

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
January 28 2015
Executive Session
6:30 PM**

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Robert Higgins, Deputy Mayor Sean Gable, Committeewoman Janice DiGiuseppe, Committeeman Arthur Puglia, Committeeman Robert Semptimphelter, Solicitor Michael Magee, Clerk Linda Semus and Administrator Michael Fitzpatrick.**

Mayor Higgins called the meeting to order followed by the following opening statement.

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 4, 2015. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, 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 7, 2015.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman DiGiuseppe** to go into executive session by adoption of the following resolution. Motion carried.

**RESOLUTION 2015-1-27
RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 213, P.L. 1975 [NJSA 10:4-12(B)] permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exists;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows: pending and potential litigation and personnel.
3. It is anticipated at this time that the above subject matter will be made public when the matter has been resolved and approved for release by the Township Solicitor.

Regular Meeting
7:30PM

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance **Mayor Robert Higgins, Deputy Mayor Sean Gable, Committeewoman Janice DiGiuseppe, Committeeman Arthur Puglia, Committeeman Robert Semptimphelter, CFO Joseph Monzo, Engineer Tim Staszewski, Attorney Michael Magee, Clerk Linda Semus, Deputy Clerk Barbara Crammer and Administrator Michael Fitzpatrick.**

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Gable** to come out of executive session.

Attorney Magee said the purpose of the executive session was to discuss contract on-going contract negotiations and pending litigation.

Mayor Higgins called the regular meeting to order followed by the Salute to the Flag and a moment of silence.

Clerk Semus read the following proclamation

A PROCLAMATION HONORING ALFRED W. CLARK FOR HIS OUTSTANDING AND DEVOTED SERVICE TO MANSFIELD TOWNSHIP, BURLINGTON COUNTY.

WHEREAS, Mansfield Township has many citizens who have a sense of caring and a desire to share with others and to participate in the lives of their community and to exhibit their talents and resources;

WHEREAS, Alfred W. Clark, quickly became a part of the Mansfield Township family, gaining the respect and confidence of his colleagues on both the Planning Board and Township Committee, as well as, the residents of Mansfield Township; and

WHEREAS, Fred, as we all so warmly refer to him, had participated, guided and put forward his vision for our wonderful Township in a professional, yet friendly mannerism; and

WHEREAS, Fred's talents and knowledge of the community led him to not only sit as a member of both the Planning Board and Township Committee but to his appointments as Chairman of the Planning Board, during his tenure with them, and as the Deputy Mayor of Mansfield Township; and

WHEREAS, Fred undertook the tasks of both the Planning Board and Township Committee, unheralded and without any thought of recognition, and

WHEREAS, Fred was always friendly, thoughtful and considerate of others and went far beyond his duties to help the residents in a fair manner during the growth and development of the Township.

NOW, THEREFORE, BE IT RESOLVED, the Mansfield Township Committee, on behalf of the Township, its officials, employees and residents thereof, do hereby express its gratitude to Fred for his many years of dedicated service rendered to this Township, and to the residents therein, and to see that such recognition is permanently made a part of the record of this Township.

BE IT FURTHER RESOLVED, that although Fred will be missed as an active Committee Member, the Township Committee wishes him many years of health and happiness with continued interest in the business of this wonderful Community.

*Given under the hand and seal of the Township of Mansfield this
28th Day of January, 2015*

Alfred Clark was congratulated by all in attendance. Everyone in attendance was invited to share a piece of cake while honoring Mr. Clark. Mr. Clark was thanked for his years of service to Mansfield Township. **Mayor Higgins** said he was an asset to the township and so one he respects and he honors his opinion. **Deputy Mayor Gable** said it has been an honor to work with Fred as he is great to work with. He cares about our community. He knows a lot of people and has a lot of good stories and experiences. **Deputy Mayor Gable** wished him well in his retirement. **Committeewoman DiGiuseppe** said she has enjoyed working with Fred over the past 4 years and is sad to see him leave. She wished him well. **Committeeman Puglia** said he appreciates the time he spent with Fred. He thanked him for all he did.

ENGINEER'S REPORT

Engineer Staszewski referred to his January 23rd report and said that the DOT had sent out notification that funding is frozen for the year 2015. Therefore, he wouldn't expect any grants to come forward. This will effect our grant request was for Axe Factory Road. However, anything current should be safe from being removed. Therefore, the grant for White Pine Road should be safe.

At the last meeting, conversations were held in regard to Lynnwood Farms and improvement recommendations with regard to the maintenance contractor of the operator. The operator has moved forward with some of the responsibility without any luck. **Engineer Staszewski** felt it was appropriate for him to provide quotes for the Committee's consideration for the work. This should be done within a week.

The schedule for White Pine Road was discussed at the last meeting. The field work for the project is complete and on schedule.

The fire suppression riser modification project and the reduction of the pump size had been discussed. The contractor provided us with the calculations about that reduction. **Engineer Staszewski** is in the process of reviewing those calculations now.

The Orleans developer provided some storm water calculations for the flows to Mill Lane. He responded to **Attorney Magee** on those and he was uncertain whether he had time to review them. **Attorney Magee** said a meeting is to be scheduled as we are getting some conflicting

reports. We need to meet as they are claiming the as-builds are according to their approvals and, if this is the case, the drainage should be working. But it isn't, so there is something wrong. **Attorney Magee** will send Glen McDonald a letter or e-mail indicating the need for a meeting. There is a serious problem on Mill Lane. **Mayor Higgins** said this has been discussed many times and it appears that what was laid out is not happening with the water flow. It is not working and needs to be corrected. He added that too much time is being wasted, he is getting too many phone calls, and he wants it corrected.

Engineer Staszewski said the developer for the Country Walk Commercial Site has applied for a bond release. It was not acted on by him due to a lack of inspection escrows. However the escrow has been posted late last week. Therefore, he did submit a letter with no objection to release. The resolution should be on the agenda for the next meeting.

Deputy Mayor Gable said we have had some concerns from residents in regard to the commercial facility and the need for a handicapped ramp in front of the pharmacy. He asked if there is anything we can do before we release the bond to require them to add the handicapped ramp. **Engineer Staszewski** explained that the developer's obligation is to meet the approval. If the ramp was not approved at that location, they are not obligated to install it. We can meet with them and ask them and try to convince them, but it is not something we can use to hold the bond. **Deputy Mayor Gable** said he felt this should be recommended to them as we have received several complaints.

A motion was offered by **Committeeman Semptimphelter** and second by **Deputy Mayor Gable** to accept the Engineer's Report. Motion carried.

ORDINANCE 2015-1

.An Ordinance of the Township of Mansfield, County of Burlington to supersede, repeal and replace Chapter 25, Property Maintenance, of the Code of the Township of Mansfield and Ordinance No. 2000-16, adopted September 27, 2000, identified as "Property Maintenance Code of the Township of Mansfield."

Chapter 25. PROPERTY MAINTENANCE

[HISTORY: Adopted by the Township Committee of the Township of Mansfield as indicated in article histories.

Amendments noted where applicable.]

GENERAL REFERENCES

Numbering of buildings — See Ch. 25

Fire prevention — See Ch. 21A

Housing standards — See Ch. 25

Rental property — See Ch. 39D

Solid waste — See Ch. 39B

Abandoned vehicles — See Ch. 30

Public health nuisances — See Ch. 33

Article I. General Property Maintenance

[Adopted 00-00-0000 by Ord. No. 2015- - .11]

[1]:

Editor's Note: This ordinance also repealed former Ch. 25, Property Maintenance, adopted 5-9-1991 by Ord. No. 2000-16, as amended.

§ 25-1. Title; repeal of prior regulations.

This article shall be known as the "Property Maintenance Code of the Township of Mansfield" and may be referred to in this article as this "code." This article shall supersede, repeal and replace Chapter **25**, Property Maintenance, of the Code of the Township of Mansfield and Ordinance No. 2000-16, adopted September 27, 2000, identified as "Property Maintenance Code of the Township of Mansfield."

§ 25-2. Findings and declaration of policy; purpose.

A. Findings. It is hereby found and declared that there exists in the Township of Mansfield structures used for residential and nonresidential use which are, or may become in the future, substandard with respect to structure, equipment or maintenance or further that such conditions, including but not limited to structural deterioration, lack of maintenance and appearance of exterior of premises, infestation, lack of maintenance or upkeep of essential utilities and facilities, existence of fire hazards and unsanitary conditions, constitute a menace to the health, safety, welfare and reasonable comforts of the citizens and inhabitants of the Township of Mansfield. It is further found and declared that, by reason of lack of maintenance and progressive deterioration, certain properties have the further effect of creating blighting conditions, and that, if the same are not curtailed and removed, the conditions will grow and spread and will necessitate in time the expenditure of large amounts of public funds to correct and eliminate the same, and that, by reason of timely regulations and restrictions as herein contained, the growth of blight may be prevented and the neighborhood and property values thereby maintained, the desirability and amenities of residential and nonresidential uses and neighborhoods enhanced and the public health, safety and welfare protected and fostered.

B. Purpose. The purpose of this code is to protect the public health, safety and welfare by establishing minimum standards governing the maintenance, appearance and condition of residential and nonresidential premises; to establish minimum standards governing utilities, facilities and other physical components and conditions essential to make the aforesaid facilities fit for human habitation, occupancy and use; to fix certain responsibilities and duties upon owners and operators and distinct and separate responsibilities and duties upon occupants; to authorize and establish procedures for the inspection of residential and nonresidential premises; to fix penalties for the violations

of this code; and to provide for the repair, maintenance and abatement of nuisances on premises by the Township of Mansfield. This code is hereby declared to be remedial and essential for the public interest, and it is intended that this code be liberally construed to effectuate the purposes as stated herein.

§ 25-3. Definitions and word usage.

A. Whenever the words "accessory structure," "building," "dwelling," "premises" or "structure" are used in this code, they shall be construed, unless expressly stated to the contrary, to include the plurals of these words and as if they were followed by the words "or any part thereof."

B. The following terms wherever used herein or referred to in this code shall have the respective meanings assigned to them unless a different meaning clearly appears from the context:

ACCESSORY STRUCTURE

A structure, the use of which is incidental to that of the main building and which is attached thereto or located on the same premises

BASEMENT or CELLAR

Any floor, any portion of which is more than 24 inches below the adjacent grade level.

BUILDING

A combination of materials to form a construction adapted to permanent or continuous occupancy or use for public, institutional, residence, business or storage purposes.

DETERIORATION

The condition or appearance of a building or part thereof, characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use.

DWELLING

Any structure designed for use by human occupants for sleeping and living purposes, whether occupied or vacant, except that the foregoing shall not apply to hotels as defined in N.J.S.A. 29:2-1.

ENFORCEMENT OFFICERS

All officials, officers or employees entrusted with the enforcement of the provisions of this code.

EXPOSED TO PUBLIC VIEW

Any premises or any part thereof or any building or any part thereof which may be lawfully viewed by the public or any member thereof from a sidewalk, street, alleyway, licensed open-air parking lot or from any adjoining or neighboring premises

EXTERIOR OF THE PREMISES

Those portions of a building which are exposed to public view and the open space of any premises outside of any building erected thereon.

FIRE HAZARD

(See also "nuisance.") Anything or any act which increases or may cause an increase of the hazard or menace of fire to a greater degree than that customarily recognized as normal by persons in the public service of preventing, suppressing or extinguishing fire; or which may obstruct, delay or hinder or may become the cause of an obstruction, a delay, a hazard or a hindrance to the prevention, suppression or extinguishment of fire.

GARBAGE

(See also "refuse" and "rubbish.") Putrescible animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food. Compost piles are excluded from the definition of "garbage." A "compost pile" is a collection of leaves, grass clippings and other similar raw organic materials collected in a pile for the purpose of decomposition. Pine needles may be included as a component of the compost pile. A single compost pile shall not exceed a height of 5 feet or diameter of 10 feet.

INFESTATION

The presence of insects, rodents, vermin or other pests on the premises which constitute a health hazard.

NUISANCE

(1) Any public nuisance known at common law or in equity jurisprudence or as provided by the statutes of the State of New Jersey or the ordinances of the Township of Mansfield.

(2) Any attractive nuisance which may prove detrimental to the health or safety of children whether in a building, on the premises of a building or upon an unoccupied lot. This includes, but is not limited to, abandoned wells, shafts, basements, excavations, abandoned iceboxes or refrigerators or other major appliances, abandoned or junk motor vehicles, any structurally unsound fences or structures, lumber, trash, fences or debris.

(3) Physical conditions dangerous to human life or detrimental to the health of persons and or near the premises where the conditions exist.

(4) Inadequate or unsanitary sewage or plumbing facilities in violation of Township ordinances.

(5) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings.

OCCUPANT

Any person living, sleeping, occupying or having actual possession of a premises or a part thereof.

OPERATOR

Any person who has charge, care or control of a premises or a part thereof, whether with or without the knowledge and/or consent of the owner.

OWNER

Any person who, alone or jointly or severally with others, shall have legal or equitable title to any premises, with or without accompanying actual possession thereof; or shall have

charge, care or control of any dwelling or dwelling unit as owner or agent of the owner or as fiduciary, including but not limited to executor, executrix, administrator, administratrix, trustee, receiver or guardian of the estate, or as a mortgagee in possession regardless of how such possession was obtained. Any person who is a lessee subletting or reassigning any part or all of any dwelling or dwelling unit shall be deemed to be a co-owner with the lessor and/or assigned by said lessee.

PREMISES

A lot, plot or parcel of land, including the buildings or structures thereon.

REFUSE

(See also "garbage" and "rubbish.") All putrescible and non putrescible solid wastes (except body wastes), including but not limited to garbage, rubbish, ashes, street cleanings, dead animals, abandoned automobiles, tires and solid market and industrial wastes.

REGISTERED MAIL

Registered mail or certified mail.

RUBBISH

(See also "garbage" and "refuse.") No putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrappings, cigarettes, tin cans, wood, bedding, crockery and similar materials. Firewood shall not be prohibited, provided that it is stacked in an orderly manner within 60 days of being cut or delivered to the property. Firewood on a commercial lot must be stacked at least 15 feet off any residential property line.

STRUCTURE

Combination of any materials, whether fixed or portable, forming a construction, including buildings.

VENTILATION

Supply and removal of air to and from any space by natural or mechanical means.

WEATHERING

Deterioration, decay or damage caused by exposure to the elements.

§ 25-4. Applicability; compliance with other provisions.

A. In general. This code shall be applicable to all buildings, every residential and nonresidential building and the premises on which it is situated in the Township, used or intended to be used for dwelling, commercial, business or industrial occupancy, which buildings shall comply with the provisions of this code, whether or not such building shall have been constructed, altered or repaired before or after the enactment of this code, and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building or for the installation or repair of equipment or facilities prior to enactment of this code. This code shall not apply to farm related buildings located on farmland-assessed property, other than the principal residence. This code establishes minimum standards for the initial and continued occupancy and use of all such buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of the building, equipment or facilities contained therein, except as provided in Subsection **B.**

B. Higher standard to prevail in case of conflict with other laws or ordinances. In any case where the provisions of this code impose a higher standard than set forth in any other ordinances of the Township or under the laws of the State of New Jersey, then the standards as set forth herein shall prevail, but if the provisions of this code impose a lower standard than any other ordinances of the Township or of the laws of the State of New Jersey, then the higher standard contained in any such other ordinance or law shall prevail.

C. Enforcement of and compliance with other ordinances. Compliance with this code shall not constitute a defense against any violation of any other ordinance of the Township applicable to any structure or premises, nor shall any provision herein relieve any owner, operator or occupant from complying with any such other provision, nor any official of the Township from enforcing any such other provision.

§ 25-5. Responsibilities of owner, operator and occupant independent of each other.

A. Owner and operator. Owners and operators shall have all the duties and responsibilities as prescribed in § **25-6** of this code and the regulations promulgated pursuant thereto, and no owner or operator shall be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the occupant is also responsible therefor and in violation thereof.

B. Occupant. Occupants shall have all the duties and responsibilities as prescribed in § **25-7** and all the regulations promulgated thereto, and the occupant shall not be relieved from any such duty and responsibility nor be entitled to defend against any charge of violation thereof by reason of the fact that the owner or operator is also responsible therefor and in violation thereof.

C. Contract not to alter responsibilities. Unless expressly provided to the contrary in this code, the respective obligations and responsibilities of the owner and operator on one hand, and the occupant on the other, shall not be altered or affected by any agreement or contract by and between any of the aforesaid or between them and other parties.

§ 25-6. Duties and responsibilities of owner and operator.

A. Maintenance of exterior of premises free of hazards and unsanitary conditions. The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of occupants, pedestrians and other persons utilizing the premises and free of unsanitary conditions, and any of the foregoing shall be promptly removed and abated by the owner or operator.

B. It shall be the duty of the owner or operator to keep the premises free of hazards which include but are not limited to the enumerations and provisions in the following subsections:

(1) Refuse. Brush, woods, broken glass, excavated stumps, roots, hazardous growths, filth, garbage, trash, refuse and debris.

(2) Natural growth. Dead and dying trees and limbs or other natural growth which, by reason of rotting or deteriorating conditions or storm damage, constitute a hazard to persons in the vicinity thereof or operators of motor vehicles utilizing the public right of way. Trees shall be kept pruned and trimmed to prevent such conditions.

(3) Overhanging's. Loose and overhanging objects and accumulations of ice and snow which, by reason of location above ground level, constitute a danger of falling on persons in the vicinity thereof.

(4) Ground surface hazards or unsanitary conditions. Holes, excavations, breaks, projections, obstructions and excretion of pets and other animals on paths, sidewalks, walkways, driveways, parking lots and parking areas and other parts of the premises which are accessible to and used by persons on the premises. All such holes and excavations shall be filled and repaired, walks and steps replaced and other conditions removed where necessary to eliminate hazards or unsanitary conditions with reasonable dispatch upon their discovery.

(5) Weeds. All premises and exterior premises shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be prohibited. "Weeds" shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

(6) Removal of leaves. No owner, occupant and/or tenant of a residential property shall rake, blow, push and/or drag leaves from his or her property onto public streets except in the following manner; leaves may be piled or raked in rows running parallel to the curb of the premises in question. The outward edge of the rows shall not extend any further than three feet from the nearest curbline.

(7) Removal of branches and trees by homeowner. No owner, occupant and/or tenant of a residential property shall stack branches, trees or parts of trees in the paved right of way. Branches, trees, parts of trees and stumps must be placed behind the curbline.

(8) Removal of branches and trees by a private contractor or person other than the homeowner. All debris generated by trimming or removing trees by a private contractor, including branches, wood, stumps etc., must be removed by the contractor. The Township does not chip or remove any trees or parts of trees removed by private contractors.

C. Sources of infestation. Every owner and operator shall be responsible for the elimination of infestation in and on the premises subject to his or her control.

D. Appearance of exterior of premises and structures. The exterior of the premises, the exterior of structures and the conditions of accessory structures shall be maintained so that the appearance of the premises and all buildings thereon shall not constitute a value-depreciating factor for adjoining property owners nor an element leading to the progressive deterioration and downgrading of property values.

E. Storage of commercial and industrial material. There shall not be stored or used at a location visible from the sidewalk, street or other public areas equipment and materials relating to commercial or industrial uses unless permitted under the Zoning Ordinance^[1] for the premises.

[1]:

Editor's Note: See Ch. 27 Land use.*

F. General maintenance of all structures and accessory structures. The exterior of every structure or accessory structure (including fences) shall be maintained in good repair. Painted fences shall be maintained so that the paint is not peeling or otherwise deteriorating. Unpainted fences shall be maintained so as to avoid rot or deterioration of the fencing materials. The exterior of all structures shall be maintained free of broken glass, loose shingles, crumbling stone or brick, excessively peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the property itself may be preserved, safety and fire hazards eliminated and adjoining properties and the neighborhood protected from blighting influences. Roofs shall be maintained or repaired to be structurally sound and free from defects.

G. Awnings and marquees. Any awning or marquee and its accompanying structural members which extend over any street, sidewalk or other portion of the premises shall be maintained in good repair and shall not constitute a nuisance or a safety hazard. In the event that such awnings or marquees are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event that awnings or marquees are made of cloth, plastic or similar materials, the cloth or plastic, where exposed to public view, shall be maintained in good condition and shall not show evidence of excessive weathering, ripping, tearing or other holes. Nothing herein shall be construed to authorize any encroachment on streets, sidewalks or other parts of the public domain.

H. Exterior walls, roofs, etc. Exterior walls, roofs, windows, window frames, doors, door frames, foundations and other parts of the structure shall be maintained. Damaged materials must be repaired or replaced promptly; places showing signs of rot, leakage, deterioration or corrosion are to be restored and protected against weathering or seepage.

I. Freedom from accumulations and obstructions. No accumulation or obstruction from garbage, refuse or rubbish shall be permitted which is visible from the sidewalk, street or other public areas or a neighboring premises except that garbage stored in proper containers may be set out for removal.

§25-7. Duties and responsibilities of occupants.

A. Cleanliness and sanitation. All parts of the premises under the control of the occupant or operator shall be kept in a clean, safe and sanitary condition, and the occupant shall refrain from performing any acts which would render other parts of the premises unclean or unsanitary or which would obstruct the owner or operator from performing any duty required hereunder or from maintaining the premises in a clean and sanitary condition. All outside premises shall be clear of abandoned iceboxes, refrigerators, heaters, television sets and other similar major appliances.

B. Landscaping. The landscaping of premises shall be maintained in an orderly state with lawns (where applicable) and bushes trimmed and free from becoming overgrown, littered and unsightly where such would constitute a blighting effect, depreciating adjoining and nearby property.

C. Ground surface hazards, unsanitary conditions, unregistered vehicles and/or vehicles without current license plates.^[1]

(1) It shall be the duty of the occupant to keep the premises free of holes, excavations and excretions of pets and other animals on paths, sidewalks, walkways, driveways, parking lots and parking areas and other vehicular or pedestrian access routes to the premises. Snow and ice shall be cleared from sidewalks and public access paths or routes or shall be made safely passable within 24 hours of the end of a storm. Holes and excavations shall be filled and repaired and other conditions removed where necessary to eliminate hazards or unsanitary conditions with reasonable dispatch upon their discovery. It shall also be the duty of the occupant to remove any motor vehicle which is unregistered or not registered to the owner or occupant and/or without current license tags or plates from the premises unless the same is properly stored in a closed garage or neatly covered with a protective tarpaulin (subject to a maximum of two such unregistered tarpaulin-covered vehicles), or in the case of nonresidential

premises such motor vehicle is being currently serviced or repaired by a garage man or mechanic in order to meet inspection requirements of the Division of Motor Vehicles of the state of New Jersey. Any such vehicles in residential zones shall be stored either in the driveway or rear yard.

(2) No person shall park or permit to be parked any motor vehicle on any street in the Township for a period of more than 72 hours unless such motor vehicle is operable and in condition for safe and effective performance of the function for which it is intended; provided, however, that the parking of a car, trailer, motorcycle or boat offered for sale shall be permitted for a maximum period of 30 consecutive days, a maximum of three times per calendar year.

[1]:*Editor's Note: See also Ch.30 Vehicles, Abandoned.*

D. Eliminating infestation. Every occupant of a premises shall be responsible for the elimination of infestation in the premises and on the premises.

E. Malicious damage. Every occupant shall be responsible for willfully or maliciously caused damage to any part of the premises.

§ 25-8. Refuse storage and disposal.

A. In general. No person shall accumulate or permit, suffer or allow the accumulation in any premises owned, operated, occupied or controlled by him of any refuse, garbage, rubbish and waste material for a time longer than the period from one collection day to the next ensuing collection day. Such refuse, garbage, rubbish or waste material shall either be removed by the Township-contracted services in accordance with regulations made and provided or by an authorized collector.

B. Nonresidential premises.

(1) Every owner, operator and occupant of any nonresidential premises shall be responsible for providing suitable containers consisting of waterproofed receptacles, cans or barrels made of a substantial material such as galvanized iron or vinyl/plastic with a tight-fitting cover so constructed as to prevent spillage or leakage of its contents which, when full, shall not weigh over 65 pounds (unless the container is to be mechanically raised) for the receiving and holding of garbage, rubbish, refuse or waste materials.

(2) Every owner, operator and occupant of nonresidential premises shall be responsible for providing containers, as described in Subsection B(1), sufficient in number to hold all garbage, rubbish, refuse and waste material in the manner prescribed, from one collection period to the next actual collection. Garbage, rubbish, refuse and waste material shall be placed in the containers aforesaid prior to the time fixed for collections.

(3) Every owner, operator and occupant of nonresidential premises shall be responsible for making necessary arrangements for weekly collection of garbage, rubbish, refuse and waste material between the hours of 6:00 a.m. and 8:00 p.m. prevailing time only.

C. Residential premises

(1) Every owner, operator and occupant of residential premises shall be responsible for providing suitable containers for the receiving and holding of garbage, rubbish, refuse and waste materials and which when full shall not weigh more than 30 pounds. All such containers shall prevent trash or garbage from discharging or spilling into the street and prevent spillage or leakage of their contents.

(2) Every owner, operator and occupant of residential premises shall be responsible for providing containers as described in Subsection C(1) sufficient in number to hold all garbage, rubbish, refuse and waste material, in the manner prescribed, from one collection to the next actual collection. Such garbage, rubbish, refuse and waste material shall be placed in the containers aforesaid prior to the time fixed for collection.

(3) Every owner, operator and occupant of residential premises shall place the containers aforementioned so as not to impede traffic in front of the premises no earlier than 12:00 noon of the day preceding the nearest collection day. Containers shall be retrieved from their collection location no later than 12:00 midnight on the day of collection.

(4) Discarded newspapers, magazines and the like may be placed in securely tied bundles or paper bags in close proximity to the location of the containers aforesaid for collection in accordance with the Recycling Ordinance requirements.^[1] Bulky items comprised of waste materials classified as paper, rubbish or ashes as defined in § 25-3 of this article must be assembled by the owner, operator and occupant of the premises into not more than three-foot lengths, tied securely and placed in close proximity to the containers aforesaid for collection.

[1]:*Editor's Note: See Ch. 39B, Solid Waste, Art. I, Recycling.*

§ 25-9. Inspection; enforcement; notice of violation; order; hearing; emergencies; costs.

A. Township Committee to supervise administration of inspections, regulations, enforcements and hearings on violations. The Township Committee is hereby designated to supervise and direct all inspections, regulations, enforcements and hearings on violations of the provisions of this code, unless expressly stated to the contrary. The Property Maintenance Officer, Building Inspector or Mansfield Township Police Department or his designee shall be and is designated by the Township Committee to perform such duties as may be necessary to the enforcement of this code, including the making of inspections. Any resident of Mansfield Township shall have standing to bring a complaint to the Municipal Court for enforcement of this article.

B. When exterior inspections are to be made. All exteriors of buildings and premises subject to this code are subject to inspection by the enforcing officer of the Township based on clearly evident probable cause to believe a violation or unsafe condition may exist. At the time of such inspections, parts of the premises must be available and accessible for such inspections, and the owner, operator and occupant are required to provide the necessary arrangements to facilitate such inspections.

C. Identification and conduct of inspectors. Enforcement officials and officers shall be supplied with official identification and shall exhibit such identification when requesting access to any part of any premises subject to this code. Inspectors shall conduct themselves so as to avoid intentional embarrassment or inconvenience to occupants.

D. Where access by enforcing officials is refused. Where the enforcing official or his agent is refused access to the premises or is otherwise impeded or prevented by the owner, occupant or operator from conducting an inspection of the premises, access to the premises shall be gained only by the warrant procedure set forth hereafter.

E. Issuance of warrant. In addition to the provisions of Subsection D, enforcing officials may, upon affidavit, apply to the Municipal Court Judge of the Township of Mansfield or to the New Jersey Superior Court for a warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this code exists on the premises, and if the Judge is satisfied as to the matter set forth in said

affidavit, he may authorize the issuance of a warrant permitting access to and inspection of that part of the premises on which the nuisance or violation exists.

F. Procedure where violation discovered. Where a violation of this code or the regulations hereunder is found to exist, a written warning notice from the enforcing official shall be served on the person or persons responsible for the correction thereof.

G. Contents of notice. The notice shall specify the violation or violations committed, what must be done to correct the same, a reasonable period of time not to exceed 30 days to correct or abate the violation, the right of the person served to request a hearing and that the notice shall become an order in 10 days after service unless a hearing is requested pursuant to Subsection I. The notice shall also advise the recipient that, if the violation is not corrected or abated, the municipality or municipal-hired contractor may do the same, the cost of which shall become a lien on the subject property.

H. Service of notice. Notice may be served personally or by mail with postage prepaid, addressed to the last known address of the person to be served. In case the premises are occupied, notice may be accomplished by posting upon the front door of the structure. Where it is ascertained that the owner does not reside on the premises, the last known address shall be the address of the owner as shown in the office of the Tax Collector. If the last known address cannot be ascertained, service may be accomplished by mailing the notice with postage prepaid to the mortgagee, if there be one, and by posting the notice on the front door of the premises and printing the notice in the official Township newspaper at least one time. The enforcing officer shall file and provide notice to any owner, operator or occupant of any violation at any address other than the last known address provided hereunder if such other address is filed with the enforcing officer personally or by certified mail addressed to the enforcing officer. Service upon an owner, operator or occupant may also be attained by service of any notice upon any competent member of the family 18 years old or older of the owners, operator or occupant. Date of service of notice shall be determined where service is by mail as of the third day following the day of mailing for notices to addresses within or outside the Township. Where the day of service would fall upon a Sunday or other day where mail is not ordinarily delivered, then the day of service shall be the next regular day.

I. Notice to become an order unless hearing requested. Within 10 days of the date of service of a notice, the notice shall constitute a final order unless any person affected by the notice requests a hearing thereon by serving a written request within the ten-day period in person or by mail on the Township Clerk. Such request for a hearing shall set forth briefly the grounds or reasons on which the request for a hearing is based and the factual matters contained in the notice of violation which are to be disputed at the hearing. The Township Clerk, upon receipt of the requests, shall within 30 days therefrom and upon five days' notice to the party aggrieved set the matter down for hearing before the Township Committee.

J. Determination at hearing. At any hearing provided hereunder the Township Committee shall be vested with all the powers provided by law to compel the attendance of witnesses and parties in interest by issuance and service of subpoena; to require by subpoena the production of books, records or other documents at any such hearing which may be pertinent to matters to be determined by it; and to enforce any such subpoena or secure any order for the enforcement of any such subpoena as provided by law. Determination shall be made within 14 days from the completion of the hearing. The Township Committee shall issue an order either incorporating the determinations and directions contained in the notice, modifying the same or withdrawing the notice.

K. Extensions of time. The Township Committee may extend the time for correction or abatement of violations for an additional period of time deemed reasonable by the Township Committee beyond the expiration date of the original notice. The enforcing official may also extend the time for correction or abatement, subject to written recommendation by the enforcing official to the Township Committee and approval of the proposed extension by the Committee.

L. Summary abatement in emergency; notice and hearing not required. Where the violation or condition existing on the premises is of such a nature as to constitute an immediate threat to life and limb unless abated without delay, the Township Committee may either abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a period of time not to exceed three days, and upon failure to do so, the Township Committee shall abate the condition immediately thereafter.

M. Cost of any abatement to be a lien against premises. Where abatement of any nuisance as defined herein, correction of a defect in the premises or the maintenance of the premises in a proper condition so as to conform to municipal ordinances or state laws applicable thereto requires expending Township moneys therefor, the enforcing officer shall present a report of work proposed to be done to accomplish the foregoing to the Administrator, or Township Committee or designate. The report shall include an estimate of the cost of the work required along with a summary of the proceedings undertaken by the enforcing officer to secure compliance, including notices served upon the owners, operators, lessors or agents, as the case may be, and hearings and orders of the Township Committee with reference thereto. The Administrator or Township Committee designate may thereupon order the abatement of the nuisance, correction of the defect and completion of the work necessary to place the premises in proper condition and in compliance with ordinances of the Township and laws of the state. The enforcing officer may thereafter proceed to have the work performed in accordance with the order at Township expense not to exceed the amount specified in the order and shall upon completion thereof submit a report of the moneys expended and costs to the Township Committee. After review of the same, the Township Committee may approve the expenses and costs whereupon the same shall become a lien against the premises collectible as provided by law. A copy of the resolution approving the expenses and costs shall be certified by the Township Clerk and filed with the Tax Collector of the Township who shall be responsible for the collection thereof, and a copy of the resolution shall be sent by certified and regular mail to the owner.

N. Extension of time where dispossession action undertaken. Where there exists a violation of this code, an owner or operator, upon receipt of a notice of violation, if unable to eliminate the violation by peaceable means within the period of time specified in said notice, shall commence within such period legal action to dispossess, evict or eject the occupants who caused the violation. No further action hereunder shall then be taken against the owner or operator so long as the action aforesaid is pending in the appropriate court and is prosecuted expeditiously and in good faith.

O. Where notice and hearing not required prior to court proceedings.

(1) No notice shall be required on the enforcement as to the removal of or making safe passage through accumulated snow or ice from sidewalks where such snow or ice remains uncleared within 24 hours after the termination of the storm.

(2) Where the Township Committee after hearing shall determine that there was a violation and a notice was served upon the owner, operator or occupant, whether or not said violation was abated prior to the issuance of an order, if thereafter within the space of one year there shall be a second violation by the same owner, operator or occupant of the same provision of this code discovered on the same premises, the offender may be prosecuted on the second violation without the enforcing officer first giving notice and opportunity for a hearing to the owner, operator or occupant by the filing of a complaint by the enforcing officer in the Municipal Court.

P. Effect of notice on owner. For the purposes of enforcement of this code, the service of a notice on an owner, whether or not the owner is also the operator, shall constitute notice of violations set forth therein until violations are abated in conformity with this code and the other applicable ordinances of the Township of Hainesport.

§ 25-10. Violations and penalties; lien.

A. Fines for violations. A violation of any section or subsection of this code shall be subject, upon conviction, to a fine of up to but not exceeding \$2,000.

B. Meaning of "each violation." Each violation of a section or subsection of this code shall constitute a separate and distinct violation independent of any other section or subsection or any order issued pursuant to this code. Each day's failure to comply with any such section or subsection shall constitute a separate violation.

C. Additional penalty for second violation. Where an owner, operator or occupant has been convicted of a violation of this code and within 12 months thereafter has been found by the Judge of the Municipal Court to be guilty of a second violation, the Court may, if it finds that the second offense was willful and inexcusable, sentence the offender in addition to or in lieu of the fine set forth in Subsection A to imprisonment in the county jail for a period not to exceed 90 days.

D. Application to officers or agents. Where the defendant is other than a natural person or persons, Subsections B and C shall also apply to any agent, superintendent, officer, member or partner who shall, alone or with others, have charge, care or control of the premises.

E. Fine as a lien. In the event of the imposition of a fine or penalty by the Municipal Court or any other court of competent jurisdiction against the owner, operator or lessor of any building or structure in the Township required to be registered for violation of any Township ordinance or any state law applicable to the Township, the fine or penalty, if unpaid within 30 days of imposition, shall be collectible as a lien against the premises, in addition to any other remedies provided by law.

F. Where a fine in excess of \$1,250 is sought to be imposed for a housing violation or for a zoning violation, the applicable owner and/or operator shall be provided a thirty-day period in which the owner and/or operator has an opportunity to cure or abate the condition prior to the scheduling of a hearing in municipal court. In the event that the objectionable activity or condition is not resolved to the satisfaction of the Township following said thirty-day period, then the owner/operator shall have an opportunity for a hearing before the municipal court. After the thirty-day period, the higher fine may be imposed if the municipal court has not determined that the abatement has been substantially completed.

§ 25-11. Existing offenses and violations not discharged.

The repeal of any provisions of any other ordinances by this code shall not affect any action for prosecution or abatement under any such ordinance or any notice, complaint or order issued by any officer or agency of the Township prior to the adoption of this code or concerning which any prosecution or other steps of enforcement have been taken or are being taken within any administrative agency or in the Municipal Court for enforcement thereof.

§ 25-12. Powers and duties of Township Committee.

The Township Committee is hereby authorized and empowered to promulgate such written rules and regulations as may be necessary for the proper interpretation and administration of the provisions of this code, provided that such rules and regulations do not conflict with this code and do conform to the general standards prescribed by this code. The Township Committee shall file copies of such rules and regulations with the Township Clerk which shall be available during regular business hours. Such rules and regulations shall have the same force and effect as the provisions of this code, and the violations thereof shall be enforced as violations of the express provisions of this code, as herein provided.

§ 25-13. Severability.

If any part, section, sentence, clause or phrase of this article shall be held invalid, unconstitutional or void for any reason, such decision shall not affect the validity of the remaining portions of this article.

§ 25-14. When effective.

This article shall take effect immediately upon its final passage and publication in accordance with the law.

Article II. Bulk Storage Containers

§ 25-15. Bulk storage containers on public property.

No bulk storage container, storage container, storage device, "pod," or similar container shall be placed or maintained by any private party in or on any Township property, street, or right-of-way.

§ 25-16. Bulk storage containers on private property.

No bulk storage container, storage container, storage device, "pod," or similar container shall be placed or maintained on any private property unless it complies with one or more of the following provisions:

A. Such containers may be placed or maintained on a driveway or other suitably paved area for purposes of packing or unpacking goods and materials of the owner or occupant of the property in preparation for or subsequent to moving into or out of the property for a period of not more than 21 consecutive days.

B. Such containers may be placed or maintained on a driveway or other suitably paved area for purposes of storing the goods and materials of the owner or occupant of the property when necessary during renovation or rehabilitation of the structure located on the premises in which the goods or materials would otherwise be located during the period of renovation or rehabilitation and up to 14 days prior to commencement and 14 subsequent to completion of the work but in no event more than a total of four months.

§ 25-17. Trash dumpsters and roll-off containers.

No trash dumpster, roll-off container, or similar container for trash or debris of any type may be placed or maintained by any private party in or on any Township property, street, or right-of-way except in compliance with the provisions of this article. Furthermore, no trash dumpster, roll-off container, or similar container for trash or

debris of any type may be placed or maintained on any private property within the Township except in compliance with the provisions of this article or in a manner and location as set forth on a duly approved site plan.

§ 25-18. Permit required.

Prior to the placement of any dumpster, roll-off container, or similar container in or on any Township property, street, or right-of-way, or on any private property (not covered by a duly approved site plan), the owner of the property using the container or person contracting for the use of such container shall apply for and receive a permit from the Township pursuant to the provisions and standards set forth herein.

A. Application for the permit shall be made to the office of the Township Property Maintenance Office, or such other office as the Township Administrator may from time to time designate, on a form provided by the Township. The application shall require, among other things, the full name, address, and other contact information for the owner of the container, the person contracting for use of the container where such person is other than the owner of the property for which the container is to be used, and the owner of the property with which the use of the container is associated. The application shall be accompanied by a permit fee of \$25.

B. Any container to be placed on a street or right-of-way shall be placed on the street in a legal parking space, not designated for use as a handicap parking space, as designated by the Township and shall be equipped with appropriate reflectors or other safety markings so that the container will not constitute a hazard to traffic. The Property Maintenance Officer, Building Inspector or Mansfield Township Police Department in the exercise of his/her discretion may direct that additional markings, their location, or nature shall be supplemented or altered if it is determined such actions are necessary for the protection of the motoring public.

C. The owner of the property associated with use of the container or the contractor arranging use of the container shall provide the. The Property Maintenance Officer, Building Inspector or Mansfield Police Department with satisfactory proof of liability insurance covering any claims or losses for property damage or personal injury resulting from or occasioned by the placement of the container in an amount not less than \$250,000.

D. Any permit issued for placement of a container on a street, right-of-way or other public property shall be valid for a period of 14 days and sticker or notice shall be prominently displayed on the property associated with the use of the container indicating the commencement and expiration date of the permit.

E. Any container placed on private property shall be placed on a suitable base to assure stability. If in the opinion of The Property Maintenance Officer, Building Inspector or Mansfield Police Department the location is sufficiently near to a public vehicular or pedestrian path, the permit may require suitable safety markings as set forth in Subsection B above.

F. Any permit issued for placement of a container on private property shall be valid for a period of 30 days and sticker or notice shall be prominently displayed on the property associated with the use of the container indicating the commencement and expiration date of the permit.

G. Upon a showing of continued need for the container (such as during the course of major construction projects), permits may be renewed up to three times for like situations.

§ 25-19. Exceptions; extensions of time.

A person applying for a permit under this article may apply for an additional extension of time to keep the storage or trash container in place as set forth in this section.

A. Applications for extensions beyond those specified in §§ 25-16 and 25-18 of this article shall be made to The Property Maintenance Officer, Building Inspector or Mansfield Police Department or his designee on a form to be provided by the Township. The application shall contain full identifying information regarding the container, permit number, time it has been at the site, and reason for use. The application shall contain a narrative statement of the reason necessary for additional time. The application shall be accompanied by a fee of \$25.

B. The application shall be reviewed for a determination made as to whether an additional extension should be granted, and the duration of that extension, within 10 business days of the filing of a complete application. In considering the application, The Property Maintenance Officer, Building Inspector or Mansfield Police Department or his designee shall consider:

- (1) The length of time the container has been in place;
- (2) The reason for the container and the reasonableness of the time allotted under this article for completion of that purpose in light of all attendant circumstances;
- (3) The location of the container with respect to blocking or interfering with the efficient parking or passage of traffic, visual impact, nature of the neighborhood, and similar issues;
- (4) Whether noise, litter, or similar quality-of-life problems have been associated with the use of the container;
- (5) Whether the delay in completing the work or project for which the container is necessary is beyond the reasonable control of the user of the container;
- (6) The additional time reasonably necessary to complete the work or project; and
- (7) Such other factors as may be deemed reasonable and appropriate.

§ 25-20. Responsibility.

The person contracting for use of the container and the owner of the property associated with its use shall be jointly responsible for compliance with the provisions of this article. Copies of the penalty provisions of this article shall be appended to the permit and shall be mailed with a copy of the permit to the owner of the container, the property owner, and any other interested party.

§ 25-21. Violations and penalties.

A. Violations of this article or any conditions of a permit issued pursuant to this article shall be subject to a fine of not less than \$100 nor more than \$250.

B. Each day or portion thereof that a violation continues shall be considered a separate violation. Any storage container, storage device, "pod," trash dumpster, roll-off container, or similar container placed or maintained on Township property, streets, or rights-of-way, or left in such a location after expiration of the permit for more than 10 days after the mailing of written notice to the owner of the container, the person contracting for use of the container, and the owner of the affected property, may be removed by the Township at the owner's expense for removal and storage of the container. Notices to remove pursuant to this section shall be sent by certified mail, return receipt requested or . 127, Sec. 17 as amended by any fines that may otherwise be imposed pursuant to this section.

Mayor Higgins opened the Public Hearing. With no comments or questions, the public hearing was closed.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Semptimphehler** to adopt Ordinance 2015-1. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, SEMPTIMPHELTER, PUGLIA, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE 2015-2

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MANSFIELD TO REPLACE ALL REFERENCE TO ‘CODE ENFORCEMENT OFFICIAL/OFFICER’ WITH ‘PROPERTY MAINTENANCE OFFICIAL, BUILDING INSPECTOR OR MANSFIELD TOWNSHIP POLICE’ AS THE ENFORCING OFFICIAL

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey as follows:

WHEREAS, the governing body of the Township of Mansfield previously adopted The code of the Township of Mansfield which entrusted certain enforcement powers in the ‘Code Enforcement Official/Officer regarding certain ordinance violations; and

WHEREAS, The Township committee has decided that the Property Maintenance Official, Building Inspector and Mansfield Township Police Department would be better suited to carry out the enforcement of violations of the Code of the Township of Mansfield; and

WHEREAS, the governing body now desires to amend the Code of the Township of Mansfield to replace all reference to the ‘Code Enforcement Official/Officer with the “Property Maintenance Official, Building Inspector, and Mansfield Township Police Department”; and

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Mayor and Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, as follows:: the Code of the Township of Mansfield is hereby amended to replace all reference the ‘Code Enforcement Official/Officer’ with the ‘Property Maintenance Official, Building Inspector and Mansfield Township Police Department’.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B.
- C. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- D. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Mayor Higgins opened the public hearing. With no comments or questions, the public hearing was closed. A motion was offered by **Committeeman Semptimphehler** and second by **Committeeman Puglia** to adopt Ordinance 2015-2. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, DIGIUSEPPE, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTIONS

**RESOLUTION 2015-1-28
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY
OF BURLINGTON, NEW JERSEY, SETTING THE 2015
TEMPORARY BUDGET**

WHEREAS, Section 40A-4-19 provides that temporary appropriations may be made to provide for the period between the beginning of the budget year and the date of adoption of the budget; and,

WHEREAS, the date of this resolution is within the first thirty days of the 2015 budget year; and,

WHEREAS, the total of the following temporary appropriations does not exceed 26.25% of the total amount of the appropriations made for all purposes in the 2014 budget (exclusive of Debt Service, Capital Improvement Fund and Public Assistance)

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at a meeting held January 28, 2015 that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer after adoption.

Current Fund

<u>Department</u>	<u>Amount</u>
A&E: Miscellaneous	5,000.00
M&C: Salary & Wage	5,555.00
CLERK: Salary & Wage	23,000.00
M&C: Miscellaneous	8,500.00
FIN: Salary & Wage	26,000.00
FIN: Miscellaneous	7,500.00
AUDIT: Miscellaneous	5,000.00
TAX C: Salary & Wage	15,250.00
TAX C: Miscellaneous	4,000.00
TAX A: Salary & Wage	19,000.00
TAX A: Miscellaneous	5,000.00
LEGAL: Miscellaneous	30,000.00
ENG: Miscellaneous	25,000.00
LAND USE: Salary & Wage	11,000.00
LAND USE: Miscellaneous	4,000.00
PLAN: Miscellaneous	10,000.00
ZONE: Miscellaneous	1,000.00
ZONING OFFICER: SALARY & WAGE	1,350.00
ZONING OFFICER: Miscellaneous	300.00
OCE:PM: Salary & Wage	550.00
OCE:PM: Miscellaneous	4,200.00
LIABINS: Liability Insurance	41,312.00
WCOMP: Workers Compensation	62,500.00
GROUP Insurance	125,000.00
UNEMP: Unemployment	315.00
POLICE: Salary & Wages	150,000.00
POLICE: Miscellaneous	30,000.00
EMGMT: Salary & Wage	600.00
EMGMT: Miscellaneous	4,000.00
AID TO FIRE COMPANIES: Miscellaneous	20,000.00
FAID: AID First Aid	80,000.00
OCE: FIRE: Salary & Wage	4,800.00
OCE:FIRE: Miscellaneous	1,400.00
PROS: Other Professional	5,250.00
ROAD: Salary & Wage	6,000.00
ROAD: Miscellaneous	35,000.00
SHADE: Miscellaneous	2,350.00
SWASTE: Miscellaneous	44,000.00
B&G: Salary & Wage	20,000.00
B&G: Miscellaneous	22,000.00
VMAINT: Miscellaneous	15,000.00
PHEALTH: Salary & Wage	500.00
PHEALTH: Miscellaneous	3,000.00
EHEALTH: Salary & Wage	325.00
EHEALTH: Miscellaneous	1,500.00
ANIMAL: Miscellaneous	950.00
CONSS: Contrib. Social Services	1,300.00
RECREATION: Salary & Wage	2,000.00
REC: Miscellaneous	25,000.00
CPEVNT: Other Contractual	1,500.00
ELEC: Miscellaneous	8,000.00
SLIGHT: Miscellaneous	25,000.00
TELE: Miscellaneous	12,000.00
WATER: Miscellaneous	8,000.00
PETRO: Gasoline	7,500.00
Landfill: Miscellaneous	40,000.00
FICA: Employer Liability	50,000.00
Community Services Act: Condo Reimburse	5,250.00
COURT: Salary & Wage	50,000.00
COURT: Miscellaneous	5,500.00
PUBD: Other Professional	2,400.00
General Operations	1,130,457.00

Utility Fund
Operating Expenses

\$ 7,500.00

CFO Monzo explained that the state law requires every municipality in the state to adopt a temporary budget by January 31 of the given year until the full budget is adopted. If another temporary budget is needed, it would have to be adopted by the end of March. This allows the Township to pay bills and employees from January through March.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimpelter** to adopt Resolution 2015-1-28. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPELTER, DIGIUSEPPE, GABLE (see below), SEMPTIMPELTER
NAY: NONE **ABSTAIN:** GABLE (from Aid to Fire Department) **ABSENT:** NONE

RESOLUTION 2015-1-29
RESOLUTON FOR THE TRANSFER OF FUNDS IN THE CURRENT FUND IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2014

BE IT RESOLVED on this 28th day of January, 2015 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2014 budget appropriations reserves transfers be made as follows:

CURRENT FUND: Inside the CAP to Inside the CAP
Operating Expenses and Salaries & Wages

<u>Title</u>	<u>Transfer From</u>	<u>Transfer To</u>
Financial Admin	OE	550.00
Buildings and Grounds	OE	3,705.00
Park Maintenance	OE	430.00
Water	OE	1,455.00
Court	OE	1,510.00
Landfill	OE	7,650.00

CFO Monzo explained that the state law allows budget transfers in the last two months of a given budget year and in the first three months of the year for the prior year's expenses. This resolution allows the township to transfer funds to those departments in need of excess funds. This should be the last one for the 2014 budget.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2015-1-29. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, DIGIUSEPPE, SEMTIMPHELTER, GABLE, HIGGINS
NAY: NONE **ABSENT:** NONE **ABSTAIN:** NONE

RESOLUTION 2015-1-30
RESOLUTION AUTHORIZING THE COMMENCEMENT OF FORECLOSURE PROCEEDINGS

WHEREAS, pursuant to N.J.S.A. 54:5-104.35, a list of properties scheduled for tax foreclosure has been prepared by the Tax Collector, a copy of which is attached hereto and made a part thereof, and

WHEREAS, the Township Committee of the Township of Mansfield desires to authorize the Township Solicitor to commence tax foreclosure proceedings on these properties.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, in the County of Burlington, in the State of New Jersey at their regular meeting on January 28, 2015, that the Township Solicitor is hereby authorized to commence formal tax foreclosure proceedings regarding the properties and tax certificates reflected on the Tax Foreclosure List attached hereto and made a part hereof.

Attorney Magee explained that the municipality owns some tax sale certificates. The above resolution is required by the NJ Law that the governing body must adopt a resolution with a foreclosure list in order to begin the process. At the present time, there are two tax sale certificates that are covered in this resolution. **Mayor Higgins** said we are responsible for collecting County and School taxes. In the event they don't pay, the township has to pay those taxes. We are questioning why we should pay the county and school taxes if we are not

collecting the funds. If they are not going to pay their taxes, we will foreclose on them. This way we don't have to pay the county and school taxes.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimphehler** to adopt Resolution 2015-1-30. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, DIGIUSEPPE, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-31
RESOLUTION RELEASING ESCROW MONIES

WHEREAS, Scott D. Bell appeared before the Mansfield Township Zoning Board on October 7, 2013 for variance approval for property located at 12 Cobblestone Court, known as Block 42.30, Lot 46, and

WHEREAS, Scott D. Bell received approval for his variance request was granted by the Zoning Board as per Resolution 2013-10-14, and

WHEREAS, was permitted to construct a detached garage after which he obtained the required building permits to commence his project, and

WHEREAS, Mr. Bell has received invoices from the Zoning Board Professional which have been satisfied, and

WHEREAS, the Zoning Board Professionals have indicated that there are no outstanding invoices and there will be no future invoices in regard to this application, and

WHEREAS, Mr. Bell has requested release of the remaining escrow money in the amount of \$909.60.

NOW THEREFORE BE IT RESOLVED that the outstanding escrow amount of \$909.60 is hereby refunded to Mr. Scott D. Bell.

CFO Monzo explained the applicant in question has excess funds from the money he deposited. All professional services have been rendered against the application. Money is available and can be released by resolution.

A motion was offered by **Deputy Mayor Gable** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2015-1-31. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, DIGIUSEPPE, SEMPTIMPHELTER, PUGLIA, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-32
RESOLUTION AUTHORIZING TAX COLLECTOR TO FILE BANKRUPTCY PROOF OF CLAIM

WHEREAS, the Tax Collector receives notification that properties in Mansfield Township are in Bankruptcy, and

WHEREAS, a Proof of Claim needs to be filed with the Bankruptcy Court stating any amounts that are past due that need to be included in the Bankruptcy Action.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on January 28, 2015, that the Tax Collector be authorized to complete and file a Proof of Claim with the

Attorney Magee said, as a lien holder and someone files bankruptcy, we are given notice by bankruptcy court and we have to adopt a Resolution in order to file a proof of claim on those sales.

A motion was offered by **Committeeman Semptimphehler** and second by **Committeeman Puglia** to adopt Resolution 2015-1-32. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, DIGIUSEPPE, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-33
RESOLUTION TO AUTHORIZE REFUND OF DEDUCTIONS

WHEREAS, a Veteran Tax Deduction were allowed on the property listed below and;

WHEREAS, this allowance resulted in an overpayment on said property, and the refund is due to the homeowner,

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on January 28, 2015 hereby authorizes the refunding of the following:

Block	Lot	Property Owner	Deduction	Amount
23.06	46	Alan Morton	Veteran	\$250.00

A motion was offered by **Committeeman Puglia** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2015-1-33. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, DIGIUSEPPE, SEMPTIMHELTER, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-34

RESOLUTION AUTHORIZING REFUND OF STATE TAX APPEAL JUDGEMENT

WHEREAS, a State Tax Court Appeal for 2013 and 2014 Property Taxes was granted on December 19, 2014 to the property listed below and,

WHEREAS, this Appeal resulted in an overpayment which is due to the homeowner,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on January 28, 2015, that the Tax Collector be authorized to refund the following:

Block	Lot	Name	Amount
23.04	11	Frank & Mary Taverna	\$1,537.42
		Appeal Adjustment (2013)737.61	
		Appeal Adjustment (2014)745.42	
		Interest to 1/28/15	<u>54.39</u>
		Total	1,537.42

A motion was offered by **Committeeman Puglia** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2015-1-34. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, DIGIUSEPPE, SEMPTIMHELTR, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-35

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, an Added Assessment was placed on Block 42.31 Lot 62, also known as 8 Wildflower Court, herein known as the "property", for 12 months of 2014 and 2 months of 2013;

WHEREAS, a section was twice entered causing an error in assessment;

WHEREAS, taxes were billed for the year 2014 and 2 months of 2013 and those taxes were paid by **Corelogic Real Estate Tax Service** on behalf of the property owner,

WHEREAS, those payments resulted in overpayments for the year 2014 and 2013 and a refund is due.

NOW, THEREFORE, BE IT RESOLVED, as recommended by the Tax Assessor in accordance with N.J.S.A.54:4-54, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on January 28, 2015 hereby memorializes the refunding of the following to **Corelogic Real Estate Tax Service** by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>	<u>Check #</u>
42.31	62	Sean McGarigle	\$1616.12	3656

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-1-35. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMHELTER, DIGIUSEPPE, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-36

RESOLUTION AUTHORIZING REFUND OF ADDED ASSESSMENT APPEAL JUDGEMENT

WHEREAS, County Appeals on 2014 Added Assessment were granted to property listed below and,

WHEREAS, these Appeals resulted in an overpayment which is due to the homeowner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, State of New Jersey at their regular meeting held on January 28, 2015, that the Tax Collector be authorized to refund the following:

Block	Lot	Name	Amount
30	5.06	Kenneth Kinter 1122 Hedding Road	\$ 42.38
		Appeal Amount: \$41.91	
		Interest to 1/28/15	<u>.47</u>
			\$42.38
42.31	70	John & Lauren Lissaris 24 Wildflower Court	\$2,141.30

Appeal Amount	\$2,115.73
Interest to 1/28/15	<u>25.57</u>
	\$2,141.30

RESOLUTION 2015-1-36

RESOLUTION AUTHORIZING REFUND OF ADDED ASSESSMENT APPEAL JUDGEMENT

WHEREAS, County Appeals on 2014 Added Assessment were granted to property listed below and,

WHEREAS, these Appeals resulted in an overpayment which is due to the homeowner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, State of New Jersey at their regular meeting held on January 28, 2015, that the Tax Collector be authorized to refund the following:

Block	Lot	Name	Amount
30	5.06	Kenneth Kinter 1122 Hedding Road	\$ 42.38
		Appeal Amount: \$41.91 Interest to 1/28/15 <u>.47</u>	\$42.38
42.31	70	John & Lauren Lissaris 24 Wildflower Court	\$2,141.30
		Appeal Amount \$2,115.73 Interest to 1/28/15 <u>25.57</u>	\$2,141.30

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimpelter** to adopt Resolution 2015-1-36. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPELTER, DIGIUSEPPE, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2015-1-37

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Semptimpelter** to table Resolution 2015-1-37 due further cost review. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, SEMPTIMPELTER, PUGLIA, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

BILL LIST

A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Gable** to approve the bill list. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, GABLE, SEMPTIMPELTER, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: PUGLIA

MINUTES:

December 29, 2014: A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Gable** to approve the minutes of the December 29, 2014 meeting. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, GABLE, DIGIUSEPPE, HIGGINS
NAY: NONE ABSTAIN: SEMPTIMPELTER ABSENT: NONE

January 4, 2015: A motion was offered by **Deputy Mayor Gable** and second by **Committeewoman DiGiuseppe** to approve the minutes of the January 4, 2015 meeting. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, DIGIUSEPPE, SEMPTIMPELTER, PUGLIA, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

January 14, 2015: A motion was offered by **Committeeman Semptimpfelter** and second by **Deputy Mayor Gable** to approve the minutes of the January 14, 2015 meeting. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPFELTER, GABLE, HIGGINS
NAY: NONE ABSTAIN: PUGLIA, DIGIUSEPPE ABSENT: NONE

REPORTS: Clerk, Court, Construction, Police, Property Maintenance

A motion was offered by **Committeeman Semptimpfelter** and second by **Committeewoman DiGiuseppe** to accept the reports. Motion carried.

DISCUSSION/ACTION

a. Recreation

- **The following teams have requested use of the indoor facility: Applications and insurance requirement are met. Outside organization fees will apply:**
 1. Florence Twp. Soccer Assoc. U12 Rebels, Kevin Krall, for soccer practices
 2. Bordentown Dodgers 8U Baseball, Brian Guired and Brian Pieloch, for baseball Practices.
 3. Northern Burlington Bulldogs 9U Baseball, Edward Klusman, for baseball practice.
- To improve the lighting at the indoor facility for safety purposes. When the tunnels are extended there is not adequate lighting. The estimate for increasing the number of lights and shifting some of the existing lights to allow for the additional row of lights is \$5600. MBSA will pay for the lighting upgrades.
- To covert one of the soccer fields at MCP to a lacrosse field to help with the growing number of kids in our township who are playing lacrosse. The lacrosse club will supply the goals and line the fields. Rec soccer teams play in the fall season and using the field as a lacrosse field in the spring season will not impact the existing soccer program.

Committeewoman DiGiuseppe said she was not able to attend the last Recreation meeting since she was away but she approves all of their requests since they voted and all the documentation has been submitted. However, she deferred to our CFO and Purchasing Agent, **Mr. Monzo**, about the \$5600 for the indoor facility.

CFO Monzo said the amount of the purchase is slightly over the quote threshold of \$5,400 and because of this, they need to get at least one more quote and possibly two. If they can find a quote, under the threshold, they only need one quote. **CFO Monzo** will inform the committee tomorrow. They need to follow the Open Public Contracts Law as it is being paid from municipal funds.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Semptimpfelter** to accept the Recreation Report with the exception of the improvements of the indoor facility. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, SEMPTIMPFELTER, PUGLIA, GABLE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

b. Quote for upgrading Phone System

Administrator Fitzpatrick said we are looking to save the township some money in switching phone services. The current service is costing us more than we want to pay and is not adequate. At this time, we are waiting for additional quotes to come in. He asked that this topic be removed until additional quotes are obtained.

c. Quote HVAC Service Agreement

Administrator Fitzpatrick met with **Deputy Mayor Gable** in reference to the unit on the roof as far as service agreements. Two different kinds of service agreements were supplied, one for a maintenance agreement and one for total package that covered everything. Upon reviewing them with Jef Jones, they thought it best that, since the system is new, it was decided not to go with preventative maintenance as the gentlemen working with him can handle the maintenance and does very good service at a very good price. Since the service agreements are expensive and since the units are new, they felt this could be revisited at a later time. No service agreements are

being recommended at this point. However, if the committee chooses one of the services, that would be their choice. At this time, it seemed agreeable to do nothing at this point. However, **Committeeman Puglia** suggested calling Public Service to see what they can do for what price. **Administrator Fitzpatrick** will continue his research including contacting PSE&G.

d. Homestead Snow Removal

Administrator Fitzpatrick explained that there seems to be a discrepancy between Homestead's total mileage and the township's total mileage within the development. The discrepancy is such that, as far as reimbursement for snow removal, it is causing some problems with who is responsible for what amount. Homestead has requested our Superintendent, Jef Jones, to go out with Matt Lucas, the Associate's representative, to do an actual reading of the entire development to get a true and clear picture of the total mileage. It had been done by Remington & Vernick and their company, KipCom. Remington & Vernick's numbers were lower than KipCom's. Jef had done some preliminaries where there were differences and found Remington & Vernick to be correct. Therefore we felt comfortable using R&V's numbers. Homestead did not like this and, therefore, are requesting a measurement.

Attorney Magee said it is up to the township if we want to do this but not sure there is an obligation. He noted Homestead's dissatisfaction with prior measurements by Jef Jones. They believe KipCom. **Attorney Magee** also suggested finding how measurements were done noting that cul-de-sacs may have been counted twice. **Engineer Staszewski** said they had noted a difference of 8.3 to 8.9 miles. **Attorney Magee** said that if the Township wants to do a re-measurement, it is up to them and to Jef Jones.

Committeeman Puglia felt this would make good public relations with Homestead to do a re-measurement.

Committeeman Semptimphelter said we have already been out there and found a discrepancy. However, we could send Jef out there again.

Committeewoman DiGiuseppe agreed with good relations and settling the situation to have both Mr. Lucas and Jef Jones there to do it.

Mayor Higgins said, although it has been done before, it won't be a major dollar out of our pocket and we owe the courtesy to do it. They are taxpayers in the township and we should move forward but not until April.

CFO Monzo suggested that there is an agreement that, when Jef and Matt do this, both sides agree this is the number and they don't go out again.

Administrator Fitzpatrick is to contact Homestead to tell them we will work with them but not until April.

e. Recycling Toters and possible Ordinance amendment

Administrator Fitzpatrick said some discussion had been held in regard to how other communities addressed the recycling toters and dispersing them to businesses as well as individual homes. **Clerk Semus** had reached out to other clerk's to see how other towns addressed the toters. **Committeewoman DiGiuseppe** took **Clerk Semus'** information into a spread sheet which had been distributed.

In speaking with Jef Jones about the situation, his thought process was that giving out the toters benefits the township in the long run because, if individuals have to pay for the toters, they would be inclined to use the trash instead of recycling toters. Therefore, tipping fees would increase.

Administrator Fitzpatrick noted that, from the spread sheet provide, it appears that not many municipalities are giving out the toters and they are not utilized for business accounts.

Committeeman Puglia said the Planning Board has stressed businesses to recycle.

Clerk Semus said the first toter was free of charge and people were allowed to get another free of charge. However, there was a deadline and, if a resident missed the deadline, they would have to pay according to our ordinance. Or if a bucket is lost or stolen, they would have to pay.

Clerk Semus said that some businesses have contacted us for toters and we have held them in abeyance waiting for the results of this discussion. **Deputy Mayor Gable** felt that, if we receive the toters free of charge, we should not charge for them. If we pay, then the people should pay. **Clerk Semus** responded saying we pay half the cost. Going forward, they will be full charge which is about \$46 to \$50.00. **Committeewoman DiGiuseppe** confirmed that this is the way our ordinance is now and we should keep it as is. **Clerk Semus** said the businesses have asked for the blue toters but we haven't done anything about it. **Committeeman Puglia** suggested businesses bring recyclables to the yard on Saturday. **Jef Jones** had spoken to a few businesses and residents who have said they won't recycle if they have to pay for the toters. **Mayor Higgins** questioned what happens when the toters wear out. **CFO Monzo** felt that, by then, there will probably be a whole new collection system. He also thought that providing their own recycling devices is part of the business operation of the businesses. **Committeeman Puglia** said that, if people put recycling in the trash, we could refuse to pick the trash up.

Jaime Devereaux, 1 Jasper Drive, said, if they throw recyclables in trash and break the law, they should be fined. We shouldn't allow any businesses to hold us hostage.

Carol Foster, Atlantic Avenue, said she has been fighting with the County for two years trying them to pick up her recycling. The big bucket is too large for her property and, therefore, she wants a small bucket. However they won't pick it up. She felt people don't recycle much. She said she is at the end of her rope with recycling and is thinking of putting the recycling in the garbage. **Committeewoman DiGiuseppe** said her problem is with the county. If they say she has to use a blue bucket, then she has to use a blue bucket. Mrs. Foster was told there are three sizes of buckets and perhaps the smallest one would work. Mrs. Foster said no, she wanted a small bucket. **Administrator Fitzpatrick** suggested sharing buckets with the neighbor. Mrs. Foster was concerned over tipping fees and that recycling should be picked up for businesses.

f. Manheim/Vanco Property

Attorney Magee said Manheim approached us about a temporary use of Vanco site for storage of vehicles. They would have to go to the Zoning Board for a use variance. Manheim is considering the options.

g. Former Construction Office Building

Deputy Mayor Gable and **Mayor Higgins** have been discussing with the realtor. There have been discussions about selling the old construction office building and renovating the old municipal complex for rental. Since the construction office is not going to be included in the redevelopment area, it is a house and should be sold as a house. **Mayor Higgins** felt we should move forward and use the funds received for future development on this building. Everyone was comfortable with this suggestion.

Mayor Higgins said that redevelopment and rehabilitation of Columbus will be discussed at the next Planning Board meeting on February 23rd. He asked the people not to get upset about the rehabilitation. All the rehabilitation is doing is making opportunities for properties downtown, in the event that they need renovation or looking for grants or loans. Redevelopment is focused on the commercial properties in town. Properties adjacent to the properties the township owns can join together for redevelopment. This gives us more control over what happens in the community. It will provide for better planning. **Mayor Higgins** invited the people to attend the Planning Board meeting.

Deputy Mayor Higgins asked the Committee for authorization to move forward to put the old construction office property on the market. He has been working with **Committeewoman DiGiuseppe** and they have some quotes already. **CFO Monzo** said this is a piece of municipal property which is to be declared as surplus first. He said certain rules pertain to real property. **Committeewoman DiGiuseppe** said we will need a resolution to declare we are going to sell it. The statutes are clear that we can only accept a maximum of 5% commission. She will work with **Deputy Mayor Higgins** on this and **Attorney Magee** will have a resolution for the next meeting.

h. Signage on 206 for Municipal Complex

Mayor Higgins felt the existing signs on Route 206 cause confusion in an attempt to read them. He asked for an opinion from the rest of the Committee. He wants to identify who we are and have a place to advertise activities of the township. He felt we should get some proposals for costs. **Deputy Mayor Gable** asked whether we should do something temporary now to identify

the complex until we get the type of sign suggested by **Mayor Higgins** who felt we had been here long enough. It is time to identify the property and promoting activities going on. **Committeeman Puglia** felt we should get a cost. **Mayor Higgins** noted we are going out for the Police Department and will be floating a bond ordinance for that project. **Committeeman Puglia** suggested that **Administrator Fitzpatrick** do research. **Administrator Fitzpatrick** asked for direction as to the type of sign as the original plan did have specs for a sign. **Committeeman Puglia** suggested contact someone at the high school. **Administrator Fitzpatrick** will do research on a sign. **Mayor Higgins** asked for the balance of the bond for the improvements to the municipal building. **CFO Monzo** will send this information as an e’mail.

Committeewoman DiGiuseppe is in favor of a new sign as many people have complained because they cannot find the building as the identification is so small. She referred to a wooden sign in front of the building where many things are posted, but not the identification of the municipal building. Although we can get quotes for a big sign, in the meantime, she felt we should have something made that is inexpensive to be added to the wooden sign to identify the township building with the address. She felt this should be done immediately. **Deputy Mayor** added that the municipal building could be put on the top and other activities could be added to the bottom of the sign. Our ultimate goal is to have a nice sign, but to alleviate the situation we are in now, we should address a sign. **Mayor Higgins** felt that township approval should be received before any other activities are posted on the sign. **Committeewoman DiGiuseppe** felt we should get a quote for a weather proof sign to be installed temporarily. She offer to work on this project. **Mayor Higgins** added that anything on the sign that was not approved by the Committee will be removed. **Administrator Fitzpatrick** asked for clarification of the sign- temporary sign to identify the building or a sign to identify the building and also leave some space for advertisements. **Deputy Mayor Gable** said we want to put a sign on the structure that identifies this building as the municipal complex, on the top half. The bottom half can be utilized by different organizations on an approval basis that advertise an event. Long term, we want pricing for a permanent sign along the lines of Northern Burlington’s sign in front of their facility. **Committeeman Puglia** explained a possible way to construct a two-way sign for travelers in both directions. **Clerk Semus** suggested contacting the high school as they might be able to help us. **Administrator Fitzpatrick** suggested taking down what is there currently and then contact the high school. If they can’t work with us, we can put together a sign as suggested by **Committeeman Puglia**. This was agreeable with all.

h. Trash Truck

Clerk Semus said a bid was received for \$3500. The truck was picked up and is no longer with us. This was the last piece of apparatus sold. If there are any more, she asked the Committee to advise her.

i. Sanitary Sewer System.

The bid opening for the sanitary sewer system is February 12. **Mayor Higgins** explained that we have had problems with our septic system. It has been redesigned and we have gone out to bid. Once this is taken care of, we can possibly rent some space upstairs.

j. Countertops and Cabinets for Court Offices

Administrator Fitzpatrick said quotes have been received and, if the Committee chooses to move forward, the drawing has been distributed as well as the quote in the amount of \$5,400 for the cabinets for the interior court office wall. **CFO Monzo** questioned the amount of \$5,400 as that is the quote threshold. He suggested that this becomes a part of the 2015 budget discussion. **Clerk Semus** said that Tax Collector has also made a request and suggested a two for one re-quote. **CFO Monzo** said this would trigger having more than one quote. **Mayor Higgins** felt this should be dealt with during the budget process.

k. Manchester Court: This was discussed during the meeting.

Agenda Amendment

Deputy Mayor Gable made a motion to amend the agenda to discuss the police/public works construction project. The motion was second by **Committeeman Puglia** and carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, PUGLIA, SEMPTIMPHELTER, DIGIUSEPPE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: NONE

Deputy Mayor Gable said we received floor plans and layout for the next phase of the Police Department, Public Works, additional storage, repairs to an egress stairway to the second floor as well as outside parking and lights. The drawings have been provided to the Committee. He is looking for authorization to move forward with the project so the bid packages can be finished up and put the project out to bid. Once we get the bid back, we will see the cost of the project so we can see how we will move forward. **CFO Monzo** will provide the Committee the balance in the ordinance tomorrow. If the bids are within the balance available, we don't have to do anything. If they come in higher than what is available, we have 60 days to award the bid. A bond ordinance can be passed within that time frame if additional funding is necessary. **Deputy Mayor Gable** felt we are looking to put out the bid before the end of February. **CFO Monzo** said the temporary time frame would be to take bids by the end of March and possibly award the bid the first week in April. **Mayor Higgins** felt we need to move forward for the cost. All agreed.

Committeeman Puglia mad a motion to amend the agenda. Motion was second by **Committeeman Semptimphelter**. A motion was made by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to appoint Marion Hay as Zoning Board Alternate Number 2. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, DIGIUSEPPE, GABLE, HIGGINS

NAY: NONE ABSENT: NONE ABSTAIN: NONE

PUBLIC COMMENT

John Kampo, 17 Sunset Lane, said he is on the Recreation Committee and has found out there are problems with vandalism at the concession stand. He said the first time, kids broke in and tried to burn it down. The second time, they broke windows. The third time, they went through the roof and the fourth time, kids were inside with their bikes and smoking when someone from the rec. committee went in the building. He felt something should be done as these kids are ruining it for the rest. **Deputy Mayor Gable** said he would contact the Chief tomorrow and find out what to do about it. **Committeewoman DiGiuseppe** said she spoke with the Chief who does know about it. **Clerk Semus** said they are dealing with it. **Mayor Higgins** was not happy about hearing it from John Kampo.

Carol Foster said she attended a Planning Board meeting in November or December and expressed interest in the old town hall property to be used for a public library. She has approached the library commission who would like to expand in our part of the county. Ms. Foster felt this is something that would help with the redevelopment as studies indicate that a library helps with economics. She asked that this be considered before the building was placed on the market or for a long term lease. **Mayor Higgins** said he spoke with the head of the library who indicated they have funding problems and couldn't expand for another year or two. Ms. Foster asked for the township to plan for the library as it is centrally located, near the park and a place senior citizens can use. **Mayor Higgins** questioned expenditures for renovations and the township not being about to get money back. The end result is what is best for the township. Do we want to spend money for renovations? He added that when this proposal was brought to the Planning Board, they thought it was a good idea. The possibility of available grants was suggested.

Jaime Devereaux, 1 Jasper Drive said the Mapleton residents want to thank the committee for their efforts to get a grant for the park even though it wasn't awarded. They look forward to applying again this year. He also agreed that Public Service is an excellent source for maintenance of our system on the roof. Mr. Devereaux said the roads in Mapleton were icy this morning and questioned why the roads weren't salted before the storm and also why it took so long. The roads were considerably dangerous this morning. In addition, Mansfield Road East is not safe. This is the third year in a road we are dealing with these conditions. He asked the Township to look into this.

Committeeman Puglia explained that Jef Jones was in touch with him Monday night and plowing commenced at 2pm. We start plowing at 1 12 inches. Mansfield Road East was salted two times. Jef was working most of the night and all day Tuesday and this morning. The storm was the type that it packed down and, with it so cold, you couldn't plow what was packed down on the road. They did the best they could under the circumstances. If you look at the economics, the most traveled roads are done first and there were no accidents. **Mayor Higgins** said he received calls and drove Mansfield Road East and Island Road which were sheets of ice and dangerous. He also met with Dr. Sarruda about the school pushing snow across Mansfield Road East. He asked **Committeeman Puglia** and **Deputy Mayor Gable** to prioritize which streets should be plowed

first and indicated he felt they should be Mansfield Road East, Island Road and Locust Street. This needs to be addressed.

David Moody, 191 Atlantic Avenue, felt the building for the library should be considered. He then questioned what will happen to the building that now houses the Police Department. He questioned the former fire department building. **Deputy Mayor Gable** said it is used for storage for the Police Department and Public works. Mr. Moody then referred to problems in the parks of Mapleton and the Community Park stating that the police cannot patrol the parks as they don't have the man power. A security system is needed for each as it is the kids in each area causing the problems. Mr. Moody felt that the vacant municipal building is huge and, if it is not a library, it should be put to use for the community. There is nowhere for senior citizens. It should be used as a town center. Cost shouldn't be an issue. Kids break in. Give them a place to go. **Deputy Mayor Gable** referred to a portion of the existing police building being devoted to a community use several years ago but volunteers were hard to find and this became an issue. Mr. Moody felt the community needs a place to hold events and the old town hall should be utilized.

Mr. Moody said there are plenty of blue buckets in the recycling yard. If the County is in charge of recycling, why is the township doing this? The township should be a stepping stone to the county as far as recycling. If certain people in small houses on small lots can't accommodate the blue buckets, the township should talk to the county about it. **Committeewoman DiGiuseppe** said she would make a call.

With no further comments or questions, the public hearing was closed.

MAYOR AND COMMITTEE COMMENTS

Committeewoman DiGiuseppe and **Deputy Mayor Gable** thanked the residents for coming to this meeting.

Mayor Higgins advised those in attendance not to give up on the library in town. He was just mentioning the facts. The hope that someday, when the town is in the process of redevelopment, someone will realize the benefit of a library. We are trying to address the whole area at once. We are better off having one developer develop the whole area rather than several developments. This is what we are trying to do. He did speak to the county and they would love a library here but there are hurdles which we will try to deal with.

MOTION FOR ADJOURNMENT

A motion was offered by **Committeeman Semptimphelter** and second by **Committeeman Puglia** to adjourn. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk

Approved: February 25, 2015