

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
February 22, 2017**

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, Committeewoman Laverne Cholewa Committeeman Robert J. Higgins, Attorney Michael Magee, Deputy Clerk Barbara A. Crammer, 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 3, 2017. 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 6, 2017.

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2017-2-3
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: contract negotiations, potential litigation, 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 **Deputy Mayor Semptimphelter** and second by **Committeewoman Cholewa** 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 Puglia, Committeewoman Cholewa, Committeeman Robert J. Higgins, Engineer Richard Brown, Attorney Michael Magee, Deputy Clerk Barbara A. Crammer, Administrator Michael Fitzpatrick and Deputy Clerk Ashley Jolly.**

ENGINEERS REPORT:

Engineer Brown, said the status report dated February 22, 2017, item A regarding Georgetown Community Park, proposal delayed by a couple of days, but will have ready for March workshop meeting, so action can be taken at the regular meeting in March.

He is continuing to work on the design for Axe Factory Road and anticipate by the end of March plans will be submitted to the County, then submit to the NJDOT, and move forward with advertising and construction. Probably a mid to late July start and be completed by the start of the school year.

Mansfield Road East project was put on hold by the NJDOT. Funds were put back into current fund. It is his recommendation that the Township move forward with that because the NJDOT will want to see some action. So need to consider a 2017 application. **Mayor Gable** said

now that this project has been refunded if there is no concern from the committee, could we have a motion to move forward again with this project.

A motion was offered by **Committeeman Puglia** and was seconded by **Deputy Mayor Semptimphelter**. All ayes. Motion Carried.

Engineer Brown, continued onto item C, municipal building fire protection. Inventory of sprinklers has been concluded. Received two of the three AUTOCAD drawings from the consultants that we need to compile. Next phase is to compile the mounting and get that to DLB who is the mechanical sub consultant, so they can come in and do inventory and proceed with design.

Item 4 Miscellaneous, there is the ongoing issue with the drainage at 959 Mansfield Road West. The construction plans were obtained from the NJDOT for the 295 construction. Despite the fact that the NJDOT was supposed to construct a ditch there, in addition to the inlet and piping, they did not construct the ditch so there is no outlet from the pipe that was installed as part of the 295 construction. Once the NJDOT completes the work and there is something for us to maintain we would do so. This was communicated with the NJDOT however we have not received a response yet.

The Mansfield Logistics Park, been in contact with the County Bridge Department and the consultant for Margolis. They will be proceeding sometime later this year with the installation of the water main in Mill Lane, which will provide water service to their part. There will be road closings and police protections during that time.

The repair of several drainage structures was discussed. One of the locations being Sherwood Lane. Discussed with Mr. Jones on doing a number of the inlets on an annual basis.

Legends at Mansfield is on for release of their performance bond and the positing of their maintenance bond. They have completed all of the items of work. The resolution contains their obligations moving forward. The acceptance of that would also be the acceptance of the roadways as being Municipal roadways.

Municipal Parking lot expansion, was discussed at a workshop meeting in January. Pricing was submitted from an environmental consultant for wetland delineation of that property. The township acquired the adjacent lot (2.02), will need to do a formal delineation that will require the preparation of a boundary and topographic survey of the entire property to submit to the DEP for a letter of interpretation. The total cost of that is in the range of \$25,000 and \$30,000. May not want to consider at this time, but Township Committee can make that determination.

Administrator Fitzpatrick asked if it would be possible to get some of the millings from Axe Factory and Mansfield Road East for out back. Looking to expand what Mr. Marconi did the access road bringing it down towards the fire house. **Engineer Brown** said absolutely.

Mayor Gable said they would like to hold off on the parking lot expansion to give everyone a chance to review the information.

A motion to accept the Engineers Report was offered by **Committeeman Semptimphelter** and was seconded by **Committeewoman Cholewa**. All ayes. Motion carried.

ORDINANCE 2017-1: Seconded Reading/Final Adoption

ORDINANCE 2017-1 CALENDAR YEAR 2017

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Burlington finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$176,351.35 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$5,214,961.43 and

that the CY 2017 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

PUBLIC HEARING:

There were no comments from the public.

A motion to adopt the above ordinance was offered by **Committeewoman Cholewa** and was seconded by **Deputy Mayor Semptimpfelter** Motion carried on a roll call vote recorded as follows:

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

ORDINANCE 2017-2: Second Reading/Final Adoption

ORDINANCE 2017-2

AN ORDINANCE AMENDING ORDINANCE 1991-18 ADOPTED July 27, 1991, OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON TO AMEND CHAPTER 60 ENTITLED "TRAFFIC CONTROL" OF THE CODE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, it has come to the attention of the Township Committee that the violation fines for certain offenses are not up-to-date and should be revised, and

WHEREAS, the Township Committee has decided to update the ordinance to reflect current violation fines.

NOW THEREFORE BE IT 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:

CHAPTER 60, SECTION 4 will be amended as follows:

Unless otherwise expressly provided for in another section of this chapter or in Title 39 of the New Jersey statutes, any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine not exceeding \$2,000 or imprisonment in the county jail for a term not exceeding 15 days, or both; except for violations of N.J.S.A. 39:4-80 et seq., 39:4-105 et seq., 39:4-123 et seq. or 39:4-140 et seq., for which no specific penalty is provided, and in such instances the offender shall be liable to a penalty of not less than \$50 nor more than \$2000 or to imprisonment in the county jail for a tem not exceeding 15 days, or both.

EFFECTIVE DATE: This Ordinance shall become effective upon adoption, and publication in accordance with law.

PUBLIC HEARING:

There were no comments from the public.

A motion to adopt the above ordinance was offered by **Deputy Mayor Semptimpfelter** and was seconded by **Committeeman Puglia**. Motion carried on a roll call vote recorded as follows:

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

ORDINANCE 2017-3: Seconded Reading/Final Adoption

ORDINANCE 2017-3-

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING THE CODE OF THE TOWNSHIP CHAPTER 42 – "SALARIES"

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

SECTION 1:

Chapter 42 of the Code of the Township of Mansfield is hereby amended to set Titles and Salary Ranges for various positions within the Township of Mansfield for the year 2017/2018:

TOWNSHIP COMMITTEE:

Mayor	\$ 3,000.00 - \$ 7,000.00
Township Committee Members	\$ 3,000.00 - \$ 6,500.00
Board of Health Members	\$ 180.00 - \$ 500.00

MUNICIPAL CLERK/ADMINISTRATOR OFFICE:

Municipal Clerk (Certified)	\$ 40,000.00 - \$ 80,000.00
Deputy Clerk (hourly)	\$ 14.00 - \$ 30.00
Township Office Assistant (hourly)	\$ 14.00 - \$ 30.00
Township Administrator (full-time)	\$ 40,000.00 - \$ 90,000.00
Township Administrator (part-time)	\$ 40,000.00 - \$ 55,000.00
Administrative Liaison To Township Committee	\$ 5,000.00 - \$ 10,000.00

FINANCE:

Chief Financial Officer (part-time)	\$30,000.00 - \$ 55,000.00
Chief Financial Officer (full-time)	\$30,000.00 - \$80,000.00
Deputy Treasurer/Payroll Benefits Coordinator	\$ 37,500.00 - \$ 60,000.00
Purchasing Assistant	\$ 7,000.00 - \$ 15,000.00
Tax Collector	\$ 30,000.00 - \$ 55,000.00
Assistant Tax Collector (hourly)	\$ 12.00 - \$ 25.00
Tax Assessor	\$ 30,000.00 - \$ 57,000.00
Part-Time Assessor	\$ 15,000.00 - \$ 40,000.00

CONSTRUCTION:

Construction Official	\$ 20,000.00 - \$ 45,000.00
Sub-Code Official: (Bldg., Elec., Fire, Plum.)	\$ 12,000.00 - \$ 75,000.00

Inspectors: (Bldg., Elec., Fire, Plum.) (hourly)	\$ 25.00 - \$ 40.00
Part-Time Zoning Administrative Officer/Official	\$ 3,000.00 - \$ 12,000.00
Construction Manager	\$ 25,000.00 - \$ 50,000.00
Technical Asst. to Construction Official (hourly)	\$ 12.00 - \$ 25.00
Construction Office Assistant (hourly)	\$ 8.00 - \$ 17.00

UNIFORM FIRE CODE/PROPERTY MAINTENANCE OFFICE:

Fire Official (Unif. Fire Code) P/T	\$ 10,000.00 - \$ 15,000.00
Fire Prevention Inspectors P/T (hourly)	\$ 10.50 - \$ 25.00
Property Maintenance Officer P/T	\$ 1,000.00 - \$ 9,500.00

LAND USE OFFICE:

Land Use Coordinator (hourly/part-time)	\$20.00 - \$ 25.00
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PUBLIC WORKS:

Township Superintendent (hourly)	\$ 23.00 - \$ 35.00
Public Works Supervisor (annually)	\$ 1,600.00
Assist Public Works Supervisor (assistant working Supervisor)	\$2,000.00 - \$3,750.00
Administrative Assistant to Public Works Supervisor And Township Superintendent	\$1,000.00 - \$5,000.00

(salary based on current bargaining unit contract)

Buildings & Grounds Laborer (hourly)	\$ 10.00 - \$ 30.00
Buildings & Grounds Seasonal (hourly)	\$ 10.00 - \$ 17.00

RECREATION:

Recreation Coordinator And Secretary	\$ 5,000.00 - \$12,500.00
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HEALTH/ENVIRONMENTAL REALTED OFFICES:

Board of Health Secretary	\$ 1,200.00 - \$ 2,000.00
Recycling Coordinator	\$ 1,200.00 - \$ 2,000.00
Dog Census Personnel (hourly)	\$ 8.00 - \$ 15.00
Rabies Clinic Personnel (a day)	\$ 60.00 - \$ 75.00
Environmental Commission Secretary	\$ 1,200.00 - \$ 2,000.00

SAFETY:

Director – Emergency Management Serv.	\$ 1,000.00 - \$ 3,500.00
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POLICE DEPARTMENT:

Chief of Police	\$ 87,000.00 - \$ 110,000.00
Lieutenant	\$ 80,000.00 - \$ 98,000.00
Police Officer (P/T) (hourly)	\$ 10.00 - \$ 27.00
Senior Police Records Clerk (hourly)	\$ 10.00 - \$ 29.00
Police Records Clerk (hourly)	\$ 10.00 - \$ 20.00
Court Security Guard (hourly)	\$ 15.00 - \$ 23.00

Police Officer (**salary based on current bargaining unit contract)**

MUNICIPAL COURT:

Municipal Judge	\$ 15,000.00 - \$ 45,000.00
Municipal Judge Stipend for Springfield Twp.	\$ 13,500.00
Court Administrator	\$ 25,000.00 - \$ 60,000.00
Court Administrator Stipend for Springfield Twp.	\$ 6,000.00
Deputy Court Administrator (hourly)	\$11.00 - \$ 25.00
Dep Court Administrator Stipend Springfield Twp	\$ 4,000.00
Violations Clerk (hourly)	\$12.00 - \$ 22.00
Violations Clerk Stipend Springfield Twp	\$ 2,000.00
Data Entry Clerk	\$ 8.00 - \$ 17.00

SECTION 2:

The aforementioned Salaries and Position Titles shall be retroactive to January 1, 2017. The Township Committee reserves the right to pay a Salary to any new employee at any figure within the Salary Range, not necessarily the highest figure of said Salary Range.

The adoption of this Ordinance shall operate to provide increments only to those employees who have performed satisfactorily the duties of their positions.

This Ordinance shall take effect immediately after final passage according to law.

SECTION 3:

The Mansfield Township Committee hereby repeals Ordinances 2000-4, 2001-3, 2002-7, 2003-14, 2005-27, 2007-29, 2008-30, 2010-13, 2013-1, 2015-11 and declares that all Ordinances and parts of Ordinance inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

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.

PUBLIC HEARING:

There were no comments from the public.

A motion to adopt the above Ordinance was offered by **Deputy Mayor Semptimphelter** and was seconded by **Mr. Puglia**. Motion carried on a roll call vote recorded as follows:

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

ORDINANCE 2017-4: First Reading/Introduction

ORDINANCE 2017-4

ORDINANCE OF THE TOWNSHIP OF MANSFIELD ADOPTING A REDEVELOPMENT PLAN FOR PARCELS WITHIN THE U.S HIGHWAY ROUTE 206 REDEVELOPMENT AREA

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, on December 28, 2016 the Township Committee of Mansfield, in the County of Burlington, New Jersey (the "Township") adopted a resolution declaring designated blocks and lots bordering U.S. Highway Route 206 within the Township as an "Area in Need of Redevelopment" (the "U.S. Route 206 Northern Area" pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (the "Act"); and

WHEREAS, 45 days have passed since notice that Resolution No. 2016-12-20 was published and no actions have been filed challenging such action; and

WHEREAS, the Township received notice from the Department of Community Affairs that the Township's designation of parcels identified in Resolution 2016-12-20 as a Redevelopment area pursuant to the act became effective upon filing with the Department; and

WHEREAS, the Act provides for a procedure for adoption of a redevelopment plan for all or a portion of a duly designated redevelopment area; and

WHEREAS, Block 3, Lots 3.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9 and 10.01; Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02 and 11 are located along U.S. Highway Route 206 in the Township (the "Property") and located with the U.S. Route 206 Northern Area Redevelopment Area; and

WHEREAS, the "Property" consists of multiple parcels identified on the Municipal Tax Map as Block 3, Lots 3.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9 and 10.01; Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02 and 11 and containing over 350 acres, located in the northern portion of Mansfield Township south of the intersection of Routes 68 and 206. The redevelopment area consists of a mix of older vacant commercial and residential buildings, vacant lands, farmland and open space; and

WHEREAS, on February 27 ,2017 the Planning Board held a regularly scheduled meeting to review the draft plan entitled "Redevelopment Plan U.S. Route 206 Northern Area, Block 3, Lots 3.01, 3.02, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9 and 10.01; Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02 and 11 Mansfield Township, Burlington County, New Jersey" dated February 2, 2017 prepared by the Burlington Bridge Commission, signed and sealed by Mark Remsa, AICP,PP, ASLA, LLA, a NJ Professional Planner; and

WHEREAS, following a presentation by the Professional Planner and an opportunity for public comments, the Planning Board resolved that the Proposed Redevelopment Plan was consistent with the Township's Master Plan and recommended the Proposed Redevelopment Plan be adopted by the Township Committee and at its Planning Board meeting on February 27, 2017 adopted a formal resolution memorializing these conclusions, a copy of which will be attached to this ordinance as Exhibit A; and

WHEREAS, a copy of the Proposed Redevelopment Plan as reviewed and recommended by the Planning Board is attached hereto as Exhibit B (the "Redevelopment Plan"); and

WHEREAS, the Township Committee desire to approve the Redevelopment Plan in the form set forth in Exhibit B hereto, and direct that the Township 's Zoning Map be amended and superseded to reflect the provision of the Redevelopment Plan;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY AS FOLLOWS:

Section 1. The Redevelopment Plan, as filed in the Office of the Township Clerk and attached hereto as Exhibit B is hereby approved.

Section 2. The Zoning Map of the Township of Mansfield is hereby amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of the Property.

Section 3. The recitals in this ordinance shall be reproduced in the minutes of the meeting where this ordinance is finally adopted and shall serve as reasoning of the Township Committee for purposes of N.J.S.A 40A: 12A-7(f).

Section 4. This ordinance shall take effect as provided by 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.

A motion to introduce the above Ordinance was offered by **Deputy Mayor Semptimphelter** and was seconded by **Committeeman Puglia**. All ayes. Motion Carried.

BILL LIST Regular & Escrow:

A motion to approve the bill list was offered by **Committeewoman Cholewa** and was seconded by **Deputy Mayor Semptimphelter**. Motion carried on a roll call vote recorded as follows:

AYE: SEMPTIMPHELTER (see below), PUGLIA, CHOLEWA, HIGGINS(see below), GABLE (see below)
NAY: NONE **ABSENT:** NONE
ABSTAIN: SEMPTIMPHELTER(ck 6210 & ck 6246) HIGGINS(ck 6256, 6278, 6279)
GABLE (ck 6205, 6232, 6237, 6245, 6246, 6257, 6258)

RESOLUTION 2017-2-4

RESOLUTION 2017-2-4

RESOLUTION AWARDING A CONTRACT TO MICHAEL J. ROGERS, SR.

WHEREAS, The Mansfield Township Police Department was granted the status as an Accredited Agency on November 10, 2011; and

WHEREAS, the accreditation is a testament to the dedication and hard work put forth by the officers and staff of the police department; and

WHEREAS, in reaching the goal of the Police Department to maintain the State Accreditation, received a formal quote to provide continued accreditation management services from Michael J. Rogers, Accreditation Manager, Freehold, New Jersey; and

WHEREAS, the award is being made as a quotation under the 15% bid threshold as provided by law; 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 Mayor and Clerk are hereby authorized and directed to execute a contract with Michael J. Rogers in an amount not to exceed \$3,000(up to 75 hours at \$40/hr.).

A motion to approve the above resolution was offered by **Deputy Mayor Semptimpfelter** and was seconded by **Committeeman Puglia**. Motion carried on a roll call vote recorded as follows:

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

RESOLUTION 2017-2-5

RESOLUTION 2017-2-5

A RESOLUTION EXTENDING FLORENCE COLUMBUS ROAD LLC AS A REDEVELOPER FOR A PORTION OF THE FLORENCE/COLUMBUS DEVELOPMENT PLAN

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (the “**LRHL**”) **THE TOWNSHIP OF MANSFIELD** (hereinafter referred to as the “**Township**”) adopted a Resolution duly designating an area in the Township as an Area in need of redevelopment, referred to as the Florence/Columbus Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, via Ordinance No. 2016-4, the Township Committee adopted the Florence/Columbus Redevelopment Plan for the Redevelopment Area (the “**Redevelopment Plan**”); and

WHEREAS, on April 21, 2016, the Township received a request from Florence-Columbus Road, LLC, having offices at 1911 South Federal Highway, Suite 800, Delray Beach, Florida 33483, to be conditionally designated redeveloper of the portion of the Florence/Columbus Redevelopment Area consisting of property which is owned by Alan Margolis and is located on Florence/Columbus Road and designated as Block 47.01, Lots 3.02, 9.01, 9.02, 11 and 12 (the “**Property**”); and

WHEREAS, Florence-Columbus Road, LLC has met with representatives of the Township Redevelopment Committee and staff to discuss the details of developing the Property in accordance with the Redevelopment Plan; and

WHEREAS, the Township Redevelopment Committee has conveyed its summary of discussions with Alan Margolis of Florence-Columbus Road, LLC to the Township Committee, and the Township Committee finds it desirable to conditionally designate Florence-Columbus Road, LLC as the redeveloper of the Property; and

WHEREAS, the Township Committee, on September 28, 2016, by Resolution 2016-9-2, conditionally designated Florence Columbus Road LLC as the redeveloper of the aforementioned property and granted Florence Columbus Road LLC a 6 month extension to complete all terms and conditions of said approval and designation, and

WHEREAS the Township Committee is desirous of extending further that conditional designation for an additional 6 months allowing Florence Columbus LLC to complete all terms and conditions of the original approval and designation; and

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mansfield reaffirms the conditional designation of Florence-Columbus Road, LLC as the redeveloper of the Property provided that the following actions are taken within these additional 6 months from the adoption of this resolution:

1. Ownership of the Property is legally organized as an Urban Renewal Entity pursuant to LRHL and all applicable laws of the State of New Jersey.
2. Florence-Columbus Road, LLC submits to the Township a written proposal consisting of a project description and site plan.
3. Florence-Columbus Road LLC submits to the Township a draft redevelopment agreement for Township review

A motion to approve the above resolution was offered by **Deputy Mayor Semptimpfelter** and was seconded by **Committeeman Puglia**. Motion carried on a roll call vote recorded as follows:

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

RESOLUTON 2017-2-6

RESOLUTION 2016-2-6

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE AND SECURE COMMUNITIES PROGRAM FOR THE YEAR 2017 ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Township of Mansfield wishes to apply for funding of approximately \$30,000.00 with a match of \$59,539.69 for an approximate project total cost of \$89,539.69 for a project under the State Of New Jersey Safe and Secure Communities Grant Program, and

WHEREAS, the Mansfield Township Committee has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Mansfield for the purpose described in the application;

NOW, THEREFORE, BE IT RESOLVED by the Mansfield Township Committee that:

1. As a matter of public policy the Township of Mansfield wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each application as authorized.

A motion to approve the above resolution was offered by **Deputy Mayor Semptimpfelter** and was seconded by **Committeewoman Cholewa**. All ayes. Motion carried.

RESOLUTION 2017-2-7 & RESOLUTION 2017-2-8

**RESOLUTION 2017-2-7
REFUND OF TAX OVERPAYMENTS**

WHEREAS, Property Taxes were overpaid on the properties listed below; and
WHEREAS, this overpayment was due to a payment by Corelogic Real Estate Tax Service Corporation, 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 February 22, 2017 hereby authorizes the refunding of the following to **Corelogic Real Estate Tax Service** by the Tax Collector.

Block	Lot	Property Owner	Amount
42.31	51	Andrew & Nicole Kearns	\$2,315.12

**RESOLUTION 2017-2-8
REFUND OF TAX OVERPAYMENTS**

WHEREAS, Property Taxes were overpaid on the properties listed below; and
WHEREAS, this overpayment was due to a payment by Columbia Bank, 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 February 22, 2017 hereby authorizes the refunding of the following to **Columbia Bank** by the Tax Collector.

Block	Lot	Property Owner	Amount
24.03	3	Robert & Corrine Trippetti	\$3,570.89

A motion to approve both of the above resolutions was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeeman Puglia**. Motion carried on a roll call vote recorded as follows:

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

**RESOLUTION 2017-2-9
RESOLUTION FOR THE RELEASE OF PERFORMANCE BOND FOR LEGENDS AT MANSFIELD**

WHEREAS, Tindall Homes/Blue Sky Communities posted the following Performance Bond(s), Number 6751450-2001 in the amount of \$705,922.09, Number 6751450-0002 in the amount of \$4,250.00, and Number 6751450-2003 in the amount of \$24,906.82; and

WHEREAS, Eric Harvitt, of Blue Sky Communities has requested the release of Performance Bonds 6751450-2001, 6751450-0002, and 6751450-2003, and

WHEREAS, Carroll Engineering has recommended the release of said Performance Bond(s) subject to conditions in communication dated February 15, 2017.

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(s) for Legends at Mansfield in the amount(s) of \$705,922.09, \$4,250.00, and \$24,906.82 conditioned upon the activation of a Maintenance Guarantee in the amount of \$366,758.06 representing 15% of the applicable improvements covered by the current performance bond(s). to be held for a period of two (2) years.
2. Submitting a 'Contribution in Lieu of' for the six foot wide pedestrian path along Mansfield Road East in the amount of \$13,680.00 cash contribution, which is the amount contained in the original Engineer's Estimate used to calculate the amount of the Performance Bond.
3. Submittal of funds to cover all outstanding invoices to date for escrow inspections performed by the municipal engineer, as well as sufficient funds for conducting a final inspection prior to the expiration of the Maintenance Bond.
4. During the last six months of the term of the Maintenance Bond, the developer shall conduct sampling of the water in the retention basin for water quality. The sampling shall be performed by an approved laboratory and the sampling results submitted to the municipal engineer.
5. Authorizes the Land Use Coordinator to forward a certified copy of this Resolution to Blue Sky Communities.
6. The Land Use Coordinator is authorized and directed to forward the Performance Guarantee(s) to Blue Sky Communities 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.

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeewoman Cholewa** to adopt Resolution 2017-2-9. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION NO. 2017-2-10

RESOLUTION AGREEING TO SETTLEMENT WITH NICK D'ALESSANDRO

WHEREAS, the Township was sued by Nick D'Allessandro in the Burlington County Superior Court, Law Division for alleged violations of their obligations under of the Open Public Records Act; and

WHEREAS, Mansfield, while not admitting any liability nor establishing any precedent has decided, that on the basis of economics and advice of counsel, has elected to settle the current litigation between Mansfield Township and Nick D'Allessandro for the sum of Two Thousand Five Hundred (\$2,500.00) Dollars payable by March 31, 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington State of New Jersey that any and all claims by Nick D'Allessandro for alleged violations of the Township's obligations to provide records per "OPRA", are settled in full with the payment of \$2,500.00 by the Township to Nick D'Allessandro has full and final settlement of the pending litigation between Nick D'Allessandro v. Mansfield Township, in the Burlington County Superior Court, Law Division..

A motion was offered by **Committeewoman Cholewa** and second by **Deputy Mayor Semptimpfelter** to approve Resolution 2017-2-10... Motion carried on a Roll Call Vote, recorded as follows:

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

MINUTES:

A motion was offered by **Committeewoman Cholewa** and second by **Deputy Mayor Semptimpfelter** to approve the minutes of the January 25, 2017 meeting. Motion carried.

REPORTS: Clerk, Construction, Police, EMS, Court, Tax, Recreation

A motion was offered by **Deputy Mayor Semptimpfelter** and second by **Committeeman Puglia** to accept the foregoing Reports. Motion carried.

PUBLIC COMMENT

Susan Cahill, 5 Harvest Lane appeared before the Committee. **Committeeman Robert Higgins** stepped down from hearing this portion of the meeting. Ms. Cahill said she has lived on Harvest Lane for almost 20 years and, during this time, there has always been an issue with the drainage pipe as well as the location of it with the respect to the way it was engineered and possibly installed. She asked for the Township Engineer to look at the problems which also included some caving in. She was afraid it might becoming undermined. There is also a lot of water in her area from the farm across the street.

Engineer Brown said he did a field inspection on Monday and also reviewed some of the original plans as well as property surveys. He explained how the subdivision was subdivided in three sections. It was during the second section that the lot lines between Ms. Cahill and her neighbor was a common line as well as a dividing line between sections two and three. The 1988 plans do indicate a pipe and headwall located in a proposed storm sewer is on property owned by Mr. Higgins. A subsequent property survey of Mrs. Cahill's property indicates the property was installed in a 25 foot wide drainage easement on her property and discharges into a headwall that goes to a ditch. When comparing the construction plan to the survey, there is a difference in the location. He felt there may have been a field change during construction of the improvements. The plans, dating back to 1988 which means that, prior to any of the houses being closed or occupied, all of the improvements had to be installed and presumably approved by the inspecting engineer which may have been JCA Associates. He will reach out to them to see if there was a field change or to the design engineer to see if there was a field change. He will also seek as-built drawings. **Deputy Semptimpfelter** asked, if the pipe is in the wrong place, what would be the remedy at this point? **Engineer Brown** felt the concern is not so much as where the pipe is but what has happened over the past 20 or some years regarding settlement. Sediment problems do occur at drainage structures. This is not peculiar to Mansfield Township. It does have to be remedied. An inspection of the piping would have to occur to determine the next step.

Mayor Gable advised Mrs. Cahill that the Engineer will review the problem and give us additional information about the location of the pipe. The issue in regard to the settlement at the drainage structure is on-going in the township. This year the Committee will do a capital ordinance for next year to address the drain issues we are having.

Mrs. Cahill questioned the type of piping used. She said it was perforated corrugated pipe. Mrs. Cahill was told the Engineer is going to do additional inspections of the actual construction

of the storm drains. It was noted this particular drainage had been fixed more than once. Mrs. Cahill said the sidewalks were slipping and there is a crack in the pipe being undermined. She felt that, although they keep patching the top, the problem is from the bottom. She asked to have a location study done to see if there is a void.

In conclusion, Mrs. Cahill was told the Engineer will review the situation and determine what has to be done. Mrs. Cahill felt this particular area drains the entire neighborhood plus the farmer's field. She is worried about the street falling in.

Mayor Gable said he appreciates her concern and her attendance at this meeting to express the importance of the situation.

Engineer Brown will contact JCA Engineers, the Inspection Engineers as well as the Design Engineers to see if they have any records. He felt that within the next 15 to 20 days, he will be able to report back to the Committee and then to Mrs. Cahill. Mrs. Cahill asked if there was any way to find out when the headwall and 36 inch pipe were installed. Since the construction plans are dated 1988, sometime between 1988 and 1997, the 36 inch pipe was installed.

Committeeman Higgins returned to the meeting.

Bob Tallon, Axe Factory Road said he was glad to hear that Axe Factory Road will be repaired as the road is now opened with many people using the road. He is concerned about the speed limit which is 45. He felt it should be lower. **Mayor Gable** said he will investigate this suggestion by speaking to the Police Chief who will evaluate the speed and hopefully report by the March meeting. Mr. Tallon further suggested speed bumps around the hill because people do "fly" through there. **Mayor Gable** said speed bumps had been found not to be feasible for this area although rumble strips could be re-installed. Mr. Tallon requested 4 ton limit signs to be installed. **Mayor Gable** said this is part of the future project. He suggested that Mr. Tallon inform the police if truck traffic uses the road.

Mr. Tallon asked if the water main was going down Mill Lane. **Mayor Gable** said yes, Mill Lane, across Sharps Road and up Jacksonville-Hedding Road into the back property for the Margolis project. This route is being used because crossing the turnpike is not feasible.

Engineer Brown said that, in conjunction with Axe Factory Road, the County is going to replacing the deck on the bridge of Old York Road. Alternate detours will be necessary. Information has been sent to the Police Chief and **Mr. Fitzpatrick**. This will take three to four days.

Bob Harrison, Mansfield Road West, said his recycling was not picked up on Monday when it was scheduled. The County has to be contacted.

With no further comments, the public portion was closed.

MAYOR AND COMMITTEE COMMENTS

The Committee Members in general thanked those in the audience for attending.

MOTION TO ADJOURN

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Ashley Jolly, Deputy Clerk

Barbara A. Crammer, Deputy Clerk

Approved: March 22, 2017

