

ENGINEER'S REPORT

Engineer Brown referred to his project status report dated October 25, 2017.

Currently a proposal is being prepared for a topographic survey for the municipally owned property on Main Street, Block 28, Lots 5 and 6. Pricing has been provided along with a sketch of the property and the potential subdivision.

Five bids were received for Axe Factory Road on October 4th. Based on his review, a recommendation was made to award the contract to Earle Asphalt. This item is on the agenda at this meeting.

Preparation of plans and specifications for Mansfield Road East will be addressed for the spring of 2018.

Bids will be received on November 8, 2017 for Georgetown Community Park.

A changeover has been made to the New Jersey American Water Main at the municipal building. The fuel tank and pump house has been cleaned and removed from the site. A change order will be considered at this meeting. Another item to be considered is the potential for asbestos in the building. **Engineer Brown** has requested that the contractor absorb the cost for doing any investigation and, if there is asbestos present in the building, the township will be responsible for the remediation. The change order should be on hold until some of the numbers are re-negotiated.

The work at 959 Mansfield Road West has been completed. A satisfactory inspection was completed with the contractor on October 19, 2017.

Engineer Brown said the overlay on County Route 543 is substantially complete.

Engineer Brown referred to the remainder of his report where there are no changes.

A motion was offered by **Committeeman Semptimpfelter** and second by **Committeeman Higgins** to accept the Engineer's report. Motion carried.

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 October 23, 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 October 23, 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 explained the redevelopment plan for a section of the village of Columbus including along Atlantic Avenue where the hair salon, post office, Chinese Restaurant, vacant house and Antique store are located. **Mayor Gable** opened the public hearing.

Fred Cain, 29 Fitzgerald Lane, asked if, in the redevelopment plan, it contains any eminent domain. **Mayor Gable** said it does include eminent domain for the Columbus Inne property only. Mr. Cain questioned if someone doesn’t want to sell, doesn’t that tie down the success of the redevelopment plan. **Mayor Gable** said it could but it was decided only to list the Columbus Inne under eminent domain.

Administrator Fitzpatrick further explained that the reason for the redevelopment was not to take any of the buildings into the eminent domain but to give the downtown area more freedom to be able to allow different things to happen.

With no further comments or questions, the public hearing was closed.

A motion was offered by **Committeeman Semptimphelter** and second by **Committeewoman Cholewa** to adopt Ordinance 2017-14. Motion carried on a Roll Call Vote, recorded as follows:

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

ORDINANCE 2017-15: Second Reading/Final Adoption

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 flood proofed, 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.

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

A motion was offered by **Committeeman Semptimphelter** and second by **Committeewoman Cholewa** to adopt Ordinance 2017-15. Motion carried on a Roll Call Vote, recorded as follows:

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

Second Reading/Final Adoption

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.

Mayor Gable opened the public hearing.

Mary Ann Jones, part owner of Block 59, Lot 7.01, clarified the zoning to be changed from light industrial to residential. She said she has a purchaser for the light industrial usage and questioned what would happen to that as they are under contract. The contractor is for the purchaser to build a warehouse. **Mayor Magee** said that, once the ordinance goes through the second reading and the statutory appeal period, it would become a law. If under contract prior to the zoning, he said he would have to research the consequences. Ms. Jones asked the remedy if the zoning is changes and they have a buyer for a warehouse. **Mayor Magee** felt that person would have to appear before the appropriate board for relief. Again, Ms. Jones questioned the remedy. **Mayor Gable** said this is a part of the Route 130 study with the County. Part of this is also to help us to meet a COAH requirement for areas designated. In addition, this would lighten up on some of the traffic and recommendations being made for the Route 130 redevelopment plan.

Ms. Jones questioned how long this change has been under discussion since the purchaser met with someone from the township before they entered into a purchase agreement with them. She felt the township knew they wanted a warehouse there. **Mayor Gable** explained the study has been going on three months. The overall study with the county on Route 130 has been going on for several years and currently they are studying our area of Route 130.

Administrator Fitzpatrick said the company knew the change was happening so they can't say it is a surprise. The County study along Route 130 was brought to the attention of the realtor as well as the developer months ago.

Caroline_____, part owner of the property in question, felt there would be more traffic with people if zoned residential. **Mayor Gable** said the main concern is truck traffic.

Administrator Fitzpatrick said truck traffic has been a not issue in many towns since these towns have been utilizing their open space to build warehouses. The traffic has become unbearable. Because of this, the county is trying to address the situation by rezoning. **Ms. _____** also noted that there is no water or sewer for the residential housing. **Administrator Fitzpatrick** said developers can use on site systems for housing. He added that the current developer could sell the land or change the plans they already had in place.

Fred Cain, 39 Fitzgerald Lane, referred to the dilemma as the property owner has developer on her property. At this juncture, he felt the ordinance should be tabled.

Fred Wainwright, 1011 Cedar Lane, Burlington felt the County is running our township. Everyone here has something delivered by truck. He felt most of the traffic in the Florence Area is cars getting off route 295 to get on the turnpike to get to Pennsylvania. He felt these people owning the land have been waiting for an opportunity which has presented itself for a warehouse. Now the township is proposing it for housing which leads to busloads of kids leading to increase in taxes for schools. He doesn't feel ordinances should be changed and the County shouldn't have so much authority. Mr. Wainwright said he is a supporter of land rights. He questioned how many houses could be built with no sewer or water.

Mayor Gable said the COAH requirement is in consideration. Mr. Wainwright felt there are other places for COAH. Why put houses on Route 130 where buses will run?

With no further comments or questions, the public hearing portion was closed.

Committeeman Higgins asked **Attorney Magee** if this should be held off or should the Committee move forward. Is there a risk since it is under contract? **Attorney Magee** felt the Committee has the ultimate power to make a decision to change the zoning.

Committeeman Semptimphelter said that, when discussing the redevelopment with the County, they looked at what would be best for the township in regards to COAH housing. The Committee was not aware of a buyer for the property. He said he would like to postpone the approval until the issues can be ironed out. **Committeeman Semptimphelter** made a motion to table the ordinance until the next scheduled meeting. A second was made by **Committeewoman Cholewa** and carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-2
A RESOLUTION OF THE TOWNSHIP OF MANSFIELD APPOINTING
JARROD FOSTER AS PART-TIME FIRE INSPECTOR

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

WHEREAS, Jarrod Foster meets the requirements of the Mansfield Township job description for said position to do fire inspections for the Township of Mansfield.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their meeting held on October 25, 2017 that Jarrod Foster is hereby appointed as a part-time Fire Inspector, at an hourly rate of \$10.71 as set by Ordinance, effective October 26, with no benefits and holidays.

A motion was offered buy **Committeeman Puglia** and second by **Committeeman Semptimphelter** to adopt Resolution 2017-10-2. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-3
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

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

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

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

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

1. The following motor vehicles are hereby declared to be surplus property and no longer needed for public use:
2011 Ford Fusion VIN # 3FAHP0HA6BR300016
2. The Chief Of Police and Township Clerk are directed to arrange for the public auction of the vehicle through GovDeals, a service used by various government agencies, allowing them to sell surplus and confiscated items via the internet.

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

RESOLUTION 2017-10-4

RESOLUTION FOR THE APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF MT. PLEASANT ROAD

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as “MA-2018-Improvements to Mt. Pleasant Road- Mansfield Township-1-00678” to the New Jersey Department of Transportation on behalf of the Township of Mansfield, Burlington County, State of New Jersey.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of The Township of Mansfield, County of Burlington County, State of New Jersey and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimpelster** to adopt Resolution 2017-10-4. Motion was carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-5

RESOLUTION APPOINTING REBEKAH YERETZIAN AS A PART-TIME POLICE RECORDS CLERK FOR THE MANSFIELD TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Mansfield Township Police Department is in need of a part-time Police Records Clerk at this point in time; and

WHEREAS, an application for said position was received from Rebekah Yeretian; and

WHEREAS, Rebekah Yeretian was interviewed by Chief Ronald Mulhall and was found to meet the qualifications that best meets the needs of the department.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Rebekah Yeretian is hereby appoint as a part-time Police Records clerk for the Township of Mansfield’s Police Department effective October 26, 2017 at a rate of \$16.65 per hour with no benefits and holidays, and not to exceed 24 hours per week.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Semptimpelster** to adopt Resolution 2017-10-5

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

RESOLUTION 2017-10-6

RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE TOWNSHIP TO LEASE REAL PROPERTY IDENTIFIED ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MANSFIELD AS BLOCK 41, LOT 2.01.

WHEREAS, the Township of Mansfield (“Township”) in August of 2001 acquired approximately 146 tillable acres, officially identified on the Township tax map as Block 41, Lot 2.01 (the “Property”);

WHEREAS, the Township has no immediate use for the Property;

WHEREAS, pursuant to the provisions of NJSA 40A:12-14, the Township may, in accordance with the regulations promulgated there under, lease the property for farming purposes; and

WHEREAS, the Township, concurrent with this Resolution, has prepared lease specifications offering to lease the property to Ronald Carty, Sr. for farming purposes for the leased term (January 1, 2018 through December 31, 2020) in the sum of \$7,446.00 per leased year due on the 1st (first) day of February of that year of occupancy.

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

1. The Township of Mansfield hereby affirms authorization to enter into a leasehold agreement with a lessee for the express purpose of farming the Property.

2. The lease agreement between the Township and the perspective lessee shall be prepared in accordance with the lease specifications as proposed.
3. The Mayor and Municipal Clerk are hereby authorized to execute on behalf of the Township any and all documents necessary to effectuate the lease of said property from January 1, 2018 to December 31, 2020.
4. Any other resolutions inconsistent herewith are repealed and rescinded to the extent of such inconsistency.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Resolution 2017-10-6. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-7
AUTHORIZING AWARD OF CONTRACT FOR ROADWAY IMPROVEMENTS FOR AXE FACTORY ROAD FROM OLD YORK ROAD TO THE MANSFIELD/BORDENTOWN MUNICIPAL BOUNDARY LINE

WHEREAS, there exists a need for roadway improvements for Axe Factory Road from Old York Road to the Mansfield/Bordentown Municipal boundary line; and

WHEREAS, funds are available for this purpose thru a 2015 NJDOT Municipal Aid Grant; and

WHEREAS, the Township of Mansfield has solicited bids for the provisions of the services required; and

WHEREAS, the Municipal Engineer, Carroll Engineering has reviewed the bid proposal in connection with a certain bid package prepared by Carroll Engineering for the purpose of roadway improvements for Axe Factory Road from Old York Road to the Mansfield/Bordentown Municipal boundary line; and

WHEREAS, the Municipal Engineer, Carroll Engineering has recommended that Mansfield Township award the contract for roadway improvements for Axe Factory Road from Old York Road to the Mansfield/Bordentown Municipal boundary line to Earle Asphalt Company, P.O. Box 556, Farmingdale, NJ 07727; and

WHEREAS, the Chief Financial Officer has certified that the award is made in accordance with applicable state statute and governing regulations involving said award.

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

Section 1. Upon approval of the contract by the Municipal Solicitor, the Mayor and Clerk are hereby authorized and directed to execute the approved contract with **Earle Asphalt Company** to provide roadway improvements for Axe Factory Road from Old York Road to the Mansfield/Bordentown Municipal boundary line, according to the attached Bid Proposal Form.

Section 2. After the solicitation of bids, **Earle Asphalt Company** was the contractor submitting the lowest responsible bid for the contract for the services sought.

Section 3. The maximum amount of the contract for the services referenced in the bid specifications is One Hundred Eight Thousand Thirteen Dollars and Thirteen Cents (\$108,013.13), which funds are available in the respective appropriations, grants, contributions or escrow accounts maintained by the Township of Mansfield.

Section 4. Notice of said action shall be published in the Burlington County Times as required by law.

A motion was offered by **Committeeman Semptimphelter** and second by **Committeewoman Cholewa** to adopt Resolution 2017-10-7. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-8
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
42.02	78	James Baughman	\$ 1,361.38 (2017 Effective 9/25/17)

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Semptimphelter** to adopt Resolution 2017-10-8. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-9
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS REGARDING THE OPEN PUBLIC MEETINGS ACT AND THE OPEN PUBLIC RECORDS ACT

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities, and especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meetings Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provide to, or authorized to be collected by municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Semptimpfelter** to adopt Resolution 2017-10-9. Motion carried.

RESOLUTION 2017-10-10
RESOLUTION AUTHORIZING THE PARTICIPATION IN THE BURLINGTON COUNTY SAFE
STREETS INITIATIVE
COOPERATIVE AGREEMENT FOR MUTUAL AID

WHEREAS, law enforcement agencies have the responsibility of protecting lives and property, enforcing the law, as well as keeping the peace; and

WHEREAS, extra-jurisdictional sharing of resources and capabilities is an efficient and effective use of law enforcement assets to protect life and property, enforce the law, and maintain the peace; and

WHEREAS, criminal activity may affect more than one jurisdiction, which necessitates joint cooperation between law enforcement agencies to best protect persons and property, enforce the law, and maintain the peace; and

WHEREAS, a proactive approach to addressing crime in our communities is desired; and

WHEREAS, N.J.S.A. 40A:14-156 and N.J.S.A. 40A:14-156.1 et seq., authorize mutual aid between law enforcement agencies; and

WHEREAS, the BURLINGTON COUNTY SAFE STREETS INITIATIVE has been formed to provide a coordinated multi-jurisdictional approach to fighting violent crime and protecting life and property in Burlington County.

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

- A. That the Township of Mansfield is hereby authorized and directed to enter into the Burlington County Cooperation Agreement for Mutual Law Enforcement Aid, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Mansfield Township Police Department is hereby authorized and directed to execute said Burlington County Cooperation Agreement for Mutual Law Enforcement Aid Agreement on behalf of the Township of Mansfield.
- C. That the Township of Mansfield is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the agreement with the Burlington County Prosecutor's Office. Said Office shall serve as the central repository and shall maintain a master listing of all Signatory Agencies to this Agreement.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Resolution 2017-10. Motion carried.

RESOLUTION 2017-10-11
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, RATIFYING MANSFIELD
TOWNSHIP PATROLMAN ASSOCIATION COLLECTIVE
BARGAINING AGREEMENT

WHEREAS, the Township of Mansfield Governing Body and the Mansfield Township Patrolman's Association reached an agreement in October, 2017 for a one year contract, covering January 1, 2017 through

December 31, 2017; 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 contract prepared jointly by the Association and the Township Committee and executed on October 25, 2017 is hereby ratified.

Mayor Gable explained that the percentage is broken down as 1.5% members not in the steps on the contract and 1% for all officers in between steps.

A motion was offered by **Committeeman Semptimphelter** and second by **Committeewoman Cholewa** to adopt Resolution 2017-10-11. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-12

RESOLUTION CONDITIONALLY DESIGNATING JEFFREY GROUSER AND MICHAEL MICHIE OR ENTITY TO BE FORMED FOR THAT PURPOSE AS A REDEVELOPER FOR SPECIFIC PARCELS LOCATED WITHIN THE COLUMBUS VILLAGE REDEVELOPMENT 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 Columbus Village Redevelopment Area (the “Redevelopment Area”); and

WHEREAS, via Ordinance No. 2017-9 the Township Committee adopted the Columbus Village Redevelopment Plan Area consisting of the Municipal Complex, the former Fire Station and the former Municipal Police Station for the Redevelopment Area (the “Redevelopment Plan”); and

WHEREAS, on July 12, 2017, the Township received an offer from Jeffrey Grouser and Michael Michie, having offices at 24059 West Main Street, Columbus, New Jersey 08022 to be conditionally designated redeveloper of the portion of the Columbus Redevelopment Area consisting of property which is owned by Mansfield township and is located on Columbus Road and designated as Block 28, Lots 5 and 6 (the “Property”); and

WHEREAS, Jeffrey Grouser and Michael Michie have 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 Jeffrey Grouser and Michael Michie to the Township Committee, and the Township Committee finds it desirable to conditionally designate Jeffrey Grouser and Michael Michie or an entity to be formed for that purpose as the redeveloper of the Property; and

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mansfield conditionally designate Jeffrey Grouser and Michael Michie or an entity to be formed for that purpose as the redeveloper of the Property provided the following actions are taken within one hundred eighty (180) days 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 if so desired by the redeveloper.
2. Jeffrey Grouser and Michael Michie or entity to be formed for that purpose submits to the Township a written proposal consisting of a project description and site plan.
3. Jeffrey Grouser and Michael Michie or an entity to be formed for that purpose submits to the Township a draft redevelopment agreement for Township review.
4. Jeffrey Grouser and Michael Michie or an entity to be formed for that purpose enters into a contract of sale with Mansfield Township for the property in question.

AND IT BE FURTHER RESOLVED, upon receiving evidence of the satisfaction of the conditions set forth above, the Township Committee of the Township shall designate the Jeffrey Grouser and Michael Michie or an entity to be formed for that purpose, as the redeveloper of the Property.

Mayor Gable explained that the resolution is in regard to a developer who is interested in purchasing some of the township facilities including the old construction, old town hall and the old house in front of the township building plus some parking spots.

A motion was offered by **Committeeman Higgins** and second by **Committeewoman Cholewa** to adopt Resolution 2017-10-12. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2017-10-13

RESOLUTION ACCEPTING CHANGE ORDER #1 FOR THE MUNICIPAL BUILDING FIRE SPRINKLER UPGRADES AND MODIFICATIONS WITHIN THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee of the Township of Mansfield has awarded a contract to Oliver Fire Protection and Security, 501 Feheley Drive, King of Prussia, Pennsylvania 19406-2690 for the purpose of providing for Sprinkler Upgrades and Modifications to the Municipal Building in the Township of Mansfield on July 12, 2017; and

WHEREAS, there is an unforeseen need to increase the amount of said contract in order to complete the pump house base enclosure; and

WHEREAS, Township Engineer, Richard Brown of Carroll Engineering, has provided the proposed change order to the contract, which reads as follows:

- Alternate to fill and cap the existing fire pump house foundation
 - o Install 4” ballast stone in pit
 - o Bring stone up to grade of existing slab height
 - o Install 4” concrete slab over existing steel and stone for new cap.....**\$19,800.00**
 - Deduct removal of pump house foundation.....**\$4,000.00**
 - Deduct to omit seismic bracing on new sprinkler pipe mains.....**\$1,400.00**
 - Deduct to install single check valve inside riser room in lieu of Hersey EDC IV detector check, which was installed in meter pit by water company.....**\$785.00**
- Total Change Order: \$13,615.00**

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the aforementioned Change Order #1 is hereby authorized in the amount of \$13,615.00, funds of which will be made available through the following account: **04-215-20-141-712**

A motion as offered by **Committeeman Puglia** and second by **Committeeman Semptimphelter** to table the above Resolution to allow for negotiations for the cost. Motion carried.

BILLS LIST: REGULAR AND ESCROW

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Semptimphelter** to pay the bills as submitted. Motion carried on a roll Call Vote, recorded as follows:

- AYE:** **CHOLEWA, SEMPTIMPHELTER** (see below) **PUGLIA, HIGGINS** (see below) **GABLE**(see below)
NAY: **NONE** **ABSENT: NONE**
ABSTAIN: **SEMPTIMPHELTER** (on #7107, 7123, 7160)
HIGGINS (on #7104 of the Regular Account and #2948 of the Escrow Account)
GABLE (on #7165, 7070, 7071, 7072)

MINUTES: September 27, 2017 Regular Meeting

A motion was offered by **Committeeman Semptimphelter** to approve the minutes of the September 17, 2017 regular meeting. Motion second by **Committeewoman Cholewa** and carried on a Roll Call Vote, recorded as follows:

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

MINUTES: October 3, 2017 Work Session

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Semptimphelter** to approve the minutes of the October 3, 2017 work session. Motion carried.

REPORTS: Clerk, Court, Construction, Police, Tax Collector, EMS, Zoning

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Semptimphelter** to accept the reports as submitted. Motion carried.

DISCUSSION/ACTION:

a. Memo from Tax Assessor: Compliance Plan

This discussion was held until the Tax Assessor was in attendance.

b. Proposal from Engineer Brown regarding Survey and Topographic Survey for the Columbus Village Redevelopment Area

Engineer Brown distributed a satellite imagery from Google Earth with the outlines of Lots 5 and 6 in Block 28 which he has provided prices for a boundary survey only or a boundary/topographic survey which he has recommended. He also showed a potential subdivision

of Lot 5. He further explained the survey including location of the buildings. After brief discussion of township property and what should be included, **Mayor Gable** felt this should be tabled to the next meeting where the survey for the remainder of the property be completed before any decisions are made. A price for the survey for the entire property should be submitted.

a. Memo from Tax Assessor: Compliance Plan

A letter had been received from Tax Assessor Jef Burd indicating he has filed for a Compliance Plan with the County including two models of homes in the Mapleton development and two models of homes in Four Seasons. The Committee has been notified. **Committeeman Semptimphelter** asked what is the need for a compliance plan. **Jeff Burd, Tax Assessor**, said that the reason behind the application for compliance plan was based on a letter whereby it stated that, over the past two years, sales data has indicated several models in two specific neighbors have fallen out of range with regard to the sales ratio. The values are increasing to the point where they are falling out of the corridor causing a deviation as well as our ratio. This is a fine tuning things for specific models which are out of alignment. This will avoid the tremendous expenditure of having to do a revaluation.

c. Farmland Preservation

Clerk Semus said a letter had been received from the county requesting the Township to back them with Farmland Preservation. In the past, we have not done this due to lack of funding. She question the Committee with their intentions. **CFO Monzo** felt we are not ready financially to be a part of this program. **Mayor Gable** felt a letter should be sent to the County indicating our support of the program but the funding is not in place to support it.

d. Condemnation – Planning Board Recommendation: Cellar’s Project

Mayor Gable and **Committeeman Higgins** recused themselves from this discussion. **Committeeman Semptimphelter** said the Planning Board provided a recommendation. However, there is considerable discussion about this inasmuch as the best decision for the community is as stake but so is the outcome for the individuals. Since more discussion is needed, this is being tabled and carried to the next meeting.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to carry this discussion.

e. Recreation Stand

A recommendation had been received from the Recreation Committee that the township look into leasing out the concession stands to someone who would operate them. A decision should be made as to how to move forward with this. **Committeewoman Cholewa** was concerned that we have a beautiful building that has not been used in a long time and needs to be cleaned. She felt that renting it out is a good idea because parents don’t volunteer. She felt this should be tabled for further discussion. **Attorney Magee** said it has to go out for public bid. He noted that he had provided contracts which could be utilized. **Mayor Gable** noted that any funds derived from this would have to go into the general fund.

Colleen Herbert, 2 Millennium Drive, said she appreciates this discussion. Recreation did run the stand in the past but it has been sitting dormant. She explained a vendor from a local business approached the Recreation Committee to run the stand. He currently runs a business and he has shown an interest which she felt was admirable. She felt this would be a service to the Community and thanked **Committeewoman Cholewa** for her support. The Recreation Committee will work with the township and Ms. Herbert asked that we just move on it.

Attorney Magee explained a bid spec can be devised and published. Hopefully it will be in place for the upcoming spring season. **Mayor Gable** explained we will continue to move forward with this suggestion.

f. Dog/Cat Ordinance Fees and Raffle Licensing Fees

Recommendations had been made by **Clerk Semus** in regard to late fees for dogs and whether we should continue to collect cat fees. Also collecting raffle license fees was to be considered. **Clerk Semus** explained that, if a school function, she would not charge the \$20.00. Any non-profit organization is charged. **Clerk Semus** asked for direction with these fees.

Committeewoman Cholewa recommended a \$5.00 a month late fee for dogs and that we should continue with cat licensing. She questioned the balance of the fees for this purpose and how it is spent. **Clerk Semus** explained money is needed for animal control officers, clinics, vet bills for animals picked up, etc. **Mayor Gable** suggested \$10 late flat fee. **Committeeman Higgins** agreed with **Committeewoman Cholewa** for a \$5.00 a month late fee. **Committeewoman Cholewa** made that a motion which was second by **Committeeman Puglia** and carried on a Roll Call Vote, recorded as follows:

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

Clerk Semus further explained the late fee of \$15. per month was necessary at the time because of the costly dog census which is no longer mandated.

Mayor Gable referred to the raffle/bingo license which **Clerk Semus** said was \$20 to the State and \$20 to the township. It was decided to retain the current fee schedule.

g. Wireless – Township Right-of-Way

Attorney Magee explained many companies are using small cells or antennae. Verizon is looking for permission to do this in Mansfield. Some municipalities are amending their codes to make sure the devices in the right-of-ways on existing poles or new poles are regulating the type of poles, height, etc. **Attorney Magee** suggested Jef Jones and Rick Brown are consulted about the process for the companies. He offered to prepare a license based upon what other townships are doing as well as consulting with Jef and Rick about regulations. **CFO Monzo** asked if this would generate municipal revenues. He was told we do have the ability to charge something. **Committeeman Semptimphelter** felt our professionals should be contacted to generate information before our code is changed. **Committeeman Higgins** asked that this be considered at a work session.

PUBLIC COMMENT

Larry Morgan, representing Tilson for Verizon Wireless, asked for the Township's consent to be in the right-of-way. On December 28, 2016, the Committee voted to give consent. Within the resolution was a request for a \$10,000 escrow which he felt was painful. He had asked if that amount of escrow could be reduced to \$5,000. Mr. Morgan asked if that became depleted down to 10%, Verizon would replenishing the amount to \$5,000. He asked the township to either amend the approved resolution or change the document to reflect \$5,000 escrow on the condition it be replenished. **Committeewoman Cholewa** asked if it was a hardship on the company to put up the \$10,000. Mr. Morgan explained that the \$10,000 was excessive for the size of the equipment and the installation that is involved. **Committeeman Puglia** said he wanted the amount to remain at \$10,000. With that, Mr. Morgan stepped down.

Engineer Brown explained that the MLUL allows the company to make at deposit of 50% of that amount initially. Therefore, the initial deposit only has to be \$5,000. When it is depleted to 10%, they are required to deposit the other \$5,000.

Kimberly Clark, 3193 Route 206, she said that, since the Quaker Meeting House was sold, from 4:30 pm to about 6am, she hears doors shutting, headlights in her windows. In June, the building was occupied 24 hours a day for 30 days. She asked what the Township is doing to implement ordinances, code, fire, and parking violations. **Attorney Magee** replied saying he has sent two letters in the last month regarding this issue. He was informed by their attorney that the owner wanted to consider a sidewalk around the building. Our own building department said there was a brick sidewalk under the property. **Attorney Magee** visited the site with Jef Jones and found no brick walkway going around the building. This he told the attorney. Mrs. Clark further said there are outdoor lights which have not been approved. **Administrator Fitzpatrick** informed everyone that Jef Jones imposed a fine and order to pay penalty for \$1,000 for the lights. There is additional \$50.00 per week accumulative for non-payment. Parking was a discussed issue. **Attorney Magee** addressed the issue of parking by sending a letter to their attorney. He further explained that they are allowed to do certain things as a religious entity, but if they expand a non-conforming use, they must appear before the Planning Board for approval. Mrs. Clark questioned whether they are considered a Community Center or a Church. **Attorney Magee** said he felt they are considered a House of Worship. They can occupy the property if they do a similar use as the prior owner. If they expand, this is an issue. If not a house of worship, they are occupy the place under false pretense. If they do not conform, they will get another violation and will be forced to

come before the Municipal Court Judge. Discussion ensued on various other issues with the property. **Administrator Fitzpatrick** said it was his understanding that all construction permits were taken care of legally. Mrs. Clark said she doesn't feel that a fire inspector has been out there. Mr. Clark is a fire fighter, has been inside, and feels as if there is a safety hazard. Additionally, more construction appears to be going on past what was already approved. The Clerks felt there are traffic issues with their hours of operation for the safety of 206. There has been no traffic study. **Administrator Fitzpatrick** said he would dive more deeply into the issue to come to a resolution. **Mayor Gable** said he understand the resident's concerns. He felt summons should be issued on the violations sent by **Attorney Magee**. If the parking violations continue, we should follow up with a summons also. They can speak to the Municipal Judge. Mrs. Clark felt we need more regulations to control this type of thing. **Administrator Fitzpatrick** referred to a plan being recommended by Douglas Borgstrom, Fire inspector, in regard for a CCO for change of tenants which will help in these situations. Mrs. Clark asked what designates a church. **Attorney Magee** said, if they qualify from a tax perspective, then they qualify. **Committeeman Higgins** asked if they go by a specific name and would like to see if it can be identified as a church. **Administrator Fitzpatrick** contacted the Fire Inspector during the meeting. He was told no inspection had been made. He has to wait for a permit. Mrs. Clark questioned this. She also asked how trash is handled for other churches in town. Fred Cain said the town picks up the trash. If there is a dumpster, the owner would pay for disposal of that trash. Mrs. Clark questioned if we need another church which does not pay taxes. She referred the need for ratables. She was told it was regulated with zoning. **Mayor Gable** said the Committee will work on her concerns to try to remedy the situation.

Janice DiGiuseppe, 16 Garfield Court referred to Resolution 2017-10-9 regarding the Open Public Records and why the Committee would be opposed to it. **Committeewoman Cholewa** said this will impose more burden on the Township Clerk and her staff. There are other responsibilities. Mrs. DiGiuseppe then referred to the memo from the Tax Assessor. As a resident of Four Seasons, she felt it was interesting that Four Seasons is being targeted again for a Compliance Plan by the same Tax Assessor who assessed those properties less than two years ago. The Tax Assessor, by law, has to notify those affected properties. She asked that the Mansfield Township Tax Assessor notify those residences by December 31 that they are being targeted for a Compliance Plan Re-Assessment.

Carl Schwartz, 40 Fitzgerald Lane, asked about the open house for this municipal building. **Mayor Gable** said it has been put on hold since we didn't feel as if the facility is completed both outside and inside. A new date hasn't been picked. Mr. Schwartz felt the building is dark in the evening. He was told some of the lights will be updated, hopefully, shortly. In referring to the Compliance Plan he felt it Four Seasons just had a re-assessment and wondered why this was occurring again. He felt it was odd no one else in the township had their homes go up in value. In speaking of warehouses and traffic issues, he asked that due diligence is followed through with traffic studies with the development.

Colleen Herbert, 1 Millennium Drive, asked that when CCO's are initiated, could the Township do Licenses for businesses in the township. She felt this would give them another form of checks and balances. She also questioned if zoning could be changed with the Meeting House. Mrs. Herbert said she had asked for a proclamation for Marion Reeves, similar to Marion Tallon. She has not received a response other than the Committee will discuss it. She wants to bring it up in public since she felt it was important. **Clerk Semus** said this has been done already.

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

MAYOR AND COMMITTEE COMMENTS

Committeeman Semptimphelter appreciates the public informing the Committee of things that are going on. He thanked everyone for coming.

Mayor Gable said we got notification that we received \$135,000 from the Park Grant from Burlington County for Hedding Park improvements. He thanked everyone for coming. He appreciated their comments.

MOTION FOR ADJOURNMENT

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk