

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
May 27, 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 J. Higgins, Deputy Mayor Sean Gable, Committeewoman Janice A. DiGiuseppe, Committeeman Arthur R. Puglia, Committeeman Robert Semptimphelter, Solicitor Michael H. Magee, Administrator Michael Fitzpatrick, and Clerk Linda Semus.**

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 Semptimphelter** and second by **Deputy Mayor Gable** to go into executive session by adoption of the following resolution. Motion carried.

**RESOLUTION 2015-5-14
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 litigation, on-going contract negotiations 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, Committeeman Arthur R. Puglia, Committeeman Robert Semptimphelter, CFO Joseph Monzo, Engineer Michael Angelastro covering for Mr. Staszewski of Remington and Vernick Engineers, Attorney Michael Magee, Administrator Michael Fitzpatrick, Clerk Linda Semus, and Deputy Clerk Barbara Crammer,**

A motion was offered by **Committeeman Semptimphelter** and second by **Deputy Mayor Gable** come out of executive session. Motion carried.

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

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

ENGINEER'S REPORT

Engineer Angelastro referred to the May 22, 2015 report. He noted that a preconstruction meeting was held in regard to White Pine Road on May 26. Construction is scheduled for mid-June. Currently PSE&G is relocating some of the utility poles.

Deputy Mayor Gable spoke of the UPS System which had been discussed at last month's meeting but was tabled. After doing some research, **Deputy Mayor Gable** said that, to determine what is wrong with the system, we need to have the service tech come out to trouble shoot. **Administrator Fitzpatrick** said that, to have the technician walk in the door it is \$1,080 for a 4 hour minimum. Parts would be additional. Something small could be \$200 or something large such as a mother board could cost \$7,000 to \$8,000. This is one option. The other option is to circumvent the system and go around it. However, it seems finding out what is wrong with the existing system seems to be the favorite of the Committee. **Deputy Mayor Gable** felt we made a large investment to have the system installed and, to abandon it without knowing what is wrong would not be smart. We should have the service technician come out. Hopefully it is something easily repaired so it can be back up and running again. **Mayor Higgins** felt that, if the technician finds the problem early, the rest of the 4 hours should be spent learning how to work it. **Administrator Fitzpatrick** said he wants to tell the, prior to them coming out, that we want him to have a tutorial on how it works. **Committeeman Puglia** felt it is a good idea to have them explain and we get the four hours out of him. **Mayor Higgins** and **Committeeman Semptimphele** both agreed that we should utilize the technician for all four hours. **Committeewoman DiGiuseppe** agreed. A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Gable** to recommend hiring the technician. Motion carried on a Roll Call Vote, recorded as follows:

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

Road Repair – Four Seasons and Mapleton Developments

Committeeman Puglia said Jef Jones had contacted him about his procedure for road repair which was to use sand first in road cracks. After that settles, he uses the tar. Since there were questions about it, he felt the engineer should look at it to see if he is doing it right. **Committeeman Semptimphele** asked if we had success with this system before. **Committeeman Puglia** said Jef felt we had success. **Committeewoman DiGiuseppe** spoke of sand being put in a crack in front of her house and within an hour, it was gone. She didn't think it was successful and suggested having the Engineer look at it.

Mayor Higgins opened the public hearing on this item only.

Carl Schwartz, 40 Fitzgerald Lane, said he had called Jef for about a year and a half to get the cracks filled. Sand was poured and then tar but this has not been successful. In some places, the cracks are two to three inches. On Fitzgerald, there are about 10 and they go from curb to curb. He feels someone needs to look at. There were a lot of issues with the way the top was laid.

Richard Jamison, Chamber Lane, said has a crack in his street. Since he said he was familiar with the problem, if something isn't done now, sink holes will develop. In fact, there had been a sink hole in the area. Cracks get wider and wider and there will be run off underneath leading to the sink holes. Streets will collapse because of lack of maintenance.

Theresa Bolton, 7 Newton Court, has the same problem with a big separation in the road which has been corrected by which is separating again. In addition there is a gully as you enter Newton Court from Arlington Drive which fills up with water and turns to ice in the winter. Even in the common grounds, there are sink holes. If you don't take care of it now, it will get worse.

Committeeman Puglia made a motion to have Jef and **Administrator Fitzpatrick** to contact the Engineer and look at the areas to see what can be done to correct them.

Mayor Higgins said he had a Mayor's meeting this morning and one of the items discussed was cracked roads in other townships. It appears it has something to do with the asphalt they used several years ago. The mayor of Bordentown Township said also do exactly what we do with the sand which settles and then is topped with hot patch. Our problems are, we are limited to a three man crew so it takes more time to get things done. **Administrator Fitzpatrick** said Jef is putting down kettle hot patch which doesn't appear to be working as well as it should be. In 2014, we spent \$5824.50 on the hot patch which is used on every road every year. Since it doesn't appear to be holding, **Administrative Fitzpatrick** suggested becoming very stringent before bonds are released. We should make sure roads have been taken care of properly. **Mayor Higgins** explained how the maintenance bond is held for two years. He felt every development has the same problem.

He suggested having someone hired part time to address the roads. We need to focus on this problem. **Administrator Fitzpatrick** said another person will be hired which may help. **Committeeman Puglia** said this is a two man operation as they are working with hot tar. **Committeeman Semptimphelter** felt it wasn't working and it is incumbent upon the Committee to have the Engineer look at this. Jef is doing the best he can but it isn't working. **Mayor Higgins** asked someone in Four Seasons to provide the Township with all of the problem roads. **Committeewoman DiGiuseppe** said Jef does a wonderful job and she is not criticizing him. However, the last time it was just sand with no hot patch. The sand is gone as there is nothing to hold the sand in.

Stan M., 7 Newton, feels it is the base of the road as the crack is straight across. Something more than a patch is needed.

Mayor Higgins said we need a list from Four Seasons on problem areas. The Engineer is to look at them and give us a professional opinion. **Engineer Angelastro** said one way to address the problem is to use sand to help fill the void. Then it is sealed in place by the hot patch. It has worked in the past but may not be the appropriate treatment in this case. He will look at the road and make a recommendation.

Clerk Semus said a resident contacted her to tell her none of the roads on Country Walk have speed limit signage. The resident hopes it is on the punch list. She also wants some Children at Play signs and is willing to put these signs up. **Attorney Magee** said that, when the roads are turned over, they should have all the regulations as per approval. However, it was noted that Wildflower is not finished. In addition, **Attorney Magee** added that, once a certain percentage of homes are sold in a development, the Township has to take over the streets. It is now necessary to check to see if the bonds are still in place. **Engineer Angelastro** said the construction plans should be reviewed to see if the signs are proposed. If there are signs shown on the plan, the developer will be directed to install them per plan. **Engineer Staszewski** is to be advised to contact **Clerk Semus**. **Clerk Semus** asked if the Township had an objection for the residents to install their own Children at Plan signs. If this is allowed, the Chief and Public Works Director must approve any signs as per **Attorney Magee**. **Engineer Staszewski** said there are regulations such as height, reflection, and more. **Clerk Semus** asked if the Chief and Public Works Director are contacted and agree with the signs, can she put up her own signs. **Engineer Angelastro** felt that we should be careful of the placement, construction, mark-out needed for utilities, etc. We should have input as to the location, and other regulations which are to be adhered. **Committeeman Semptimphelter** doesn't agree to allow residents to put signs up as everything may not be completed since the development is not completed. **Clerk Semus** is to advise the resident that she must contact the Chief, Public Works Director, and Engineer in regard to any placement of signs.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to approve the Engineer's Report. Motion carried.

BILL LIST: Regular and Escrow

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

AYE: DIGIUSEPPE, SEMPTIMPHELTER, PUGLIA, GABLE (see below) HIGGINS

NAY: NONE ABSENT: NONE ABSTAIN: GABLE (on check #4184)

ORDINANCE: First Reading/Introduction

ORDINANCE 2015-7

AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED "ZONING" BY ADDING AN ARTICLE XXXIII, ENTITLED REDEVELOPMENT ENTITY AND CERTAIN REDEVELOPMENT ZONES OF THE TOWNSHIP OF MANSFIELD ESTABLISHING A REDEVELOPMENT ENTITY AND CERTAIN REDEVELOPMENT ZONES IN THE TOWNSHIP OF MANSFIELD.

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 Township Committee of the Township of Mansfield has directed the Township of Mansfield's Planning Board (by Resolution No. 2015-4-5) to conduct a preliminary-redevelopment investigation of Block 26, Lot7; block 28, Lots 1,2,3,4,5,38,44 and 46; Block 29, Lots 21,22,23,24,25 and 26 (this property is recommended to be in a condemnation redevelopment area); Block 36, Lots 14.02 and 14.03 ;and

WHEREAS, the Township Committee of the Township of Mansfield has received and approved the preliminary-investigation studies of these areas, which were previously submitted to and have been accepted by the Planning Board; and

NOW, THEREFORE, BE IT ORDAINED by the Township committee of the Township of Mansfield that the Land Development Ordinance includes the following:

Section Redevelopment Entity and Redevelopment Zones

1. The Township Committee of the Township of Mansfield shall function as the redevelopment entity in the Township of Mansfield and have the ability to exercise all the powers set forth in **N.J.S.A. 48:12A-4(3)(c) and N.J.S.A. 40A:12A-8**.
2. Block 26, Lot7; block 28, Lots 1,2,3,4,5,38,44 and 46; Block 29, Lots 21,22,23,24,25 and 26 (this property is recommended to be in a condemnation redevelopment area);; Block 36, Lots 14.02 and 14.03 are hereby designated as redevelopment zones within the Township of Mansfield.
3. These areas will be redeveloped in accordance with a redevelopment plan to be established by the Township Committee at a later time.

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. 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.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Attorney Magee explained that once a municipality adopts a resolution which has been done, there are several steps to be taken, one of which is the adoption of an Ordinance creating a statute of redevelopment entity and establishing certain redevelopment zones consistent with the resolutions that were approved by both the Township Committee and recommended to be adopted and approved by the Planning Board. This was completed. Now the township can move forward with the development and rehabilitation. **Mayor Higgins** referred to the several properties owned by the township in the village of Columbus. Our intent is to try to redevelop these areas. This will allow us to sell all of our properties at once which will maximize the benefit. It also gives us more control on what is to go there. After we go through this, from now on, there will be a committee to discuss what should take place in the village. This will be the best way to get the maximum value of the township properties.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimpelther** to introduce Ordinance 2015-7 and hold the public hearing on June 10. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTIONS:

RESOLUTION 2015-5-15

RESOLUTION FOR THE RELEASE OF PERFORMANCE BOND FOR WESLEY UNITED METHODIST CHURCH

WHEREAS, Wesley United Methodist Church posted a Performance Bond, Number 5038873 originally established in the amount of \$52,028.10 on June 26, 2013; and

WHEREAS, Frederick D. Cain, Chair of the Administrative Board at Wesley United, Block 26, Lots 11 and 12 has requested the release of Performance Bond 5038873, and

WHEREAS, Remington & Vernick Engineers has recommended the release of said Performance Bond in communication dated May 6, 2015.

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

1. Agrees to release the Performance Guarantee Wesley United Methodist Church in the amount of \$52,028.10 conditioned upon the activation of a Maintenance Guarantee in the amount of \$6,503.51 representing 15% of the Construction Cost amount to be held for a period of two (2) years.
2. Authorizes the Land Use Coordinator to forward a certified copy of this Resolution to Wesley United Methodist Church.
3. The Land Use Coordinator is authorized and directed to forward the Performance Guarantee to Wesley once all conditions above are met.

AND IT IS FURTHER RESOLVED by the Township Committee, as aforesaid, that this release is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspections and reports concerning the improvements covered by said bond or other performance guarantee; and if there be a sufficient sum held in escrow by the township for the purpose of paying for said inspections and reports, said escrow may be utilized for that purpose and in the absence of a sufficient escrow said fees shall be paid

by the obligor directly, pursuant to N.J.S.A. 40:55D(2)h.

Mayor Higgins explained this project which has been completed and will go from a Performance Bond to a Maintenance Bond. **Attorney Mage** further explained the process. A motion was then offered by **Committeeman Puglia** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2015-5-15. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-5-16
RESOLUTION PROMOTING ACTING SERGEANT DANIEL M. EHNSTROM
TO THE RANK OF SERGEANT FOR THE
MANSFIELD TOWNSHIP POLICE DEPARTMENT

WHEREAS, a Sergeant’s position has become vacant within the Police Department; and
WHEREAS, the Township has conducted examinations pursuant to accepted law enforcement procedures regarding promotion of individual Sergeants; and
WHEREAS, **Daniel M. Ehnstrom** was appointed to said position in an acting capacity, fulfilling all responsibilities and requirements for first line supervision in an Acting Sergeant capacity since February 25, 2015; and
WHEREAS, the Township Committee has deemed it in the best interest of the community to fill the vacant Sergeant’s position within the Mansfield Township Police Department; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that the following individual is hereby promoted to the full rank of Sergeant:

Daniel M. Ehnstrom, Sergeant, Mansfield Township Police Department

BE IT FURTHER RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that **Daniel M. Ehnstrom** be compensated consistent with the salary and benefits as provided under the current Police Collective Bargaining Agreement retroactive to February 25, 2015, the date in which his responsibilities as Sergeant commenced.

Mayor Higgins explained that a sergeant left the Police Department in December after which Daniel Ehnstrom assumed the position in February. This allows for the promotion as it was determined that he was the best individual for this position. He was a detective at the time. This will need to the next resolution. The position is retroactive to February.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-5-16. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-5-17
RESOLUTION SELECTING PATROLMAN ERIC C. DAWSON TO THE POSITION OF DETECTIVE
FOR THE MANSFIELD TOWNSHIP POLICE DEPARTMENT

WHEREAS, A staffing change has occurred within the Police Department which requires assigning a member of force into the role of Detective; and
WHEREAS, Patrolman Eric C. Dawson has been acting Detective, fulfilling all responsibilities and requirements for said position, since March 23, 2015; and
WHEREAS, certain benefits are associated with said assignment under the current collection bargaining agreement; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey that Patrolman Eric C. Dawson is hereby selected to the position of Detective, retroactive to March 23, 2015.

A motion was offered by **Deputy Mayor Gable** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-5-17. Motion carried.

RESOLUTION 2015-5-18
RESOLUTION ACCEPTING THE BID OF FASOLINO CONTRATCTING CORPORATION, INC. OF
SEWELL, NEW JERSEY FOR THE CONSTRUCTION/RENOVATION OF THE POLICE AND PUBLIC
WORKS DEPARTMENTS IN THE MUNICIPAL COMPLEX, LOCATED AT 3135 ROUTE 206 SOUTH,
COLUMBUS, NJ

WHEREAS, the Township has solicited bids for providing for the construction and renovation of the Police and Public Works Department to be located in the Municipal Complex at 3135 Route 206 South, Columbus, NJ, Burlington County, State of New Jersey; and

WHEREAS, bids were received and opened on May 20, 2015, with the lowest qualified and responsible bid being that of Fasolino Contracting Corporation in the amount of \$1,977,000.00; and

WHEREAS, the bid has been reviewed and is in compliance with the specifications and bidding requirements and has the endorsement of the James Ebersberger, AIA of Rodier Ebersberger Architects and the Township Attorney on behalf of Mansfield Township; and

WHEREAS, the Chief Financial Officer has certified that funds are available in that amount; and

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

1. The Township Committee hereby awards a Contract to Fasolino Contracting Corporation for the construction/renovation of the new municipal complex in the New Millennium Building in accordance with the Township's specifications and their proposal in the amount of \$; and
2. This award is made available through the following account:

04 215 20 121 810 \$ 1,325,000.00

04 215 20 150 810 \$ 652,000.00

3. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award in a form substantially the same as that included in the specifications.

Mayor Higgins explained the Police Department is going to move from the Village to this Complex. The resolution awards the bid which came within the budget.

A motion was offered by **Committeeman Semptimphelter** and second by **Deputy Mayor Gable** to adopt Resolution 2015-5-18. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, GABLE, PUGLIA DIGIUSEPPE

NAY: NONE ABSENT: NONE ABSTAIN: HIGGINS

RESOLUTION 2015-5-19

RESOLUTION APPOINTING SPECIAL COUNSEL FOR TRANSFER DEVELOPMENT RIGHTS (TDR) LEGISLATION

WHEREAS, there exists a need for a Special Counsel for Transfer Development Rights (TDR) Legislation; and

WHEREAS, The selections of qualified respondents are not subject to the public bidding or competitive contracting provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The selection is, however, subject to the fair and open process authorized by the "New Jersey Local Unit Pay-To-Play" Law, N.J.S.A. 19:44A-20.4 et seq. The Township has structured a procurement process to assure that each person and/or firm was provided an equal opportunity to submit their proposal in response to the RFP/RFQ. The RFP/RFQ respondent was required to comply with the provisions of N.J.S.A. 10:5-31 et seq and N.J.A.C. 17:27-1 et seq, if applicable; and

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

1. **John C. Gillespie, Esq.** of Parker McCay PA, Mt. Laurel, NJ be and is hereby appointed as Special Counsel to represent the Township's interests in the aforementioned matters.
2. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award.
3. This award is made available through account numbers: **01-201-20-100-162**

Mayor Higgins explained that we have been working on this for over 10 years. The intent is to control development in the township and prevent urban sprawl. A receiving area, downtown Columbus, has been designated to be the growth area with the proposal of 300 dwellings. Two other municipalities, Lumberton and Chesterfield, have adopted TDR. The individual named in the above resolution was their special counsel.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-5-19. Motion carried.

RESOLUTION 2015-5-20

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain motor vehicles and are no longer needed for public use by the township, and

WHEREAS, the Township Committee believes that it would be advantageous to dispose of its surplus property, and

WHEREAS, N.J.S.A. 40A:12-13 and 40A:12-13.1 permit the Township to dispose of surplus property no longer needed for public use by auction and to authorize such action by Resolution of the municipality;

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

1. The following motor vehicles are hereby declared to be surplus property and no longer needed for public use:

2008 Ford C/V Interceptor Vin# 2FAHP71VX8X103172

2008 Ford C/V Interceptor Vin# 2FAHP71V28X178626

- 2. The Chief Of Police and Township Clerk are directed to arrange for the public auction of the vehicle through GovDeals, a service used by various government agencies, allowing them to sell surplus and confiscated items via the internet.

The Township Clerk shall assure that proper public notice of the auction is made, as required by law.

This is for the sale of two police vehicles and one vehicle that was abandoned. A motion was offered by **Deputy Mayor Gable** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-5-20. Motion.

RESOLUTION 2015-5-21

RESOLUTION REFUNDING TAX OVERPAYMENT FOR EXEMPT VETERAN

WHEREAS, Property Taxes were overpaid on the property listed below; and

WHEREAS, this overpayment was due to a payment by Dovenmuehle Mortgage, Inc., and they are requesting a refund;

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 May 27, 2015 hereby memorializes the refunding of the following to **Dovenmuehle Mortgage, Inc.** by the Tax Collector.

Block	Lot	Property Owner	Amount	Check #
33.04	9.16	William Crotty	\$2,580.12	4097

Mayor Higgins said an individual paid taxes and then applied for a veteran’s exemption which he received per the resolution.

A motion was offered by **Committeeman Puglia** and **Deputy Mayor Gable** to adopt Resolution 2015-5-21. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-5-22

A RESOLUTION OF THE TOWNSHIP OF MANSFIELD APPOINTING TYLER COLOIARO AS A FIRE INSPECTOR

WHEREAS Douglas Borgstrom, Fire Sub-Code Official, for the Township of Mansfield, feels the need to add qualified individuals to his roster of fire inspectors to cover all shifts necessary during the course of a day; and

WHEREAS, Tyler Coloiaro meets the requirements of the Mansfield Township job description for said position to do fire inspections for the Township of Mansfield; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their meeting held on May 27, 2015 that Tyler Coloiaro is hereby appointed as a Fire Inspector, at an hourly rate of \$10.71, as set by Ordinance, effective May 27, 2015, with no benefits and holidays.

Mayor Higgins explained that, due to the need for fire inspectors for resale’s and rentals, one of the former inspectors is being replaced.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to adopt Resolution 2015-5-22. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTERDIGIUSEPPE, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: GABLE

MINUTES: MAY 13, 2015

A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Gable** to approve the minutes of the May 13, 2015 meeting. Motion carried.

DISCUSSION

Portable Basketball Courts

Committeeman Puglia said he was contacted by a resident who asked if there is an ordinance prohibiting the portable basketball courts. Upon contacting **Administrator Fitzpatrick**, he was informed we don’t have an ordinance. **Committeeman Puglia** is bringing this before the Committee to see if we should do something about this as some youth play beyond some bedtimes and there is some concern. **Attorney Magee** felt our noise ordinance might cover this. **Clerk Semus** said we did something a few years ago, possibly in 2007, specifically about

these basketball courts in roadways. **Attorney Magee** and **Clerk Semus** are to review this and report back.

Architect Jim Ebersberger who did the design for the police department was in attendance and said that bids were received for the Police and Public Works Department. The bids came in under their estimate for construction. After reviewing the bidders and their qualifications, they found them to be in compliance. With the passing of the ordinance, they will inform the contractor that there will be a kick off meeting to get things under way. Mr. Ebersberger had the plans with him and explained the proposal. He said he will go over them with anyone interested after the meeting and answer any questions.

Mayor Higgins asked the water line. Mr. Ebersberger said the sanitary sewer line is about 40 to 45% complete. However, it was held up because of the new water service that was installed into the building through American Water and an outside contractor. There was a questions as to whether this is the appropriate time to, with the driveway being dug up, to put a pipe in place connecting the new water service domestic line outside to the domestic line inside the building. Oh behalf of the township, they requested a price to put a pipe in a French line and also a separate price to put in an inch and a half line and a conduit to replace the existing piping from the well to the building. The number came back and he had his engineer analyzing it and they will be making a recommendation to the Township Committee in a day or so. **Mayor Higgins** confirmed the price not to exceed \$12,600. **Mayor Puglia** questioned whether this was the old water line to be upgraded. Mr. Ebersberger said it was the new line put. **Deputy Mayor Gable** explained that, when they installed the new water service, originally in the contract, in order for us to maintain the well for utility water, the water company wanted to add a backflow preventer to make sure the well water didn't get in with the city water. However, because of the expense, it was decided not to do that. When that came out of the contract, we were not aware that it also deleted the line from the well head to the building. Therefore, when they installed the new water service, they connected it to the old water line which is too small and it needs to be upgraded to a 2 inch line to be able to feed the building properly. The old well is still supposed to be used as a utility line, not a backup well for the building. Jef will use it to water trees, etc. If the well is nonfunctioning, we will not pay to have to install it. Mr. Ebersberger said a constructive change directive will be issued. The maximum price is established not to exceed \$12,630. However, someone will come out to check the existing well as it is unknown whether there was damage to the well when the domestic water line was installed. If the well was damaged and too costly to repair, it would not make sense to spend the money. When the constructive change directing is issued, it is saying the price won't exceed the number that was submitted. However, when step one is done, if they don't find favorable condition with the well, they will not spend this money. Therefore, there will be a deduction in the cost not to put in the inch and half water line and conduit line from the well. **Committeeman Puglia** felt we should abandon the well as it has to be 40 years old with old piping. He questioned how much water Jef will cost us a year for what he is doing. Mr. Ebersberger said this is why they want a well person to look at it. **Committeeman Puglia** felt this person should be asked what the life expectancy of this well would be. A motion was offered by **Deputy Mayor Gable** and second by **Committeeman Puglia** to authorize the construction change directive. Motion carried on a Roll Call Vote, recorded as follows:

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

Recreation: Approval of Use of Mansfield Community Parks and Facilities:

- Girl Scout Troop 23549, for use of MCP for Girl Scout Camp the week of August 10-14 from 8:00am to 1:30 pm.

A motion was offered by **Committeeman Semptimpelter** and second by **Committeewoman DiGiuseppe** to approve the above application. Motion carried on a Roll Call Vote, recorded as follows:

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

- Hounds Baseball Camp, Richard Doppler, use of the Civic Club baseball field and Indoor Facility for the week of July 13-17, 2015.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Semptimpelter** to approve the above application. Motion carried on a Roll Call Vote, recorded as follows:

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

RECREATION PERMIT AND ORDINANCE REVISIONS

Committeewoman DiGiuseppe explained that the Recreation Committee has recommended that the application package process for the use of the Recreation Facility be combined into one application package. It is not that way now. She read their letter to her as follows:

RECREATION COMMITTEE HAS RECOMMENDED THE APPLICATION FOR USE OF RECREATION FACILITIES BE CONTAINED INTO ONE APPLICATION PACKAGE. IT CONSISTS OF 17 PAGES, WHICH CAN BE PRINTED ON BOTH SIDES OF THE SHEETS, REDUCING EACH PACKAGE TO 9 SHEETS. IT HAS ALL THE INFORMATION REQUIRED FOR USE OF ALL RECREATIONAL FACILITIES AND INCLUDES A COPY OF THE TOWNSHIP ORDINANCE C.33-B PARKS AND RECREATION AREAS.

EACH COMMITTEE MEMBER HAS A FULL COPY OF THE RECOMMENDED PERMIT APPLICATION.

...PG. 2 RULE OF THE PERMIT AND ORDINANCE 33B-2 "UNLAWFUL ACTS" BOTH PROHIBIT THE USE OF ANY ACTIVITIES WITHIN 50' OF THE BUILDINGS OR THE SALE OF ANY ARTICLE OR THING UNLESS BY A LICENSED CONCESSIONER.

.....THE RECREATION COMMITTEE HAS REQUESTED THAT LANGUAGE BE REVISED TO ALLOW THE SELLING OF SNACKS & DRINKS ON THE AREA ADJACENT TO THE CONCESSION BUILDING DURING TOURNAMENTS UNDER THE AUTHORITY OF THE PERMIT. SUGGESTED REVISIONS TO BOTH THE APPLICATION AND THE ORDINANCE TO AUTHORIZE THAT ACTIVITY ARE **HIGHLIGHTED IN YELLOW.**

PERMIT REVISION: (pg 2) "Use of any recreation buildings and any activities are not permitted within 50' of the buildings, **unless authorized by Permit authority approved by the Mansfield Township Committee.** This does not apply to the public restrooms."

ORDINANCE REVISION:

1. (pg.12 of APP.)...33B-2 UNLAWFUL ACTS...N "Expose or offer for sale any article or thing, individually or by use of any stand, cart or vehicle, except by any regularly licensed concessioner acting by and under authority of the rules and regulations promulgated herein or hereafter adopted; **or by an authorized Permit for such activity recommended by the Recreation Committee and approved by the Township Committee. The Permit shall specify the area of use and the named applicant for each event."**
2. (pg. 12 of APP.)...33B-2 UNLAWFUL ACTS...O "Use or operate any motorcycle, minibike, motorized all-terrain vehicle or similar apparatus; **only permissible for maintenance of fields by approved permit."**
3. (pg 13 of APP.)...33B-3 PARK AREAS FOR ENJOYMENT OF TOWNSHIP RESIDENTS ONLY...Either delete entire paragraph or revise...**"Park areas are intended for the use of Mansfield Residents."**

THE RECREATION COMMITTEE IS REQUESTING APPROVAL OF THE ALL-INCLUSIVE REVISED PERMIT APPLICATION. THE TOWNSHIP ORDINANCE NEEDS REVISION AS QUICKLY AS POSSIBLE TO ACCOMMODATE RECREATION COMMITTEE'S REQUEST.

THIS DOCUMENT TO THE TOWNSHIP ATTORNEY FOR REVIEW AND RECOMMENDATIONS.

Janice DiGiuseppe
Township Committeewoman
Liaison to Recreation Committee

(renting part of the concession? ---to Solicitor Magee)

Committeewoman DiGiuseppe asked the Township Committee to review in order discussions can be held at the next meeting. **Deputy Mayor Gable** has requested that these documents be submitted to Tim Irons for review regarding liability issues that the Township may incur. The Mayor asked that Administrator Fitzpatrick be sure to forward same to Mr. Irons. **Administrator Fitzpatrick** stated he will see that Mr. Irons receives a copy for review.

Mayor Puglia said people from the County were at Georgetown Park with **Administrator Fitzpatrick and Jef Jones** and they are looking for ways to do something for young children from 2 to 12 and for seniors. This is being considered and it might be something we can get a grant for. When they finish their review, they will give us a couple of sketches for the Committee to consider. **Mayor Puglia** wanted to bring this to the attention of the Committee.

Administrator Fitzpatrick said the installation of the cameras are on schedule. **Mayor Higgins** said we want cameras so we can see who comes and goes. Now we can have some equipment and not be concerned over them being damaged. This was the result of a grant. After this, we will go for the equipment. **Committeeman Puglia** suggested that signs should be installed indicating cameras are being used.

PUBLIC COMMENT

There was no public comment.

MOTION FOR ADJOURNMENT

A motion was offered by **Committeeman Semptimphelter** and second by **Deputy Mayor Gable** to adjourn. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC, CMR
Municipal Clerk

Approved: June 10, 2015