken Davis, 24591 East Main Street, commented that, assuming this goes forward, he doesn't want to be in the position of suing both the church and the township for damages to his property should he have to go to the expense of sump pumps and that type of thing. He felt it is incumbent upon the board to required hydrologist reports of the neighborhood so the township is protected and the onus is on the church and their experts.

With no more comments, the public portion of the meeting was closed on a motion offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright**. Motion carried.

APPROVAL OF MINUTES: December 5, 2011

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to approve the minutes of the December 5, 2011 meeting. Motion carried.

Chairman Tahirak noted that there are two pending applications for the next meeting to be held February 6, 2012.

MOTION TO ADJOURN

A motion was offered by **Vice-Chairman Kampo** and second by **Ralph Wainwright** to adjourn. Motion carried.

Respectfully submitted,

Approved: February 6, 2012

Barbara A. Crammer, Temporary Secretary