

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
November 12, 2015
Executive Session
6:00 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, and Committeeman Arthur R. Puglia, Committeewoman Laverne Cholewa, Solicitor Michael H. Magee, Administrator Michael Fitzpatrick, and Municipal Clerk, Linda Semus. Committeeman Robert Semptimphelter** was not in attendance.

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

**RESOLUTION 2015-11-1
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 personnel issues, contract negotiations, and on-going litigation.
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, Committeeman, Committeeman Arthur R. Puglia, Committeewoman Laverne Cholewa, CFO Joseph Monzo, Attorney Michael Magee, Administrator Michael Fitzpatrick, Engineer Dennis Yoder, Deputy Clerk Barbara Crammer and Clerk Linda Semus. Committeeman Robert Semptimphelter** was not in attendance.

A motion was offered by **Committeewoman Cholewa** 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 pending personal issues, contract negotiations, and on-going litigation.

ENGINEER'S REPORT

Dennis Yoder, Engineer, representing Tim Staszewski, said there are possible grant opportunities relative to road projects. There are two bond reductions before the Committee tonight. One is for Covington Manor which has to be followed by a two year maintenance bond once it is released. The other is for Country Walk Park which includes some responsibilities of the developer.

Water service for the municipal building has been substantially completed by Falasco. They have ordered the fire pump. There are some code issues which are being addressed.

Committeeman Puglia noted that Pulte Homes is doing work on Petticoat Bridge Road. The residents in the area are concerned that the run off coming onto their property. He asked Mr. Yoder to express this concern to Tim for him to address.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to accept the Engineer's Report. Motion carried.

BILL LIST

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

AYE: CHOLEWA, PUGLIA, GABLE (see below) HIGGINS
NAY: NONE ABSENT: SEMPTIMHELTER
ABSTAIN: GABLE (on check 4709) and HIGGINS (on check #4728)

RESOLUTION 2015-11-2
RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUND IN THE TOWNSHIP OLF MANSFIELD FOR THE BUDGET YEAR 2015

BE IT RESOLVED on this 12th day of November, 2015 by the Township Committee for the Township of Mansfield County of Burlington, that from the surplus balance in 2015 budget appropriations **transfers be made as follows:**

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

| <u>Title</u> | | <u>Transfer</u> <u>From</u> | <u>Transfer</u> <u>To</u> |
|-----------------------|--------------|--------------------------------|------------------------------|
| Engineering | OE | | 40,000.00 |
| Buildings and Grounds | OE | | 6,000.00 |
| PERS | OE | | 660.00 |
| BCBC | OE | | 250.00 |
| Tax Collector | SW | | 500.00 |
| Prior Years Bill | OE | | 37,871.00 |
| Streets | SW | | 6,000.00 |
| Court | SW | | 7,000.00 |
| Recycling | OE | | 400.00 |
| | | | |
| General Liability | OE | 7,871.00 | |
| Tax Assessor | SW | 10,000.00 | |
| Audit | OE | 1,500.00 | |
| Group Insurance | OE | 45,000.00 | |
| LOSAP | OE | 10,000.00 | |
| SW Adj | SW | 18,000.00 | |
| Property Maint | OE | 6,310.00 | |
| | TOTAL | 98,681.00 | \$ 98,681.00 |

A Motion was offered by **Committeeman Puglia** and Second by **Committeewoman Cholewa**. Carried on a Roll Call Vote and recorded as follows:

AYES: PUGLIA, CHOLEWA, GABLE (SEE BELOW), HIGGINS
NAYS: NONE ABSENT: SEMPTIMHELTER ABSTAIN: GABLE (from LOSAP)

ORDINANCE NO. 2015-13

AN ORDINANCE TO AMEND ORDINANCE NO. 2006-2 WHICH ESTABLISHED CERTAIN TRAFFIC REGULATIONS IN AND FOR THE TOWNSHIP OF MANSFIELD BY AMENDING SECTION THREE, DESIGNATING NO PARKING ON CERTAIN STREETS, ADDING WHITE PINE ROAD, INCLUDING THE APPLICATION OF THE PROVISIONS OF SUBTITLE ONE OF TITLE 39 OF THE NEW JERSEY STATUTES .

WHEREAS, the community of Four Seasons within the Township of Mansfield is among one of the newer neighborhoods in the Township; and

WHEREAS, the community of Four Seasons Public Offering Statement prohibits overnight parking on certain streets within the community, and

WHEREAS, the community has experienced an increase of overnight parking on the streets within the community; and

WHEREAS, the original developer of the neighborhood, K. Hovnanian at Mansfield, Inc. has filed a written request with the Township for the application of the provisions of Subtitle One of Title 39 of the Revised Statutes of the State of New Jersey to the semi-public roads, streets, driveways and parking lots in the community to enhance, among other things, the safety of the public; and

WHEREAS, the Department of Transportation has conducted a field investigation with regards to this request and has advised the Township of various regulations that can be recommended for approval:

NOW THEREFORE BE IT ORDAINED AND ESTABLISHED, by the Township of Mansfield in the County of Burlington and State of New Jersey that the following amendment shall be established and become enforceable:

SECTION ONE. General Parking Regulations.

- A. All vehicles must park in designated areas and between the lines provided.
- B. No person shall stop or stand a vehicle upon any of the streets or parts of streets described below, except in areas covered by other parking restrictions.

| Name of Street | Sides | Hours | Location |
|------------------|-------|-------|---------------------------------|
| Arlington Avenue | Both | All | As indicated on filed Site Plan |
| Augusta Drive | Both | All | As indicated on filed Site Plan |

C Vehicles may park on the south side of Arlington Avenue between Birmingham Drive and Elizabeth Lane as indicated on filed Site Plan.

D. Handicapped Parking. All stalls shall be 12 feet wide as shown on the attached site plan and signed with the R7-8 and R7-8P (Reserved Parking Sign and Penalty Plate), In the designated parking areas for persons who been Issued the Handicapped Parking Permit by the Division of Motor Vehicles.

SECTION TWO. Reserved Parking Regulations. All vehicles that are granted specialty parking in the reserved parking section, such as police vehicles, ambulances, teachers, etc. must be properly identified. The reserved parking spaces shall only be those shown on the filed site plan attached hereto and on file in the office of the Township Clerk.

SECTION THREE. Through Streets; Stop and Yield Intersections.

A. Through Streets. The following streets or parts of streets are hereby designated as Through Streets, Stop Signs shall be installed on the near right side of each street intersecting the Through street except where Yield signs. are provided for in the designation.

| <u>Name of Street</u> | <u>Limits</u> |
|-----------------------|---|
| Arlington Avenue | Entire Length |
| Ambrose Drive | Entire Length |
| Augusta Drive | Entire Length |
| Barbary Lane | Entire Length |
| Birmingham Drive | Entire Length |
| Chamber Lane | Entire Length |
| Durham Drive | Entire Length |
| Ellington Drive | Entire Length |
| Fairmont Drive | Entire Length |
| Greenbrook Drive | Entire Length |
| Harrington Drive | Between Ambrose Drive and a point 10 feet South of the southerly curb line of Ellington Drive |
| Kelly Drive | Entire Length |
| Lincoln Drive | Between Arlington Avenue and a point 10 feet north of Greenbrook Drive |
| Road "C" | Between Ambrose Drive north intersect and Ambrose Drive south intersect |
| White Pine Road | Entire Length |

B. Stop Intersections. The following described intersections are hereby designated as Stop Intersections. Stop signs shall be installed as provided therein.

| <u>Intersection</u> | <u>Stop Sign on</u> |
|----------------------|---------------------|
| Fitzgerald, Lane and | |

Everett Drive
 Road "D" and Lot "A"
 Road "D" and Lot "B"

Everett Drive
 Lot "A"
 Lot "B"

SECTION FOUR. One-Way Streets. The following described streets or parts of streets are hereby designated as One-Way Streets In the direction indicated.

| <u>Name of Street</u> | <u>Direction</u> | <u>Limits</u> |
|-----------------------|-------------------|---|
| Road "C" | Counter-clockwise | From Ambrose Drive north intersect to Ambrose Drive south intersect |

SECTION FIVE. Speed Limits.

- A. The speed limit for both directions of traffic in the parking lots shall be 15 M.P.H.
- B. The speed limit for both directions of travel on the following roadways is:

| <u>Name of Roadway</u> | <u>M.P.H.</u> | <u>Limits</u> |
|------------------------|---------------|---------------|
| Alexander Lane | 25 | Entire Length |
| Allistair Lane | 25 | Entire Length |
| Andrea Drive | 25 | Entire Length |
| Ashford Court | 25 | Entire Length |
| Augusta Drive | 15 | Entire Length |
| Arlington Avenue | 25 | Entire Length |
| Ambrose Drive | 25 | Entire Length |
| Barbary Lane | 25 | Entire Length |
| Birmingham Drive | 25 | Entire Length |
| Chamber Lane | 25 | Entire Length |
| Clement Court | 25 | Entire Length |
| Coventry Terrace | 25 | Entire Length |
| Crammer Court | 25 | Entire Length |
| Dickens Drive | 25 | Entire Length |
| Durham Drive | 25 | Entire Length |
| Elizabeth Lane | 25 | Entire Length |
| Ellington Drive | 25 | Entire Length |
| Everett Drive | 25 | Entire Length |
| Fairmont Drive | 25 | Entire Length |
| Fitzgerald Lane | 25 | Entire Length |
| Foster Lane | 25 | Entire Length |
| Garfield Court | 25 | Entire Length |
| Grant Court | 25 | Entire Length |
| Greenbrook Drive | 25 | Entire Length |
| Harrington Drive | 25 | Entire Length |
| Hemmingway Lane | 25 | Entire Length |
| Jasper Drive | 25 | Entire Length |
| Juniper Drive | 25 | Entire Length |
| Kelly Drive | 25 | Entire Length |
| Lincoln Drive | 25 | Entire Length |
| Newton Court | 25 | Entire Length |
| Pheasant Court | 25 | Entire Length |
| Road "A" | 15 | Entire Length |
| Road "B" | 15 | Entire Length |
| Road "C" | 15 | Entire Length |
| Road "D" | 15 | Entire Length |
| Road "E" | 15 | Entire Length |
| Shenandoah Place | 25 | Entire Length |
| Taylor Court | 25 | Entire Length |
| Vandevere Lane | 25 | Entire Length |

- C. Regulatory and warning signs shall be enacted and maintained to effect the above designated speed limits authorized by the Department of Transportation

SECTION FIVE A. No Overnight Parking.

Overnight parking shall be prohibited in the Four seasons community on the following streets within the development from 1:00 a.m. to 5:00 a.m.. No on-street parking is permitted when snow is predicted or when roads or snow covered..

| | |
|------------------|---------------|
| Chamber Lane | Entire Length |
| Vandevere Lane | Entire Length |
| Fitzgerald Lane | Entire Length |
| Crammer Court | Entire Length |
| Everett Drive | Entire Length |
| Allister Lane | Entire Length |
| Barbary Lane | Entire Length |
| Taylor Court | Entire Length |
| Garfield Court | Entire Length |
| Harrington Drive | Entire Length |
| Newton Court | Entire Length |

| | |
|-----------------|---------------|
| Ellington Drive | Entire Length |
| Ambrose Drive | Entire Length |
| Ashford Court | Entire Length |

SECTION SIX. Tow-Away Zones. Any vehicle parked or standing as to obstruct or impede a normal flow of traffic or block, entrances or exit ways, loading zones, no parking zones, oil -fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owners or operators expense.

SECTION SEVEN. Authorized Vehicles Only. The following streets or parts of streets shall be designated as use for authorized vehicles only. No vehicle other than an authorized vehicle shall enter upon the below roadway.

| <u>Name of Street</u> | <u>Limits/Location</u> |
|-----------------------|---|
| Road "E | Entire Length as indicated on Site Plan |

SECTION EIGHT. Signs. All signs shall conform to the current edition of the Manual on Uniform Traffic Control Devices pursuant to N.J.S.A 39:4-198 and N.J.S.A. 39:4-183.27. The developer shall erect all such traffic control devices in accordance with this Ordinance.

SECTION NINE. Penalties. Unless another penalty is expressly provided for by statute, every person convicted of a violation of this ordinance or any supplement thereto shall be subject to a penalty of not less than \$35.00 nor more than \$350.00 or imprisonment for a period of not more than fifteen (15) days or both.

SECTION TEN. Dedication. In the event of the dedication of any of the roads, streets, or parking lots encompassed by this Ordinance to the Township of Mansfield and the acceptance of such roads, streets, or parking lots by the Township, such roads, streets, and parking lots shall become subject to the provisions of Title 39 of the Revised New Jersey Statutes in the same way and manner as any other public street including the penalty provisions of laws and ordinances applicable to public rights of way, notwithstanding the provisions of Section Nine, above.

SECTION ELEVEN. Severability. Should any portion of this Ordinance be declared invalid or unenforceable by a Court of competent jurisdiction, the remaining portions shall remain valid and of full force and effect.

SECTION TWELVE. Effective Date. This Ordinance shall become effective upon adoption, approval by the Commissioner of the Transportation, and publication in accordance with law.

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

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Ordinance 2015-13. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTIONS

The following resolutions, 2015-11-3 through 2015-11-7 are a correction from the prior resolutions. **Attorney Magee** explained that ABC wanted the Director of Special Ruling to the Resolution. The owner has to apply for the Special Ruling in order to make the 2015-2016 transfer effective. 2011 through 2015 include the reference to the Director’s Ruling that was supplied by the ABC. However, we are rescinding 2015-2016 pending the receipt of the Director’s Special Ruling granting to the owner of the license.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Resolution 2015-11-3 to 2015-11-7. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, GABLE, HIGGINS
NAY: NONE ABSENT: SEMPTIMPHTLER ABSTAIN: NONE

RESOLUTION 2015-11-3
CATERERS UNLIMITED INC.: T/A “OLDE COLUMBUS INNE”
2011-2012 LIQUOR LICENSE RENEWAL

WHEREAS, Caterers’ Unlimited Inc., T/A “Olde Columbus Inne” Plenary Retail Consumption License #0318-33-002-006 located at 24491 West Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2011-2012 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Caterer’s Unlimited, Inc., T/A “Olde Columbus Inne” is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, the license is renewed pursuant to 12.18 and 12.39 rulings granted by the Director of the Alcohol Beverage Control commission.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-002-006 in the name of Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" be renewed for the 2011-2012 Licensing Year.

RESOLUTION 2015-11-4
CATERERS UNLIMITED INC.: T/A "OLDE COLUMBUS INNE"
2012-2013 LIQUOR LICENSE RENEWAL

WHEREAS, Caterers' Unlimited Inc., T/A "Olde Columbus Inne" Plenary Retail Consumption License #0318-33-002-006 located at 24491 West Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2012-2013 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, the license is renewed pursuant to 12.39 rulings granted by the Director of the Alcohol Beverage Control commission.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-002-006 in the name of Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" be renewed for the 2012-2013 Licensing Year.

RESOLUTION 2015-11-5
CATERERS UNLIMITED INC.: T/A "OLDE COLUMBUS INNE"
2013-2014 LIQUOR LICENSE RENEWAL

WHEREAS, Caterers' Unlimited Inc., T/A "Olde Columbus Inne" Plenary Retail Consumption License #0318-33-002-006 located at 24491 West Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2013-2014 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, the license is renewed pursuant to 12.39 rulings granted by the Director of the Alcohol Beverage Control commission.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-002-006 in the name of Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" be renewed for the 2013-2014 Licensing Year.

RESOLUTION 2015-11-6
CATERERS UNLIMITED INC.: T/A "OLDE COLUMBUS INNE"
2014-2015 LIQUOR LICENSE RENEWAL

WHEREAS, Caterers' Unlimited Inc., T/A "Olde Columbus Inne" Plenary Retail Consumption License #0318-33-002-006 located at 24491 West Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2014-2015 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, the license is renewed pursuant to 12.39 rulings granted by the Director of the Alcohol Beverage Control commission.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-002-006 in the name of Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" be renewed for the 2014-2015 Licensing Year.

RESOLUTION 2015-11-7
RESOLUTION RESCINDING RENEWAL OF CATERERS UNLIMITED INC.: T/A "OLDE COLUMBUS INNE" 2015-2016 LIQUOR LICENSE RENEWAL

WHEREAS, Caterers Unlimited Inc., T/A "Olde Columbus Inne" Plenary Retail Consumption License #0318-33-002-006 located at 24491 West Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2015-2016 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Caterer's Unlimited, Inc., T/A "Olde Columbus Inne" is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, Caterers Unlimited, Inc., T/A "Olde Columbus Inne" must request a 1239 special ruling from the Director of the Division of the Alcohol Beverage Control Commission; and

WHEREAS, upon granting of the 12.39 special ruling by the Director, the Township Committee of the Township of Mansfield will consider reinstating the renewal for the calendar year 2015-2016.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Resolution adopted at their regular meeting on October 14, 2015 (Resolution 2015-10-6) be and is hereby rescinded for the Plenary Retail Consumption License #0318-33-002-006 in the name of Caterers Unlimited, Inc., T/A "Olde Columbus Inne" for the 2015-2016 Licensing Year.

A motion is offered by **Committeeman Puglia** and second by **Deputy Mayor Gable** to adopt the following Resolution 2015-11-8. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-11-8

A RESOLUTION FOR THE REFUND FOR EXEMPT VETERANS

WHEREAS, the homeowner listed was declared to be the spouse of a Disabled Veteran; and,
WHEREAS, the homeowner, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

WHEREAS, the homeowner paid the Taxes for 2015;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Committee of the Township of Mansfield, County of Burlington and State of New Jersey at their Regular Meeting held on November 12, 2015 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to August 19, 2015.

| Block | Lot | | Amount |
|-------|-----|-----------------|----------|
| 42.08 | 124 | Elsie Hittelman | \$444.69 |

A motion was offered by **Deputy Mayor Gable** and second by **Committeewoman Cholewa** to adopt the following Resolution 2015-11-9. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, CHOLEWA, PUGLIA, HIGGIINS
NAY: NONE ABSENT: SEMPTIMHELTER ABSTAIN: NONE

RESOLUTION 2015-11-9

A RESOLUTION FOR THE REDEMPTION OF TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on October 5, 2012, a lien was sold on Block 33.01, Lot 16, also known as 131 Mill Lane for 2011 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate # 12-00012 was sold to US Bank Cust/PFS Financial 1 in the amount of \$3,387.73 and,

WHEREAS, Sandra Croshaw has affected redemption of Certificate # 12-00012 as the homeowner.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, authorizes that a check be issued to US Bank Cust/PFS Financial 1, for the redemption of this lien.

| Lien Holder | Lien # | Amount |
|------------------------------|----------|-------------|
| US Bank Cust/PFS Financial 1 | 12-00012 | \$40,303.20 |

The following bond release request was submitted by Orleans/Covington and reviewed by the Township Engineer and is being recommended for release conditioned upon the posting of a maintenance bond. A motion was offered by **Committeewoman Cholewa** and second by **Deputy Mayor Gable** to adopt the following Resolution 2015-11-10. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-11-10

RESOLUTION FOR THE RELEASE OF PERFORMANCE BOND AND CASH BOND FOR ORLEANS COVINGTON MANOR ESTATES

WHEREAS, Orleans Homes posted a Performance Bond, Number 08845161 originally established in the amount of \$2,928,167.85 and cash bond in the amount of \$93,543.71 for a total of \$3,021,711.56 on April 24, 2006; and

WHEREAS, Glen McDonald, Director of Land for Orleans Homes, has requested the release of Performance Bond 0884561 and cash bond, and

WHEREAS, Remington & Vernick Engineers has recommended the release of said Performance Bond and cash bond in communication dated November 9, 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 Orleans Covington Manor Estates in the amount of \$2,928,167.85 and cash bond in the amount of \$93,543.71 conditioned upon the activation of a Maintenance Guarantee in the amount of \$351,380.14 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 Orleans Homes.
3. The Land Use Coordinator is authorized and directed to forward the Performance Guarantee and cash bond to Orleans 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.

Attorney Magee explained that the request was made, the township engineer reviewed the request and visited the site. He recommended release of the performance bond but stipulated that there be no maintenance bond subject to the developer continuing his agreement with the municipality to cut the grass in the Country Walk Park until the last home in Country Walk is sold.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Gable** to adopt Resolution 2015-11-11. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2015-11-11

RESOLUTION FOR THE RELEASE OF PERFORMANCE BOND AND CASH BOND FOR COUNTRY WALK (PHASE 1) PARK

WHEREAS, Generation Builders Inc posted a Performance Bond, Number 164 originally established in the amount of \$128,642.40 on February 3, 2005 and;

WHEREAS, Laura J. Mannion, President of Generation Builders Inc., has requested the release of Performance Bond 164 and;

WHEREAS, Remington & Vernick Engineers has recommended the release of said Performance Bond in communication dated November 5, 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 Generation Builders Inc. in the amount of \$128,642.40
2. Remington & Vernick Engineers recommends that the Maintenance Guarantee be waived contingent upon the agreement that the developer will continue to maintain the grass cutting of the park area until the purchase of the final home has been completed within Phase 1 of Country Walk
3. Authorizes the Land Use Coordinator to forward a certified copy of this Resolution to Generation Builders Inc.
4. The Land Use Coordinator is authorized and directed to forward the Performance Guarantee to Generation Builders Inc. 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.

MINUTES: October 28, 2015

A motion was offered by **Deputy Mayor Gable** and second by **Committeeman Puglia** to approve the minutes of the October 28, 2015 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

DISCUSSION

a. Street Lighting

Administrator Fitzpatrick received and read correspondence from the property manager at Four Seasons asking if the Township will be interested in upgrading the community street lights for safety purposes. The Club House parking lights are being updated. **Committeeman Puglia** suggested contacting Public Service to see if they would change them for us. **Administrator Fitzpatrick** noted that PSE&G will be replacing the bulbs and ballasts in the parking lot. **Committeeman Puglia** suggested contacting Public Service and have them look at the rest of the development at their expense. **Committeeman Gable** felt we should see what information

PSE&G provides us with, whether they are willing to change them or what the price would be. **Mayor Higgins** commented that he sees nothing wrong with asking them but, once we do it for one development, we will have to look at all of the developments.

b. Redevelopment Area Plan

Mayor Higgins referred to an area near 295 where a developer is interested. As a result, there is an area that has been highlighted as a redevelopment area. We have asked the County to help with a redevelopment study to come up with a plan. **Attorney Magee** said he received a copy of the proposed draft plan from Mr. Ed Fox. **Attorney Magee** explained that any planned redevelopment proposal is governed by the New Jersey Statutes in regard to the type of language that has to be used in the plan. The properties have to contain certain characteristics to qualify for the redevelopment area. **Attorney Magee** received a colored sheet from Remington& Vernick so the Committee can clearly see what area is targeted for redevelopment. **Mayor Higgins** furthered explained that, at the next meeting the Committee can take action to turn this over to the Planning Board to make sure it is consistent with the Planning Board's charge with the Master Plan. If the Planning Board agrees, it will come back to the committee who can approve it followed by progress. **Attorney Magee** said this would be about 200 acres where there would be a significant area that would pay major roll back taxes. No action will be taken tonight. This will be addressed at the next meeting.

c. Parking

Attorney Magee said Chief Mulhall reviewed the latest ordinance in regard to no parking on White Pine Road and questioned whether, now that the streets in the Four Seasons development had be accepted, whether certain no parking provisions should be lifted from there. **Attorney Magee** questioned why this would be done because he felt this should be done by petitions from the residents. **Mayor Higgins** felt that, unless they ask, we should leave it as is. **Attorney Magee** will relay this to the Chief.

d. Recreation

i. Approval of Indoor facility Application for the Jersey Inferno 12U – various dates in November and December and January through April.

A motion was offered by **Deputy Mayor Gable** and second by **Committeeman Puglia** to approve this request. Motion carried.

ii. Sponsored Teams by Recreation re: facility use at Northern

Mayor Higgins explained that, several months ago, the school district waived fees for use of their facilities sponsored by the NBIAA and our Recreation Department. Since then, other groups have requested use of the facilities. The School wants to recognize the non-fees for things that are sponsored by the municipality.

Colleen Herbert, 2 Millennium Drive, said that Mr. Kaz called her inquiring about our fees in Mansfield Township. She assumed other organizations are trying to use the fields. **Mayor Higgins** said they want to offer the facilities to municipalities in the school district. The focus is beyond the municipality sponsored programs. Colleen Herbert suggested they take the programs on a case by case basis. It was suggested that Mr. Kaz contact the Township if they have a question.

PUBLIC COMMENT

Colleen Herbert, 2 Millennium, questioned whether the redevelopment being considered near 295 will prompt another issue with Liberty Lake. **Attorney Magee** said the proposal is permitted as per local ordinance, then the neighbor will have nothing to say. **Mayor Higgins** said the area will have sewer from Burlington City or another municipality. This will take care of one problem. A lot of concerns should be addressed.

Tom Minard, East Main Street, asked when the fire pump will be installed. He was concerned now that they are pumping the water to the place, the hose will freeze. He understood there is a code violation. **Engineer Yoder** referred to the fire door which is a requirement. However, the code official has the final say on that. Mr. Minard felt they should have known about the need for the fire door.

Mr. Minard said he also observed the County dump trucks dumping stone and mud in the driveway of the Municipal Park as they work on the County Project. He asked if the Committee can force them to clean it up. **Administrator Fitzpatrick** is to contact the County.

John Kaner, a warehouse developer, said he has done work in South Brunswick and is now in East Windsor. There are some parcels of land consisting of about 250 acres in Mansfield along Route 206 that he would like considered for industrial development. Part of the 250 had been considered as the Promenade. The other location is south of Main Street on the westerly side where there is 180 acres split between residential and C-2. He felt it was an ideal place for industrial development for distribution centers. Mr. Kaner wanted to introduce this to the town to see if they think it is worth exploring and, if so, he wants to start conversation. **Mayor Higgins** said, this week, he met with the current developer of American Properties with **Administrator Fitzpatrick** who indicated that their project was now longer going to move forward. **Attorney Magee** had met with Mr. Kaner and indicated that the amount of square footage being proposed was music to his ears as far as tax relief as a Mansfield Resident. He told Mr. Kaner the Committee was anxious to see development on Route 206. One of the issues is the lack of sewer although a warehouse is not a huge sewer user. From a tax relief perspective, he questioned how it could not be something worth looking into. **Mayor Higgins** spoke of the hours of operation which would be better than the proposed retail use and any trucks would be parked in front of the building rather than behind the building so they would not be objectionable to homes in the area. He felt the area should be beautified near the homes to encourage good neighbors. Mr. Kaner said they will look into this and did note that, in his other developments, there is a large emphasis on buffering and not disturbing residents in residential zones. **Mayor Higgins** said our Zoning Officer will be asked to reach out to them and explain any variances that may be required.

Doug Goodenough, 612 Island Road, said he has been Fire Chief for 7 years, said, with commercial, he was concerned about the size of the buildings and whether we have the equipment to protect them. He felt this should be considered. The Township should keep in mind what the cost of protecting the buildings will be. **Mayor Higgins** said this Committee has always listened to the needs of the Fire Company.

With no more comments of comments, the public portion was closed.

MAYOR AND COMMITTEE COMMENT

Everyone was wished a Happy Thanksgiving.

MOTION FOR ADJOURNMENT

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk

Approved: December 9, 2015