

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
September 27, 2017**

**Executive Session 6:30PM
Regular Meeting: 7:30PM**

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

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 N.J.S.A. 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.

EXECUTIVE SESSION

**RESOLUTION 2017-10-1
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: personnel matters and on-going contract negotiations.
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 **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Resolution 2017-10-1 and to convene into Executive Session. Motion carried on a Roll Call Vote, recorded as follows:

**AYES: CHOWELA, PUGLIA, HIGGINS, SEMPTIMPHELTER, GABLE
NAYS: NONE ABSTAIN: NONE ABSENT: NONE**

REGULAR SESSION

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Chowela** to come out of Executive Session. Motion carried.

Committeeman Puglia left the meeting.

Attorney Magee explained to the attending public that the purpose of Executive Session was to discuss the matters of personnel, contract negotiations, and pending litigation.

FINANCE REPORT

No report to present to Committee.

ENGINEER'S REPORT

Due to the absence of **Engineer Rick Brown**, **Administrator Fitzpatrick** presented the Engineer's Report. Mr. Fitzpatrick stated that bids for the Axe Factory Road Improvements are

due on October 4th, and the advertisement for bids for Georgetown Park will be issued shortly. Additionally, he noted that the inlet program is underway.

ORDINANCES – SECOND READING/FINAL ADOPTION

ORDINANCE 2017-14

ORDINANCE OF THE TOWNSHIP OF MANSFIELD ADOPTING A REDEVELOPMENT PLAN FOR PARCELS WITHIN COLUMBUS VILLAGE ECONOMIC DEVELOPMENT OPPORTUNITY -2 REDEVELOPMENT AREA CONSISTING OF BLOCK 36, LOTS 13, 14.01, 14.02, 14.03, 15 and 16

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 29, 2015 the Township Committee of Mansfield, in the County of Burlington, New Jersey (the “Township”) adopted a resolution declaring designated blocks and lots in Columbus Village within the Township as an “Area in Need of Redevelopment” (the “Columbus Redevelopment Plan”) 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. 2015-12-17 was published and no actions have been filed challenging such action; and

WHEREAS, on January 12, 2016 the Township received notice from the Department of Community Affairs that the Township’s designation of parcels identified in Resolution 2015-12-17 as a Redevelopment/Rehabilitation 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 36, Lots 13, 14.01, 14.02, 14.03, 15 and 16 consisting of commercial buildings and vacant attached two-unit residential dwelling units located at the southwestern corner of Main Street and Atlantic Avenue (the “Property”) and located with the Columbus Village Area Redevelopment Area; and

WHEREAS, the “Property” consists of multiple parcels identified on the Municipal Tax Map as Block 36, Lots 13, 14.01, 14.02, 14.03, 15 and 16 containing commercial buildings and vacant attached two-unit residential dwelling units, containing 1.05 acres. The redevelopment area consists of Hair Salon and 2 apartments, Restaurant, Jewelry and Antiques Store with 1 apartment, Post Office, Vacant attached two-family house and part of lot 14.01 on block 36.

WHEREAS, on September 25, 2017, the Planning Board will hold a regularly scheduled meeting to review the draft plan entitled “Township of Columbus, Columbus Village Economic Development Opportunity-2 Redevelopment Plan” dated August, 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 will resolve whether the Proposed Redevelopment Plan is consistent with the Township’s Master Plan and recommend the Proposed Redevelopment Plan be adopted by the Township Committee and at its Planning Board meeting on September 25, 2017 will adopt 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 to be 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.

Mayor Gable stated that the second reading for the above ordinance will be tabled until the meeting of October 25, 2017, as the matter must go before the Planning Board before Committee’s approval.

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Chowela** to table Ordinance No. 2017-14. Motion carried.

ORDINANCES – FIRST READING/INTRODUCTION

ORDINANCE 2017-15

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MANSFIELD BY DELETING AND REPEALING CHAPTER 22 THEREOF, ENTITLED “FLOOD DAMAGE PREVENTION”, AND REPLACING IT WITH THE A NEW CHAPTER 22, ENTITLED “FLOOD DAMAGE PREVENTION” ORDINANCE

BE IT ENACTED by the Mansfield Township Committee as follows:

The Code of the Township of Mansfield is hereby amended by deleting and repealing Chapter 22, “Flood Damage Prevention.”

The Code of the Township is hereby amended by adding thereto a new chapter, to replace Chapter 22 hereinabove repealed, to be Chapter 22, “Flood Damage Prevention.”

SECTION 1.0

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES

1.1 STATUTORY AUTHORIZATION

The Legislature of the State of New Jersey has in N.J.S.A. 40:48-1, et seq., delegated the responsibility to local governmental units to adopt regulations designed to promote public health, safety, and general welfare of its citizenry. Therefore, the Township Committee of the Township of Mansfield of Burlington County, New Jersey does ordain as follows:

1.2 FINDINGS OF FACT

- a) The flood hazard areas of the Township of Mansfield are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;

- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 2.0

DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone

Appeal — A request for a review of the Municipal Engineer's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Digital Flood Insurance Rate Map (DFIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood — A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Digital Flood Insurance Rate Map (DFIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without accumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 3.0

GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Township of Mansfield, Burlington County, New Jersey.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Township of Mansfield Community No. 340102 are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Burlington County, New Jersey (All Jurisdictions)" dated December 21, 2017.
- b) "Flood Insurance Rate Map for Burlington County, New Jersey (All Jurisdictions)" as shown on Index and panel(s) 34005C0038F, 34005C0132F, 34005C0135F, 34005C0142F, 34005C0151F, 34005C0155F, 34005C0160F, 34005C0161F, 34005C0162F, 34005C0166F whose effective date is December 21, 2017 whose effective date is December 21, 2017.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at 3135 Route 206 South, Suite 1, Columbus, New Jersey 08022.

3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$1,000.00 or imprisoned for not more than ten (10) days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Township of Mansfield, from taking such other lawful action as is necessary to prevent or remedy any violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land

outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Township of Mansfield, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 4.0

ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Municipal Engineer's and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 5.2-2; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Municipal Engineer's is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Municipal Engineer shall include, but not be limited to:

4.3-1 PERMIT REVIEW

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 5.3 a) are met.

4.3-2 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Municipal Engineer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
 - i. verify and record the actual elevation (in relation to mean sea level); and
 - ii. maintain the floodproofing certifications required in section 4.1 c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

4.3-4 ALTERATION OF WATERCOURSES

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

4.3-5 SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of sections 5.2-1, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 5.2-2, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 5.2-3, SPECIFIC STANDARDS, MANUFACTURED HOMES.

4.3-6 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 4.4.

4.4 VARIANCE PROCEDURE

4.4-1 APPEAL BOARD

- a) The Zoning Board of Adjustment as established by Township Committee shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Zoning Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Municipal Engineer in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Zoning Board of Adjustment, or any taxpayer, may appeal such decision to the Mansfield Township Municipal Court as provided in 44 CFR 67.11.
- d) In passing upon such applications, the Zoning Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - i. the danger that materials may be swept onto other lands to the injury of others;
 - ii. the danger to life and property due to flooding or erosion damage;
 - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iv. the importance of the services provided by the proposed facility to the community;
 - v. the necessity to the facility of a waterfront location, where applicable;
 - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - vii. the compatibility of the proposed use with existing and anticipated development;
 - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 4.4-1 d) and the purposes of this ordinance, the Zoning Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Municipal Engineer shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

4.4-2 CONDITIONS FOR VARIANCES

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 4.4-1 d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 4.4- 1 d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

SECTION 5.0

PROVISIONS FOR FLOOD HAZARD REDUCTION

5.1 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, are required:

5.1-1 ANCHORING

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

5.1-4 SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

5.1-5 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 4.3-2, USE OF OTHER BASE FLOOD DATA, the following standards are required:

5.2-1 RESIDENTIAL CONSTRUCTION

- a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air- conditioning and other service equipment) and sanitary facilities, elevated at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive.
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

5.2-2 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

either

- a) Elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive: and

- b) Require within any AO or AH zone on the municipality's DFIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified). And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- c) Be floodproofed so that below the base flood level plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, whichever is more restrictive, the structure is watertight with walls substantially impermeable to the passage of water;
- d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 4.3-3 b) ii.

5.2-3 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 5.1-1 b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1, whichever is more restrictive and.
 - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

5.3 FLOODWAYS

Located within areas of special flood hazard established in section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 5.3 a) is satisfied, all new construction and substantial improvements must comply with section 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

EPEALER, SEVERABILITY AND EFFECTIVE DATE.

- D. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- E. 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.
- F. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

Mayor Gable explained that the above ordinance is an update to the current flood prevention plan.

A motion was offered by **Committeewoman Cholewa** and seconded by **Deputy Mayor Semptimpfelter** to introduce Ordinance No. 2017-15. Motion carried on a Roll Call Vote, recorded as follows:

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

ORDINANCE NO. 2017-16
AN ORDINANCE TO RESCIND ORDINANCE 2017-13 DUE TO TECHNICAL ISSUE
AND TO RE-INTRODUCE SAID ORDINANCE AMENDING CHAPTER 65, ENTITLED
“ZONING” IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON AND
STATE OF NEW JERSEY

WHEREAS, due to a technical issue, it is necessary to rescind Ordinance 2017-13 which amends Chapter 65, entitled “Zoning” and re-introduce said Ordinance in its entirety; and

WHEREAS, the Mansfield Township governing Body has concerns about the non-residential development potential for lands located along US Route 130 that would be incompatible with surrounding residential uses and zones and that would generate unwanted additional truck traffic to the area; and

WHEREAS, THE Mansfield Township Governing Body has decided to Amend Chapter 65, entitled “Zoning;” and

NOW, THEREFORE, BE IT RESOLVED Chapter 65 is hereby amended as follows:

ARTICLE –XII- LI Light Industrial District

The zoning map prepared by Remington Vernick and Arrango is hereby amended to incorporate the following blocks and lots as part of the R-1 district in the Township of Mansfield and made a part of the official tax map:

- Block 59, Lot 7.01 and 7.02**
- Block 60, Lot 16**
- Block 800.07, Lot 1 (P/O)**
- Block 800.08, Lot 1**

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer.** Any and all Ordinance 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 was offered by **Deputy Mayor Semptimpfelter** and seconded by **Committeewoman Chowela** to introduce Ordinance No. 2017-16. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTIONS

**RESOLUTION 2017-9-9
CANCELLATION OF TAXES DUE TO VETERAN EXEMPTION**

WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and,

WHEREAS, the properties listed below are owned by a 100% Disabled Veteran;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following 2017 taxes:

Block	Lot	Property Owner	Amount
42.11	33	Matthew Brophy	\$ 1641.51 (2017 Effective 7/24/17)

**RESOLUTION 2017-9-10
REFUND OF TAX DUE TO VETERAN EXEMPTION**

WHEREAS, the homeowner listed was declared to be 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 2017;

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 September 27, 2017 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to July 24, 2017.

Block	Lot	Property Owner	Amount
42.11	33	Matthew Brophy	\$705.98

**RESOLUTION 2017-9-11
CANCELLATION OF TAXES DUE TO VETERAN EXEMPTION**

WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and,

WHEREAS, the properties listed below are owned by a 100% Disabled Veteran;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following 2017 taxes:

Block	Lot	Property Owner	Amount
42.13	26	Edmundo Torres	\$3137.19 (2017 Effective 5/26/17)

**RESOLUTION 2017-9-12
REFUND OF TAX DUE TO VETERAN EXEMPTION**

WHEREAS, the homeowner listed was declared to be 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 2017.

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 September 27, 2017 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to May 26, 2017.

Block	Lot	Property Owner	Amount
42.13	26	Edmundo Torres	\$524.54

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Chowela** to adopt the aforementioned resolutions. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-9-13

RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, EXPRESSING SUPPORT FOR THE CREATION AND ESTABLISHMENT OF THE RANCOCAS CREEK NATIONAL WATER TRAIL: A WATER TRAIL IN SOUTHERN NEW JERSEY THAT RUNS FROM THE PINE BARREN HEADWATERS TO THE DELAWARE RIVER TIDEWATERS THAT INSPIRES EXPORATION, ENHANCES UNDERSTANDING OF AMERICAS HERITAGE AND ELEVATES THE STEWARDSHIP OF THE NATURAL TREASURE THAT IS THE RANCOCAS CREEK

WHEREAS, westward flowing from headwaters of the Pinelands National Preserve to the Delaware River, the Rancocas Creek has been a vital and historic part of Burlington County, the State of New Jersey, the Greater Delaware Valley and our Nation since the 1600's and whereas the Rancocas Creek (tidal and non-tidal) and/or its tributaries and headwaters fall within and connect the boundaries of the Rancocas Creek watershed; and

WHEREAS, volunteerism, citizen awareness, grass-root activities and the Clean Water Act of 1972 has made the water quality of the Rancocas Creek the cleanest since colonial times, and

WHEREAS, local residents, parks, governments, businesses and visitors enjoy discovering multi-use recreation on the Rancocas Creek and its tributaries and such uses are significantly increasing; and

WHEREAS, the United States Department of Interior, National Park Service is considering designating the Rancocas Creek as a National Water Trail and the New Jersey State Parks and Forest endorse the Rancocas Creek National Water Trail; and

WHEREAS, Rancocas Pathways, Inc., a non-profit organization was formed to develop and manage the application process of the Rancocas Creek National Water Trail and also that of an interactive website, social media platform and connected heritage portal that will be used as a template by water trails around the country; and

WHEREAS, both formal and informal partnerships, collaborations and associations among a diverse coalition of local, community and statewide organizations are encouraged; it is known that many drops form a single water drop; and

WHEREAS, the Rancocas Creek National Water Trail steering committee promotes Conservation, Stewardship; Diversity of Recreational Opportunities; Safety; Active Kids and Families in Health Communities; Respect, Science, Cultural Heritage; and

WHEREAS, this Resolution supports the Rancocas Creek as an instrument of economic vitality and inexpensive fun.

WHEREAS, let it be known that the RCNWT SC promotes volunteer and community-centric Water Trail Maintenance, and Water Trail Management Best Management Practices that enhance water quality as one of the many drops that forms the Vision of the Rancocas Creek National Water Trail, a Garden State Natural Treasure, Hidden in Plain View.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 27, 2017 hereby supports the designation of the Rancocas Creek as a multi-use National Water Trail.

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeeman Higgins** to adopt Resolution No. 2017-9-13. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-9-14

RESOLUTION AUTHORIZING EXECUTION OF CONTRACT FOR SNOW REMOVAL WITH CENTRAL JERSEY LANDSCAPING

WHEREAS, there exists a need for the Township to secure the services of a snow removal contractor to remove snow and ice from Township roadways when it accumulates to three (3") inches or more, or upon authorization of the Township Superintendent or his designee; and,

WHEREAS, bids were received for said service on September 13, 2017; and

WHEREAS, the Township Chief Financial Officer and Superintendent have determined that Central Jersey Landscape can provide the services required at the best available price; and

WHEREAS, a three year contract with two one year renewable options has been duly reviewed and approved by the Townships professional staff.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 27, 2017, that the contract for Snow Removal effective December 1, 2017 through November 30, 2020 with two one year renewable options, be awarded to Central Jersey Landscaping; and

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk are hereby authorized to execute a contract substantially in the form annexed hereto to effectuate the award and made a part hereof.

Deputy Mayor Semptimphelter inquired if past issues with Central Jersey Landscape were discussed with the contractor. **Mayor Gable** responded that the complaints were addressed with the contractor, and that changes have been implemented with the intent to rectify the same. Additionally, **Mayor Gable** explained that because residents reported problems with the contractor, the township went out to bid again to provide for snow removal services, but Central Jersey Landscape was the only contractor to submit a bid package. **Mayor Gable** inquired if the contractor's bid could be rejected due to prior negative experience. **CFO Monzo** responded that there is no legitimate reason under N.J.S.A 40A:11 to reject the bid. Adding to the discussion, **Attorney Magee** stated that the township requested the contractor utilize a certain vehicle for the

snow removal process, and that the contractor has agreed to this term. **Deputy Mayor Semptimphelter** stated that he is satisfied with awarding the aforementioned contract as long as the prior problems have been addressed.

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Chowela** to adopt the aforementioned Resolution No. 2017-9-14. Motion carried on a Roll Call Vote, recorded as follows:

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

BILL LIST: REGULAR AND ESCROW

A motion was offered by **Committeewoman Cholewa** and seconded by **Deputy Mayor Semptimphelter** to approve payment of the bills. Motion carried on a Roll Call Vote, recorded as follows:

AYE: CHOLEWA, SEMPTIMPHELTER, HIGGINS, GABLE
NAY: NONE
ABSTAIN: GABLE (7010), HIGGINS (7025), SEMPTIMPHELTER (7059)
ABSENT: PUGLIA

MINUTES: September 6, 2017

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Chowela** to approve the minutes of the September 6, 2017 regular meeting. A Roll Call Vote was taken as follows:

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

REPORTS (July-August):

- Clerk, Court, Construction, Police, Tax Collector, Special Events, EMS, and Zoning

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeeman Higgins** to adopt the above noted monthly reports. Motion carried on a Roll Call Vote, recorded as follows:

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

DISCUSSION/ACTION

A. Recreation - Park and Indoor Facility Permits:

- Jersey Outlaws 05: Brian Stinglen, Indoor Permit, 8/17/17-8/17/18
- Northern Bulldogs 13U Baseball: Tim Boyd, Indoor Permit, 12/17-3/18, MCP 60/90
- Muddogs Lacrosse: Joe Lippincott, Civic Facility, 9/17-9/18
- Florence Freedom: Rich Ciuba, Various Dates through 11/2/17
(Awaiting insurance: MCP Soccer/Civic Soccer/Georgetown Soccer)

Mayor Gable ensured that the above applicants are in compliance with insurance requirements.

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeewoman Cholewa** to approve the above listed recreation permits. Motion carried on a Roll Call Vote, recorded as follows:

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

B. Antique Car Donation: Administrator Fitzpatrick stated that a resident offered to donate an antique, handmade car to the township to use for celebratory festivities. Upon inspection of the vehicle, Mr. Fitzpatrick recommends that Committee forgo purchasing the same, as it has no historical value and would require time and funds for restoration purposes.

C. Mural Relocation: Committeewoman Chowela proposed the idea of relocating the mural in the old township building, painted in 1996. Since the township plans to sell the building, the Historical Committee would like to restore the painting and have it transferred to the new Municipal Complex. The funds for the same would be raised by fundraiser.

A motion was offered by **Deputy Mayor Semptimphelter** and seconded by **Committeeman Higgins** to give authorization for the restoration and relocation of the mural. Motion carried on a Roll Call Vote, recorded as follows:

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

D. Meeting Room Use – Clerk’s Association and BURLCO Joint Insurance Fund: Municipal Clerk Semus and Administrator Fitzpatrick requested permission from Committee to use the conference room on the second floor of the Municipal Building for the above noted meetings. **Committeewoman Cholewa** requested that the museum remain locked while the meetings were in attendance. **Deputy Mayor Semptimphelter** inquired if there were any legal impediments to allowing the conference room to be utilized by organizations not of the township. **Attorney Magee** responded that there should be no legal disputes as long as the individual parties are insured.

A motion was offered by **Committeewoman Chowela** and seconded by **Deputy Mayor Semptimphelter** to give authorization for the use of the conference room for said purposes. Motion carried.

E. DOT Signage on Route 206 Right-of-Way: Mayor Gable explained that township officials petitioned the New Jersey Department of Transportation to place signage along a portion of Route 206 to make the Municipal Complex more apparent. **Administrator Fitzpatrick** expanded upon the same, and stated that the township’s request was turned down by DOT.

On a separate but related topic, **Committeewoman Chowela** inquired about the status of installing an emergency beacon for the Fire Department, as that must also be approved by the DOT. In response, **Administrator Fitzpatrick** stated that because the township included a left hand turn signal into the plan, the approvals have been delayed.

Deputy Mayor Semptimphelter questioned why the township’s proposal to install signage along Route 206 was rejected. **Administrator Fitzpatrick** stated that according to the representatives at DOT, municipal signs are prohibited from being placed in right-of-ways belonging to the State.

PUBLIC COMMENT

Dalpat Patel, 525 Route 68, introduced Abhishen Kumar Sharma, who has been traveling the world via bicycle in a campaign called “Peddling for Peace.” Mr. Sharma explained that the purpose of the campaign is to raise awareness for global warming and climate change. Currently, Mr. Sharma has traveled to 14 different countries to meet with public officials to discuss the same. **Mayor Gable** stated that it was an honor to meet Mr. Sharma and thanked him for his commitment to said significant issues. **Deputy Mayor Semptimphelter** inquired about Mr. Sharma’s journey thus far. Mr. Sharma stated that he has gone through a total of seven tires during his campaign, and has traveled approximately 25,000 miles on bicycle. **Committeewoman Chowela** thanked Mr. Sharma for his efforts, and suggested he tour the Burlington County Recycling Center before he begins his travels once more.

Carl Schwartz, 40 Fitzgerald Lane, questioned the Planning Board process regarding the approval of ordinances pertaining to land use. More specifically Mr. Schwartz stated that at the previous Planning Board meeting, during which aspects of Ordinance No. 2017-14 were being considered, most public questions were deferred to Township Committee for responses. At this time, **Committeeman Higgins** recused himself from this portion of the meeting, as he is an active member of the Planning Board. **Attorney Magee** clarified the process of adopting a land use ordinance and the responsibilities of both the Planning Board and Township Committee in the same. Discussion ensued with **Administrator Fitzpatrick** and members of Committee. Mr. Schwartz then inquired about the completion of traffic and environmental studies. **Attorney Magee** explained that such studies are completed by a developer upon submittal of an

application to the Planning or Zoning Board. Mr. Schwartz then questioned how notice of land use ordinances get communicated to the public. **Attorney Magee** explained that all property owners within 200 feet of the effected land receives a notice of the ordinance. Furthermore, **Mayor Gable** noted that it would be beneficial for residents to check upcoming agendas of the Planning Board and the Zoning Board for notification of such ordinances.

On a separate topic, Mr. Schwartz inquired as to the status of the warehouse project by the intersection of Route 206 and Route 68. **Mayor Gable** explained that the property owner just filed for preliminary approvals for construction. Discussion ensued. As a general statement, **Mayor Gable** noted that all public comments regarding land use ordinances should be brought before the Planning Board prior to final adoption of the same.

Finally, Mr. Schwartz inquired about the potential impact Ordinance No. 2017-15 will have on residents. **Attorney Magee** responded that the legislation includes recommendations from the New Jersey Division of Environmental Protection for each municipality's flood plans. He further explained that said ordinance was reviewed by himself and **Township Engineer Richard Brown** for any inconsistencies or concerns.

MAYOR AND COMMITTEE COMMENT

Committeewoman Cholewa notified the public that Burlington County has made changes to the recycling process, including what materials may be recycled and any fines applied to the same. Mrs. Cholewa also asked that other Committee members reconsider a township calendar, as she feels it would be beneficial for residents. Finally, Ms. Chowela thanked Committee for approving the transfer of the mural to the new Municipal Complex.

Deputy Mayor Semptimphelter acknowledged the confusion around the previous Planning Board meeting, and stressed the importance of communicating properly to the public.

MOTION FOR ADJOURNMENT

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Caitlin Midgette
Deputy Clerk

Linda Semus, RMC, CMR
Municipal Clerk