

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
November 9, 2016**

Executive Session: 6:00PM

The Regular Meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Sean Gable, Deputy Mayor Robert Semptimphelter, Committeeman Arthur Puglia, Committeeman Committeewoman Laverne Cholewa, Committeeman Robert J. Higgins, Attorney Michael Magee, Clerk Linda Semus, and Administrator Michael Fitzpatrick.**

Mayor Gable 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, 2016. 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 8, 2016.

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

RESOLUTION 2016-11-1

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 litigation, contract negotiations, and personnel issues.
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.

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

Attorney Magee explained the purpose of executive session to discuss pending litigation, contract negotiations, and personnel issues.

Mayor Gable opened the regular meeting with the flag salute and a moment of silence.. The following were in attendance: : **Mayor Sean Gable, Deputy Mayor Robert Semptimphelter, Committeeman Arthur Puglia, Committeeman Committeewoman Laverne Cholewa, Committeeman Robert J. Higgins, Attorney Michael Magee, Clerk Linda Semus, Administrator Michael Fitzpatrick and Deputy Clerk Barbara Crammer.**

ENGINEER'S REPORT

Mayor Gable referred to the Engineer's Report. **Engineer Brown** was not in attendance. **Mayor Gable** asked if there are any questions. With no questions or comments, **Committeeman Puglia** made a motion to accept the Engineer's Report. The motion was second by **Deputy Mayor Semptimphelter** and carried.

ORDINANCE: Second Reading/Final Adoption

ORDINANCE 2016-17

**AN ORDINANCE AMENDING CHAPTER 65 OF THE CODE OF THE
TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW
JERSEY FOR THE AREA AND BULK STANDARDS IN THE ODL
ZONING DISTRICT**

WHEREAS, on September 26, 2016 the Mansfield Township Planning Board adopted a 2016 Land Use Plan Element Update, via Planning Board Resolution 2016-9-13; and

WHEREAS, the 2016 Land Use Plan Element Update recommended clarifying the purpose of and permitted uses within the ODL Zoning District; and

WHEREAS, those uses included warehouse, trucking and distribution facilities and wholesale establishments, which are usually larger in scale than office uses or other uses permitted in that zoning district; and

WHEREAS, Chapter 65: Zoning of the Code of Mansfield Township contains a Schedule of Area and Bulk Regulations, which specifies minimum and maximum area and bulk standards for different types of uses in each zoning district;

NOW, THEREFORE BE IT ORDAINED AND ENACTED that the Schedule of Area and Bulk Regulations of Chapter 65 of the Land Use Regulations be amended to include the following requirements for warehouse, trucking and distribution facilities and wholesale establishment uses for the ODL Zoning District:

- Minimum Lot Area: 2 acres
- Minimum Frontage (feet): 200
- Minimum Depth (feet): 200
- Minimum Front Yard Setback (feet): 50
- Minimum Rear Yard Setback (feet) 30
- Minimum One Side Yard Setback (feet): 20
- Minimum Both Sides Yard Setback (40)
- Maximum Lot Coverage (percent) 70
- Maximum Building Height (feet): 50
- Minimum Distance between Buildings on Same Lot (feet): 40
- Maximum Floor Area Ration (FAR): 0.35

AND BE IT FURTHER ORDAINED AND ENACTED that this Ordinance shall take effect twenty (20) days following adoption and publication according to law.

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.

Mayor Gable asked the Committee if they had any questions. With no questions, he opened the Public Hearing. With no questions or comments, the Public Hearing was closed

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Ordinance 2016-17. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTIONS

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY**

RESOLUTION 2016-11-2

**RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUND IN THE TOWNSHIP OF
MANSFIELD FOR THE BUDGET YEAR 2016**

BE IT RESOLVED on this 9th day of November, 2016 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2016 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 FROM</u>	<u>TRANSFER TO</u>
LOSAP	OE		6,275.00
PERS	OE		195.00
PFRS	OE		375.00
Audit	OE		2,700.00
Planning Board	OE		6,000.00
Recycling	OE		500.00
Engineering	OE		5,000.00
Admin	SW		850.00
Finance	SW		2,800.00
Tax Collections	SW		1,520.00
Tax Assessor	SW		600.00
Property Maintenance	SW		45.00
Road	SW		30,000.00
Salary and Wage adj	SW	13,700.00	
Property Maintenance	OE	3,000.00	
Workers Comp	OE	1,700.00	
Buildings	OE	2,000.00	
Vehicle Main	OE	2,000.00	
Storm water Mgmt	OE	5,000.00	
Employee Group Benefits	OE	29,460.00	
TOTAL		\$ 56,860.00	\$ 56,860.00

A motion was offered **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt resolution 2016-11-2. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, CHOLEWA, HIGGINS, GABLE (see below)
NAY: NONE **ABSENT:** NONE **ABSTAIN:** GABLE (on losap)

RESOLUTION 2016-11-3
RESOLUTION APPOINTING POLICE OFFICER
JAMES FLAKKER

WHEREAS, a vacancy exists in the rank of patrolman within the Mansfield Township Police Department; and

WHEREAS, a selection process was conducted to find the most qualified person to hire in this capacity and **James Flakker** has met all the qualification for said position;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Mansfield Township, County of Burlington, State of New Jersey at their Regular Meeting held on January 27, 2016 that **James Flakker**, is so hired, at the recommendation of Chief of Police, Ronald G. Mulhall, Jr. at Step I status in the amount of \$41, 275.69 with benefits, and with certification of funds by the Mansfield Township CFO/Treasurer. Appointment to said position is hereby effective as of November 10, 2016.

A motion was offered by **Committeeman Puglia** and second for **Committeewoman Cholewa** to adopt Resolution 2016-11-3. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2016-11-4
A RESOLUTION SUPPORTING SENATE BILL 2663 AND ASSEMBLY BILL 4234

WHEREAS, almost all local units of government and Boards of Education in New Jersey including (name of local unit) secure insurance through governmental entities known as joint insurance funds (hereinafter JIFs); and

WHEREAS, existing law limits JIFs to investments otherwise authorized for local governmental entities and Boards of Education; and

WHEREAS, insurance mechanisms such as JIFs have different cash flow needs than local government and Boards of Education; and

WHEREAS, existing law greatly limits the potential investment earnings, currently less than 1% on investments of approximately \$1 billion; and

WHEREAS, S-2663 and A-4234 would permit JIFs to invest in debt obligations of any governmental entity established under the laws of the State of New Jersey and federal agencies or governmental corporations; and

WHEREAS, while the range of investments permitted by S-2663 and A-4234 is still very conservative, it would save the taxpayers at least \$10 million per year; and

WHEREAS, S-2663 and A-4234 would also reduce interest expense for local units of government and Boards of Education by creating an additional purchaser of their bonds; and

WHEREAS, S-2663 and A-4234 would also permit JIFs to join together and create a joint investment and cash management program further increasing investment income.

NOW, THEREFORE, BE IT RESOLVED by the (name of local unit) that:

1. The Legislature is urged to adopt S-2663 and A-4234 and;
2. A copy of this resolution shall be sent to all area legislators as well as the Governor, Commissioner of the Department of Banking and Insurance and the Commissioner of the (Department of Community Affairs or Department of Education as appropriate.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Resolution 2016-11-4. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2016-11-5

A MEMORIALIZING RESOLUTION AUTHORIZING THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE FY2016 NJDOT TRANSPORTATION ALTERNATIVE PROGRAM- EAST AND WEST MAIN STREET/COLUMBUS ROAD BIKE LANES AND WALKING PATH-00141- PEDESTRIAN SAFETY

WHEREAS, The Township Committee, at their October 12, 2016 meeting considered the recommendation of Carroll Engineering to construct a combined pedestrian walkway and bicycle path along the southerly side of East and West Main Streets/Columbus Road; and

WHEREAS, the limits of the project are along the southerly side of East and West Main Streets/Columbus Road between the Columbus Town Proper and the Country Walk and Homestead Developments; and

WHEREAS, the Township of Mansfield desires the Township Engineers to apply for and obtain a grant from the New Jersey Department of Transportation for approximately \$425,000.00 to construct a combined pedestrian walkway and bicycle path, which said approximated figure includes design, construction and inspection for said project; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application identified as “Columbus Road Bike Lanes and Walking Path” in Mansfield Township for Local Aid to the New Jersey Department of Transportation on behalf of Township of Mansfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Mansfield and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Resolution 2016-11-5. Motion carried on a Roll Call Vote, recorded as follows:

AYES: PUGLIA, CHOLEWA, HIGGINS, GABLE
NAYS: NONE **ABSENT:** NONE **ABSTAIN:** SEMPTIMHELTER

RESOLUTION 2016-11-6

RESOLUTION ACCEPTING THE MAINTENANCE AND JURISDICTIONAL AGREEMENT BETWEEN THE NEW JERSEY TURNPIKE AUTHORITY, (NJTPA), AND MANSFIELD TOWNSHIP

WHEREAS, Mansfield Road West and Mill Lane in Mansfield Township, Burlington County, New Jersey, are roads owned and maintained by the Township; and

WHEREAS, the Authority has developed the New Jersey Turnpike (the “Turnpike”) Interchange 6 to 9 Widening Program (the “Program”) involving the construction of three truck/car lanes with full shoulders in each direction, the reconstruction of Mansfield Road West over the Turnpike, and the construction of two Turnpike structures over Mill Lane; and

WHEREAS, the Program will benefit both the Township and the Authority; and

WHEREAS, the Parties have agreed to enter into an Agreement to set forth their respective rights and responsibilities with respect to the new improvements at the Turnpike and the road crossings of Mansfield Road West and Mill Lane as a result of the Program; and

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

The Mayor is authorized to enter into and execute the attached Jurisdictional Agreement, attached hereto and made a part hereof, on behalf and for the benefit of Mansfield Township.

Mayor Puglia explained this is in regard to the new overpasses for the turnpike where they adjust the size of the roads. **Attorney Magee** explained that the original agreement had our request for changes be made with the NJ Turnpike Authority through their attorney.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt Resolution 2016-11-6. Motion carried on a Roll Call Vote, recorded as follows:

AYES: PUGLIA, SEMPTIMHELTER, HIGGINS, GABLE
NAYS: NONE ABSTAIN: CHOLEWA ABSENT: NONE

RESOLUTION 2016-11-7

RESOLUTION REQUIRING THE MUNICIPAL TAX ASSESSOR TO NOTIFY THE CHIEF FINANCIAL OFFICER AND THE GOVERNING BODY OF MANSFIELD TOWNSHIP, IN WRITING, ALL TAX APPEALS HAVING BEEN FILED, NO LATER THAN JUNE 1ST OF EACH YEAR IN THE YEAR THE APPEALS HAVE BEEN FILED

WHEREAS, There is a need to actively monitor management of a Municipality's ratable tax base is fundamental to helping ensure fiscal stability; and

WHEREAS, One way a municipality can insure that the ratable tax base is monitored on annual basis would be to require the Tax Assessor provide notice in the form of a written report annually for real estate tax appeals filed in that year; and

WHEREAS, Mansfield Township is desirous of monitoring their ratable tax base on an annual basis; and

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

The Tax Assessor in Mansfield Township shall notify the Chief Financial Officer and the Governing Body annually, in writing, all tax appeals having been fielded, no later than June 1st in each year for the year the appeals have been filed.

Mayor Gable explained that this is one of the items on the check list that **CFO Monzo** reported in regard to the Best Practice List. By adopting Resolution 2016-11-7, he will be able to answer yes on the list.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphehler** to adopt Resolution 2016-11-7. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2016-11-8

RESOLUTION FOR THE PURCHASE OF FURNITURE FOR THE NEW POLICE STATION UNDER NEW JERSEY STATE CONTRACT NO. 49131, FUNDED BY FEDERAL FORFEITURE FUNDS AND CLOTHING BIN ROYALTY FUNDS

WHEREAS, The Mansfield Township Police Department, (MTPD), is in the process of moving into their new Police Station at the Mansfield Municipal Complex; and

WHEREAS, The MTPD will be moving to a new Police Station that is three times the size of the current Police Station; and

WHEREAS, The Chief, with this in mind has avoided any purchases with the Federal Forfeiture Funds or the Clothing Bin Royalties in anticipation of the need to furnish the new Police Station; and

WHEREAS, with the exception of a few office chairs and a couple of file cabinets the MTPD has not made any purchases in the past eighteen years; and

WHEREAS, The MTPD can accomplish the furniture purchase using Federal Forfeiture Funds and Clothing Bin Royalties. These funds will fully fund the purchase without impacting the MTPD's current budget and without funding assistance from the Township; and

WHEREAS, The Federal Forfeiture Funds (Equitable Sharing Funds) can be used for this type of purchase under USDOJ's Guide to Equitable Sharing for State and Local Law Enforcement Agencies 04/2009, specifically, section VII.1.d. states that permissible uses include, "the cost to purchase, lease, maintenance, or operation of law enforcement equipment for use by law enforcement personnel that supports law enforcement activities. For example furniture, file cabinets, etc."; and

WHEREAS, the MTPD has submitted a purchase requisition to the State approved vendor, DEPTCOR, covering the furniture purchase; and

WHEREAS, The funds exist in both the Federal Forfeiture Fuds Account and the Clothing Bins Royalty Account to fully fund the purchase of the furniture from DEPTCOR, an Entity within the Department of Corrections that provides high quality products and services manufactured and offered by adults incarcerated in New Jersey's correctional system under New Jersey State Contract No.49131; and

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

The Mansfield Township Police Department is authorized to purchase furniture for the new Police Station to be located in the Mansfield Municipal Complex in an amount not to exceed \$43,587.00 from the following accounts:

EQUITABLE SHARING PRGRAM RESERVE ACCOUNT Acct#27-286-56-000-000
MONIES RECEIVED NOT ANTICIPATED ACCOUNT Acct#01-194-16-015

Mayor Gable explained this is for furniture for the Police Department. The money is not coming out of the line item budget. The Police Chief had reserved the money for this purpose under the guidelines set forth by the state and Local Law Enforcement Agencies.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor**

Semptimpfelter to adopt resolution 2016-11-8. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPFELTER, CHOLEWA, HIGGINS
NAY: HIGGINS ABSENT: NONE ABSTAIN: NONE

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, HIGGINS (see below)
SEMPTIMPFELTER, GABLE (see below)
NAY: NONE ABSENT: NONE
ABSTAIN: HIGGINS (on Check #5927 and 5926) GABLE (Check #5935)

MINUTES: October 25, 2016

A motion as offered by **Committeewoman Cholewa** and **Committeeman Puglia** to approve the minutes of the October 25, 2016 meeting. Motion carried.

PUBLIC COMMENT

Mark Semus, 83 Greenbrook Drive, spoke of the resolution in regard to the furniture for the police department. He questioned why they need new furniture and commented that, when the township moved here, they utilized the existing furniture from the old building. Mr. Semus felt he could think of better things to do than spend \$43,000 on furniture. He said it sounds as though the Police Department is the Taj Mah. **Mayor Gable** explained that the money being utilized can only be used by the Police Department, The Police Chief determined this use for the money and set it aside for this purpose. It could be used for other equipment but this was determined by the police and the Township supported it.

Mr. Semus congratulated May Gable for winning the election. He said he always looked up to Mayor Gable as a leader and he is proud of what the mayor has done.

With no other public comment, this portion of the meeting was closed.

MAYOR AND COMMITTEE COMMENTS

Committeewoman Cholewa congratulated Mayor Gable for his election. She thanked Clerk Semus, Deputy Clerks Crammer and Jolly for participating in the election. She felt these ladies worked very hard yesterday. **Committeewoman Cholewa** said there were write ins for the School Board as well as write ins from Homestead and Four Seasons. She felt it was a rough night. **Committeewoman Cholewa** thanked Veterans for their service, noting Veteran’s Day coming up. Without them, we wouldn’t be here, literally.

The remaining Committeemen congratulated **Mayor Gable** and wished everyone a nice Thanksgiving.

Mayor Gable thanked the residents that supported him. He said it is an honor to serve in our community and a pleasure to work with the members of the Committee. He thanked them for his support. **Mayor Gable** noted that we have some great employees which makes their jobs easier. He appreciates all the work and dedication of the employees to make it a better place for all. He thanked everyone and wished all a Happy Thanksgiving.

MOTION FOR ADJOURNMENT

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY

Barbara A. Crammer
Deputy Clerk
Approved: December 14, 2016

Linda Semus, RMC
Municipal Clerk

