

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
August 15, 2018
Executive Session – 5:30PM
Regular Session – 6:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the aforementioned date with the following in attendance: **Mayor Higgins, Committeeman Sean Gable, Committeeman Michael Magee, Committeeman Frederick Cain, Township Administrator Michael Fitzpatrick, Solicitor Katelyn McElmoyl, Chief Financial Officer Joseph Monzo, and Township Engineer Chris Briglia.** Also in attendance were **Municipal Clerk Linda Semus** and **Deputy Clerk Caitlin Midgette.** **Deputy Mayor DiGiuseppe** was absent from said meeting.

Mayor Higgins called the meeting to order at 5:31PM, followed by the following opening statement read by **Municipal Clerk Semus:**

Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given in the annual notice, which was adopted by the Mansfield Township Committee on January 3, 2018. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 7, 2018.

EXECUTIVE SESSION:

**RESOLUTION 2018-8-1
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 and “NJSA 10:4-12(b)(6): tactics and techniques utilized in protecting the safety of the Public”*
3. It is anticipated at this time that the above subject matter will be made public when the matter has been resolved and approved for release by the Township Solicitor.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adopt Resolution 2018-8-1 and convene into Executive Session. Motion carried. Township Committee entered the same at 5:33PM.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Magee** to exit Executive Session. Motion carried. Township Committee entered the public portion of the meeting at 6:18PM.

Solicitor Katelyn McElmoyl, substituting for Township Solicitor John Gillespie, explained that the purpose of Executive Session was to discuss personnel changes in the Police Department, the salary for the Clean Communities Coordinator position, and to meet with Police Chief Ron Mulhall to discuss the incident at Northern Burlington High School.

The above was followed by the Flag Salute and a moment of silence.

APPEARANCE: Chief Ronald Mulhall

Solicitor Katelyn McElmoyl explained that Township Committee requested that Chief Mulhall speak about police training related to social media threats at schools. Ms. McElmoyl stressed that this is strictly a statement piece and no questions or comments will be heard from the public regarding same.

Chief Mulhall expressed the Police Department’s dedication to the safety and security of Mansfield’s schools and takes all threats seriously. The Chief continued by stating that the

department contains qualified staff who have attended training courses in school shooting threats. Further details on said training courses were provided. Regarding previous public comments made at prior Committee meetings pertaining to said incident, Chief Mulhall stressed that the Burlington County Prosecutor's Office did not have any complaints regarding the department or individual staff members involving the time management of the situation.

Township Committee commented on their individual respect and confidence in the Chief's leadership.

ENGINEER'S REPORT

Township Engineer Briglia summarized the Engineer's Report as follows: the Axe Factory Road resurfacing project is set to be officially closed out upon completion of core testing and sampling; the resurfacing of Mansfield Road East is set to begin the following week, and schools, residents, and emergency services will be notified of same; the plans and specifications for the Mansfield Road East Phase II project have been provided to the Department of Transportation for approval, which will facilitate bid advertisement; the land survey of Mt. Pleasant-Chesterfield Road should be completed shortly, followed by the design of said project; three (3) roads have been considered for NJDOT State Aid applications, and it was suggested that said areas be divided into two (2) separate applications (the first to complete a portion of Railroad Ave and White Pine Road, the second for a portion of Gaunts Bridge Road); missing items discovered upon inspection at Georgetown Park have been installed; various items need to be addressed at Hedding Park regarding the play surface; the subdivision plans relating to the boundary and topographical survey for the former municipal complex have been submitted to the Planning Board for review; a few stormwater inlets have been corrected, with several more still in need of repair; and the Manheim New Jersey site improvements have commenced.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to accept the Engineer's Report. Motion carried.

FINANCE

**ORDINANCE 2018-9
BOND ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE
COUNTY OF BURLINGTON, NEW JERSEY AMENDING BOND
ORDINANCE NUMBER 2008-08, FINALLY ADOPTED FEBRUARY 27,
2008 TO CHANGE PURPOSES AND USEFUL LIFE**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), pursuant to the Local Bond Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), AS FOLLOWS:

Section 1. Section 3(a) of Bond Ordinance 2008-08, finally adopted February 27, 2008 (the 'Prior Ordinance') is hereby amended to read as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Bonds or Notes</u>	<u>Down Payment Amount</u>	<u>Period of Usefulness</u>
a) Deleted				
b) Various improvements to the Civic Center Bridge in accordance with the plans and specifications on file with the Township Clerk	85,000	80,750	4,250	20 years
c) Various improvements to the existing firehouse in accordance with the plans and specifications on file with the Township Clerk	150,000	142,500	7,500	20 years
d) Various improvements to the Millenium Building in accordance with the plans and specifications on file with the Township Clerk	1,490,000	1,415,000	74,500	20 years
e) Purchase of approximately 18 acres of Block 30, Lot 4 located in the Township.	650,000	617,500	32,500	40 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Bonds or Notes</u>	<u>Down Payment Amount</u>	<u>Period of Usefulness</u>
f) Road improvements to Petticoat Bridge, in accordance with the plans and specifications on file with the Township Clerk	<u>1,125,000</u>	<u>1,068,750</u>	<u>56,250</u>	15 years
TOTALS	<u>\$3,500,000</u>	<u>\$3,325,000</u>	<u>\$175,000</u>	

Section 2. Section 6(b) of the Prior Ordinance is hereby amended to read as follows:

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations authorized for each improvement of purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 22.55 years.

Section 3. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Township Clerk and is available there for public inspection.

Section 4. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Higgins explained the position of Township Committee in regard to the above referenced bond ordinance. **Mayor Higgins** explained that the Recreation Committee voiced concerns regarding the reappropriation of monies in Ordinance 2018-9, as the same would like to utilize the funds to improve the sports fields. **Mayor Higgins** continued by noting that the Recreation Committee has submitted a repair list, in which some items have been immediately addressed. Ultimately, **Mayor Higgins** expressed his belief that the fields are over used, and suggested that practice be held elsewhere instead of the official playing fields in order to preserve their integrity.

Municipal Clerk Semus stated that upon speaking with County officials, it is undetermined whether there will be park grant opportunities this year. **Mayor Higgins** stated that if grant money is to be provided, the Township Committee should consider utilizing those funds for recreational needs.

Mayor Higgins opened the floor to public hearing on Ordinance 2018-9.

Colleen Herbert, 2 Millennium Drive, thanked **Mayor Higgins** for his time when a meeting was held to discuss the needs of the Recreation Committee. Ms. Herbert stressed that officials have deemed the soccer fields unsafe, and that the funds stipulated in Ordinance 2018-9 could be used by the Recreation Committee to repair and restore the fields. In total, the Recreation Committee is in need of \$120,000 for recreational updates. Ms. Herbert expressed that though there is faith that the Township Committee genuinely wants to aid the Recreation Committee, there is no faith in the ability to obtain the necessary funds in the future. Accordingly, Ms. Herbert stressed the position of the Recreation Committee that funds from Ordinance 2018-9 should be utilized for recreational updates and to address safety concerns.

Mayor Higgins referred to previous examples that demonstrate his financial support for the Recreation Committee. Ultimately, Mayor Higgins stated that Committee should move forward in adopting Ordinance 2018-9, and continue to address Recreation's repair list when opportune.

Committeeman Magee stated that a monetary amount needs to be determined of the costs of completing the Municipal Complex. Mr. Magee expressed his support of the Recreation Committee, as it is vital for a municipality to provide recreational services to residents. Slight discussion ensued between Ms. Herbert and Township Committee. **Committeeman Gable** stated that Township Committee continuously tries to make improvements to recreation programs and provided examples that reflect the same, such as installing batting cages, authorizing the purchase of a field grooming machine, and allowing recreation fields to be rented to generate income for the Recreation Committee. **Mayor Higgins** noted that there is \$9,600 immediately available for use in the Recreation Trust Fund. **Committeeman Cain** noted that all of the funds to be reappropriated via Ordinance 2018-9 may not be utilized in full. Ms. Herbert reiterated that the Recreation Committee is concerned over future funding capacity for recreational projects.

Fred Wainwright, 1011 Cedar Lane in Burlington Township, inquired about the amount of money in the Recreation Trust Fund, and why the Recreation Committee has not utilized same. **CFO Monzo** stated that the exact amount remaining in the account is \$9,600, and that it has been recommended by **Mayor Higgins** that the Recreation Committee make use of these funds with approval from Township Committee.

Carol Foster, 191 Atlantic Avenue, asked for clarification on the above comments. It was determined that Ms. Foster misunderstood same. However, Ms. Foster noted that as the recreational facilities are used not just for organized sports, but also for informal use by residents, the Recreation Committee should be provided with funds set aside from the bond ordinance.

There being no additional comments, the public hearing on Ordinance 2018-9 was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adopt Ordinance 2018-9. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

ORDINANCE – SECOND READING/FINAL ADOPTION

ORDINANCE 2018-8

AN ORDINANCE TO AMEND CHAPTER 39B, SOLID WASTE PROGRAMS, OF THE CODE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, it is the desire of the Township Committee to modify, amend and clarify certain subsections within Chapter 39B of the Code of the Township; and

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

CHAPTER 39B-24 is hereby amended to delete and replace the following provisions:

“Chapter 39B, Section 24 **A** will be amended as follows: “Residential solid waste pickup. Residential solid waste pick up shall be twice each week.” **shall be deleted and replaced with** “Residential solid waste pickup. Residential solid waste pickup shall be once each week.”

“Chapter 39B, Section 24 **B** will be amended as follows: “Trade solid waste pickup shall be twice each week not to exceed an average of six bundles, bags, or containers per pickup (or 12 per week) unless special arrangements are made with the township for a dumpster.” **shall be deleted and replaced with** “Trade solid waste pickup shall be once each week not to exceed six (6) bundles, bags, or containers per pickup unless special arrangements are made with the Township.

“Chapter 39B, section 24 **B** (1) and (2) are hereby deleted in their entirety.

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 Higgins explained that the purpose of the above ordinance is to amend the collection of trash from twice a week to once a week.

Mayor Higgins opened the floor to public hearing on Ordinance 2018-8. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adopt Ordinance 2018-8. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

ORDINANCE NO. 2018-10

**AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF THE TOWNSHIP OF MANSFIELD
ENTITLED “ADMINISTRATION OF GOVERNMENT”**

WHEREAS, certain provisions of the Township Code regarding the administration of the municipal government are not entirely consistent with current practice; and

WHEREAS, the Township Committee desires to advance and improve the efficient management of municipal departments; and

WHEREAS, the Township Committee believes it is necessary and helpful to clarify and define the authority of the Township Administrator and the position of Township Committee liaison, and to make certain other clarifying changes to its administrative code.

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

ARTICLE I. AMENDED SECTIONS.

A. Section 2-1, titled “Township Committee” is hereby amended as follows [newly added material is indicated by underlined text; deletions are indicated with ~~strikethrough~~]:

“§ 2-1 **Township Committee**

The Township Committee shall consist of five (5) members, elected by the voters of the Township of Mansfield, who shall each hold office for a term of three (3) years commencing January 1 next succeeding their election.

“A. The Mayor shall be the Chairman of the Township Committee and the head of the municipal government in accordance with the provisions of N.J.S.A. 40A:63-5, and shall have those powers set forth in said statute. ~~Mayor (one year term): N.J.S.A. 40A:63.~~

“B. ~~Deputy Mayor (one year term): created pursuant to N.J.S.A. 40A:63-6b(3);~~ The Township Committee shall annually elect from among its members a “Deputy Mayor”, who shall chair meetings and serve as Mayor in the absence of, or disability of, the Mayor.

“C. The Township Committee may assign its members to serve as “Committee Liaisons.” A Committee Liaison serves as a contact point to allow the relevant department, board or commission to address its concerns as if to the Township Committee as a whole. The Committee Liaisons positions shall include the following:

- a. Liaison to Engineering Services
- b. Liaison to Insurance and Safety
- c. Liaison to Emergency Management
- d. Liaison to Environmental Commission
- e. Liaison to Special Events Committee
- f. Liaison of Community Forestry Committee
- g. Liaison Of Recreation Committee
- h. Emergency Squad Liaison
- i. Fire Department Liaison”

D. Deleted.

E. Deleted.

2-1.1 ~~Township Administrator: N.J.S.A. 40A:9-136 through 40A:9-138; delegated by the Township Committee, specified executive responsibilities of the municipality. The Township Administrator shall be appointed by the Township Committee and is responsible for the executive responsibilities of the Township, including but not limited to the daily management and oversight of all municipal departments and any other responsibilities delegated and assigned by the Township Committee. The Township Administrator shall serve at the pleasure of the governing body subject to the provisions of N.J.S.A. 40A:9-137 & 138.~~

2-1.2 Administrative Liaison to the Township Committee: The administrative liaison to the Township Committee shall assist the Committee in their daily operations.

ARTICLE II. 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 Higgins explained that the purpose of the above ordinance is to update the administrative responsibilities of certain positions within the municipality.

Mayor Higgins opened the public hearing on Ordinance 2018-10. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt Ordinance 2018-10. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, CAIN, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

ORDINANCE NO. 2018-11

AN ORDINANCE DIRECTING THE ESTABLISHMENT AND MAINTENANCE OF AN ABANDONED PROPERTY LIST PURSUANT TO N.J.S.A. 55:19-78 et seq., And ESTABLISHING PROCEDURES FOR ADDRESSING ABANDONED AND VACANT PROPERTIES WITHIN THE TOWNSHIP OF MANSFIELD

WHEREAS, the Mayor and Township Committee of the Township of Mansfield wish to protect the public health, safety, and welfare of its residents by establishing minimum standards for the maintenance of commercial and residential premises; and

WHEREAS, the Township Committee concurs with the findings of the State Legislature articulated at N.J.S.A. 55:19-79 that abandoned properties, particularly those located in close proximity to occupied residences and businesses, create a wide range of problems for local communities, foster crime, create public health problems, and otherwise diminish the quality of life for residents and business operators; and

WHEREAS, the Township further finds that abandoned properties diminish the property values of neighboring properties, have a negative effect on the quality of life of adjacent property owners, increase the risk of property damage through arson and vandalism, and discourage neighborhood stability and revitalization; and **WHEREAS**, the Township further finds that it is well established that a property owner has the obligation to maintain his property in sound condition and prevent it from becoming a nuisance to others, which responsibility extends to properties which are not in use; and

WHEREAS, recent events in the local and national economy and its associated housing market have led to a drastic rise in the number of foreclosed houses; and closed businesses and homes are frequently repossessed by banks, financial institutions and large real estate conglomerates who have little or no connection with the municipality in which they own property; and

WHEREAS, many of these businesses and homes are frequently vacated prior to the conclusion of the foreclosure process. Businesses and homes sit empty for months or years at a time awaiting foreclosure sales; often creating a substantial unattractive, unsafe public nuisance and neighborhood blight. In many instances, these businesses and homes are in violation of multiple aspects of state and local building, sanitary and nuisance codes. The mortgagees are large financial institutions located out-of-State and fail to adequately maintain and secure these vacant properties, making enforcement efforts very difficult; and

WHEREAS, the presence of vacant residences and businesses can discourage potential buyers and/or tenants from purchasing a home and/or business adjacent to, and/or within neighborhoods with such vacant properties; and

WHEREAS, foreclosures, closed businesses and vacant homes and their impact on local residents' quality of life have become a nationwide epidemic. Banks and other financial institutions are failing to adequately maintain properties they now own and municipal inspectors have turned into investigators as they try to find out who the new owners are and how to contact them to correct code violations; and

WHEREAS, it is in the public interest for the Township of Mansfield to impose a fee in conjunction with the registration of vacant and abandoned properties in light of the disproportionate costs imposed on the Township in dealing with the problems of vacant and abandoned properties, including, but not limited to, property inspections, neighborhood complaints, etc.; and

WHEREAS, fees generated by registration of vacant properties will be utilized to maintain safe conditions, address any quality of life violations, administrative costs, and the like; and

WHEREAS, the Township desires to use the powers granted by local governments under the laws of the State of New Jersey to address the conditions created by these building and unimproved properties, and further their re-use for productive purposes;

WHEREAS, in furtherance of the efforts to control the blight of abandoned properties, it is necessary for the Township to: (1) provide for the identification and listing of such properties; (2) maintain such list of abandoned properties, which may exist throughout the community; (3) designate the Public Officer charged with the responsibility for identifying such properties and maintaining such list; and (4) develop procedures to address the rehabilitation/possession of such properties; and

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

ARTICLE I. A new chapter to the Code of the Township of Mansfield entitled "Abandoned & Vacant Properties" is hereby created. Pursuant to the authority contained in N.J.S.A. 55:19-78 et seq., the Chapter shall read as follows:

Section One. Definitions.

As used under this Article, these words shall have the following meanings:

OWNER-every Mortgagor, Mortgagee, Executor, Administrator of Estate, Trustee, Agent, Real Estate Agency, Property Manager, or interested parties, who along or severally with others, has legal or equitable title to any dwelling, dwelling unit, mobile dwelling unit, business, commercial property, or parcel of land, vacant or otherwise; or

1. Has care, charge or control of any such property, vacant or otherwise, in any capacity, including, but not limited to, Agent, Executor, Executrix, Administrator, Administratrix, Trustee or Guardian of the Estate of the holder of legal title or
2. Is a Mortgagee in possession of any such property; or
3. Is An agent, trustee, or other person appointed by the Courts and vested with possession or control of any such property; or
4. Is an Officer or Trustee of the Association of unit owners of a condominium. Each such person is bound to comply as if he/she were the owner. However, this Ordinance shall not apply to any Condominium Association or Co-Op that forecloses or initiates the foreclosure process for unpaid assessments due or owning the Association; or

5. Every person who operates a rooming or boarding house; or
6. Is a Trustee who holds, owns or controls mortgage loans for mortgage-backed securities, transactions and has initiate foreclosure process.

VACANT PROPERTY-shall mean any building used or to be used for residential and/or commercial/business purposes which is not occupied or legally occupied or at which substantially all lawful construction operations or residential or commercial occupancy has ceased, and which is in such condition that it cannot legally be reoccupied without repair or rehabilitation, including but not limited to any property meeting the definition of abandoned property in N.J.S.A. 55:19-81; provided, however, that any property where all building systems are in working order, where the building and grounds are maintained in good order and where the building is in habitable condition and where the building is being actively marketed by its owner for sale or rental, shall not be deemed a vacant property for purposes of this ordinance.

Section Two. Identification of Designated Public Officer.

The "Public Officer" charged with the responsibility for identifying abandoned properties and giving notice as set forth in N.J.S.A. 55:19-82 shall be that officer qualified to carry out the responsibilities and designated by the Township pursuant to N.J.S.A. 55:19-80.

Section Three. Duties and Powers of Public Officer.

- A. The Public Officer shall identify all properties within the municipality which are deemed abandoned pursuant to N.J.S.A. 55:19-78 et seq. The abandoned properties so identified shall include any and all properties found unfit for occupancy pursuant to the provisions of Chapter 25 of this Code.
- B. Each item of abandoned property shall be identified by tax block and lot number, the name of the owner of record (if known), and the street address of the lot.
- C. Upon identification of abandoned property, the Public Officer shall create and maintain a list of such property to be called the "Abandoned Property List." Properties may be added to the list at any time, or deleted from the list at any time the Public Officer finds that the property no longer meets the definition of an abandoned property. An interested party may request that a property be included on the abandoned property list following the procedure set forth in N.J.S.A. 55:19-105.
- D. An abandoned property shall not be included on the Abandoned Property List if rehabilitation is being performed in a timely manner, as evidenced by building permits issued and diligent pursuit of the rehabilitation work authorized by those permits. A property on which an entity other than the municipality has purchased or taken assignment from the municipality of a tax sale certificate, which has been placed on the Abandoned Property List, may be removed from the list in accordance with the provisions of N.J.S.A. 55:19-103. Notwithstanding the foregoing, a property deemed unfit pursuant to the provisions of Chapter 25 of this Code shall be subject to an order setting forth a specific time within which the repair, alteration or improvement of such unfit structure shall be made.

Section Four. Additional Duties of Public Officer; Notice.

- A. The Public Officer, within ten (10) days of the establishment of the abandoned property list, or any additions thereto, shall send a notice, by certified mail, return receipt requested, and by regular mail, to the owner of record of every property included on the list and shall cause the list to be published in the official newspaper of the municipality, which publication shall constitute public notice. The published and mailed notices shall identify the property determined to be abandoned setting forth the owner of record (if known), the tax lot and block number, and street address. The notice shall also include procedures on appealing the determination pursuant to N.J.S.A. 55:19-55(e). The Public Officer, in consultation with the tax collector, shall also send out a notice by regular mail to any mortgagee, servicing organization, or property tax processing organization that receives a duplicate copy of the tax bill pursuant to subsection d of N.J.S.A. 54:4-64. When the owner of record is not known for a particular property and cannot be ascertained by the exercise of reasonable diligence by the tax collector, notice shall not be mailed but instead shall be posted on the property in the manner provided in N.J.S.A. 40:48-2.7. The mailed notice shall indicate the factual basis for the Public Officer's finding that the property is abandoned property as that term is defined in N.J.S.A. 55:19-81, and the rules and regulations promulgated thereunder, specifying the information relied upon in making such finding. In all cases a copy of the mailed or posted notice shall also be filed by the public officer in the office of the Burlington County Clerk. This filing shall have the same force and effect as a notice of *lis pendens* under N.J.S.A. 2A:15-6.
- B. The Public Officer shall seek reimbursement for the postage costs and search fees associated with providing notice in accordance with paragraph A of this section from the Authority (as defined in N.J.S.A. 40:48-2.4) or its subsidiaries in accordance with procedures and rules promulgated by the Department of Community Affairs.

Section Five. Criteria for the Determination of Abandonment.

- A. Any property or building used or to be used as a residence or business which is not occupied, or not legally occupied, for a period of six months, and at least one of the following conditions exist:
 - (1) the property is in need of rehabilitation in the judgment of the Public Officer and no rehabilitation has taken place during the six month period; or
 - (2) construction was initiated on the property and then discontinued for a period of at least six months, leaving the building unsuitable for occupancy; or
 - (3) at least one installment of real property tax remains unpaid or delinquent; or
 - (4) the property has been determined to be a nuisance pursuant to N.J.S.A. 55:19-82.
- B. A property which contains both residential and non-residential space may be considered abandoned so long as two-thirds or more of the net square footage of the building was previously legally occupied as residential space and none of the residential space has been legally occupied for at least six months and otherwise meets the criteria of either Subsection A (1) or A (4) above.
- C. Notwithstanding the foregoing, a property used on a seasonal basis shall not be deemed abandoned unless it meets two additional criteria set forth in Subsection A above.

Section Six. Options for Enforcement by the Municipality.

The Public Officer may, as appropriate and in the discretion of the Public Officer, proceed to obtain repair,

alteration, improvement or demolition of a property on the Abandoned Property List, including those deemed unfit for occupancy, pursuant to either the provisions authorized by N.J.S.A. 40:48-2.3 et seq. or as authorized by N.J.S.A. 55:19-54 through 55:19-59 and N.J.S.A. 55:19-78 through 55:19-107. Pursuant to the provisions of N.J.S.A. 55:19-82, a property determined by the Public Officer to be a nuisance under the provisions of Subsection 82 of the statute shall be subject to the provisions of Chapter 25.

Section Seven. Remedies Available Under Abandoned Properties Rehabilitation Act.

The Public Officer shall have all of the powers available to the municipality, its agents, servants, and employees under the under the Abandoned Properties Rehabilitation Act (N.J.S.A. 55:19-78 et seq.). Specifically, the Public Officer may:

- A. When the owner or party in interest has failed to submit or initiate a rehabilitation plan, the Public Officer may bring a summary action in Superior Court to transfer possession and control of the property to the municipality for the development of such a plan. Upon being granted possession and control, in addition to adopting a rehabilitation plan, the municipality may commence and maintain further actions to: (1) conserve, protect or dispose of the property; (2) recover costs and expenses of the rehabilitation; and (3) if owner does not apply for reinstatement of control as provided for by N.J.S.A. 55:19-92, sell the property as directed by the court.
- B. After filing a notice of intent to take control of the property pursuant to N.J.S.A. 55:19-86, the Public Officer may enter onto the property as provided for in subsection C of this section of the statute in order to inspect, secure stabilize or repair the property for purposes of preparing a rehabilitation plan.
- C. Upon a proper showing to the court, the Public Officer may seek to obtain title to the property or sell same with the proceeds of such transaction to be distributed, in the following priority, for (1) the costs and expenses of sale; (2) other government liens; (3) repayment to the municipality for any borrowing or indebtedness granted priority lien status pursuant to N.J.S.A. 55:19-98; (4) a reasonable development fee to the municipality consistent with the standards established by the Department of Community Affairs or New Jersey Housing and Mortgage Finance Agency for rehabilitation programs; (5) other valid liens and security interests in accordance with their priority; and (6) the owner.
- D. With the approval of the court, place a lien on the property to cover the costs of proceeding under N.J.S.A. 55:19-78 et seq.

Section Eight. Additional Powers Available to the Municipality.

In addition to those powers set forth above, the municipality may proceed to tax sale on the property pursuant to N.J.S.A. 55:19-56, designate a qualified rehabilitation entity to act on behalf of the municipality in rehabilitating the property, borrow funds to facilitate the powers given to the municipality under the law and seek priority lien status for such borrowings. The purpose of this Chapter is to provide the municipality with all powers granted to it by the legislature under N.J.S.A. 40:48-2.3 et seq., N.J.S.A. 55:19-54 et seq., and N.J.S.A. 55:19-78 et seq. which are incorporated herein and made a part hereof.

Section Nine. Registration of Vacant/Abandoned Properties

Notwithstanding the requirements of any other section of the Code, all vacant or abandoned properties shall be required to register with the Township.

Section Ten. Registration Requirements.

Effective October 1, 2018, the owner of any vacant property as defined herein shall, within 30 calendar days after the building becomes vacant property or within 30 calendar days after assuming ownership of the vacant property, whichever is later; or within 10 calendar days of receipt of notice from the municipality, file a registration statement for such vacant property with the Township Code Enforcement Officer on forms provided by the Township for such purposes. The Owner of any property which meets the definition of vacant property at the time of the effectiveness of this Ordinance shall have thirty days to register the property. Any failure to provide notice by the municipality shall not constitute grounds for failing to register the property. A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property in the Township shall, within 10 days of serving the summons and complaint, notify the Township Clerk that an action has been filed on a property and contain the contact information and submit to the registration requirements detailed herein.

- A. Each property having a separate block and lot number as designated in official records of the municipality shall be registered separately.
- B. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of a person eighteen (18) years or older, designated by the Owner as the authorized agent for receiving notices of code violations and for receiving process in any court proceeding or administrative enforcement proceeding on behalf of such Owner in connection with the enforcement of any applicable code; and the name, street address, telephone number and e-mail address (if applicable) of the firm and actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a twenty-four (24) hour per day, seven (7) day per week basis. The two (2) entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey, or reside within the State of New Jersey.
- C. The registration statement shall include the name, street address, telephone number, and email address (if applicable) of the firm and the actual name(s) of the firm's individual principal(s) responsible for maintaining the property. The individual or representative of the firm responsible for maintaining the property shall be available by telephone or in person on a 24 hour per day, seven-day per week basis. The two entities may be the same or different persons. Both entities shown on the statement must maintain offices in the State of New Jersey or reside within the State of New Jersey.
- D. The registration shall remain valid for one year from the date of registration except for the initial registration which shall be valid through December 31 of the year in which it was filed. The Owner shall be required to renew the registration annually as long as the building remains a vacant property and shall pay a registration or renewal fee in the amount prescribed in this ordinance for each vacant property registered.
- E. The annual renewal shall be completed by January 1st each year. The initial registration fee shall be prorated for registration statements received less than 10 months prior to that date.

- F. The Owner shall notify the Clerk within 15 calendar days of any change in the registration information by filing an amended registration statement on a form provided by the Clerk for such purpose. The Owner shall have a continuing obligation to maintain true and accurate registration information with the Township.
- G. The registration statement shall be deemed prima facie proof of the statements therein contained in any administrative enforcement proceeding or court proceeding instituted by the Township against the Owner of the building.

Section Eleven. Fee Schedule

A. The initial registration fee for an abandoned property shall be \$500 and shall be prorated for registration statements received less than 10 months prior to the due date

B. Vacant property registration fee schedule.

1. Initial registration: \$500.00
2. First Renewal: \$1,000.00
3. Second subsequent renewal: \$2,500.00
4. Any subsequent renewal: \$5,000.00

Section Eleven. Access to Vacant Properties.

The Owner of any vacant property registered under this Article shall provide access to the Township to conduct exterior and interior inspections of the building to determine compliance with municipal codes upon reasonable notice to the property owner or the designated agent. Such inspections shall be carried out on weekdays during the hours between 7:30 am and 4:45 pm or at such other time as may be mutually agreed upon between the Owner and the Township.

Section Twelve. Requirements of Owners of Vacant Property.

The owner of any building that has become vacant property, and any person maintaining or operating or collecting rent for any such building that has become vacant shall, within 30 days thereof:

- (1) Enclose and secure the building against unauthorized entry as provided in the applicable provisions of the Township of Mansfield Code, or as set forth in the rules and regulations supplementing those Codes; and
- (2) Secure the building from unauthorized entry and maintain the sign until the building is again legally occupied or demolished or until repair or rehabilitation of the building is complete; and
- (3) Ensure that the exterior grounds of the structure, including yards, fences, sidewalks, walkways, rights-of-way, alleys, retaining walls, attached or unattached accessory structures and driveways, are well maintained and free from trash, debris, loose litter, and grass and weed growth, vehicles and accumulation of newspapers/flyers/notices; and
- (4) Continue to maintain the structure in a secure and closed condition and keep the grounds in a clean and well maintained condition, and ensure that the sign is visible and intact until the building is again occupied, demolished, or until repair and/or rehabilitation of the building is complete; and
- (5) Pools and spas shall be kept in working order so that the water remains clear and free of pollutants and debris or drained and kept dry. In either case properties with pools and/or spas must comply with the minimum security fencing requirement of the Township.

Section Thirteen. Violations/Penalty.

- (1) Any person who violates any provisions of this section of the rules and regulations issued hereunder shall be fined not less than \$100.00 and not more than \$1,250.00 for each offense. Every day that a violation continues shall constitute a separate and distinct offense. Fines assessed under this section shall be recoverable from the owner and shall be a lien on the property.
- (2) For purposes of this section, failure to file a registration statement within thirty (30) calendar days after a building becomes vacant property or within thirty (30) calendar days after assuming ownership of a vacant property, whichever is later, or within ten (10) calendar days or receipt of notice by the municipality, and failure to provide correct information on the registration statement, or failure to comply with the provisions of such provisions contained herein, shall be deemed to be violations of this article.
- (3) Any fine(s) or cost(s) associated with cleaning up the property that remains uncollected or unpaid shall, by Resolution of the Township Committee, become a lien upon the property, which lien shall hereafter form part of the taxes next to be assessed and levied upon said lands, the same to bear interest at the same rate as taxes to be collected and enforced by the same officers and in the same manner as taxes.

ARTICLE II. 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 Higgins opened the public hearing on Ordinance 2018-11. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adopt Ordinance 2018-11. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS

NAY: ABSENT: DIGIUSEPPE ABSTAIN:

ORDINANCES – FIRST READING/INTRODUCTION

ORDINANCE 2018-12

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING CHAPTER 42 OF THE CODE OF THE TOWNSHIP OF MANSFIELD TO REESTABLISH THE POSITION OF CLEAN COMMUNITIES COORDINATOR

WHEREAS, the Township of Mansfield had created the position of Clean Communities Coordinator well over two decades ago; and

WHEREAS, said title, “Clean Communities Coordinator” was inadvertently omitted from the Salary Ordinances, (Ordinance 2013-1); and

WHEREAS, upon recognizing this inadvertent omission from the Salary Ordinance, the Township Committee desires and deems it necessary to reinsert the said position, set forth the duties and responsibilities for said position and to establish the salary and compensation to be afforded said position; and

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

The Code of the Township of Mansfield is hereby amended by re-inserting thereto the position of Clean Communities Coordinator.

A. Job responsibilities:

1. Work with the County Clean Community Director and the NJ Clean Communities Council, in conjunction with the NJ Dept. Of Environmental Protection;
2. To implement a comprehensive program of litter abatement, education and enforcement consistent with the guidelines set for by the State;
3. Enlist the services of volunteers and volunteer groups to assist in locally sponsored cleanup programs by adopting streets, roadways, parks and neighborhoods;
4. Provide all equipment needed for volunteers to do the clean-up;
5. Keep and maintain accurate records of all volunteers/volunteer groups and the areas they cleaned;
6. Prepare any and all reports to be submitted to both the County Clean Community Director and the NJ Clean Communities Council;
7. Provide the Township Finance Office with documents to support purchase Orders to be paid to volunteers/volunteer groups not to exceed \$250.00 per street/roadway/park or neighborhood and for any and all indirect costs.

B. Compensation:

Salary Range will be: from 1 to 5 percent (1% to 5%) of the total grant received, which percentage will be determined by Township Committee, by Resolution.

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.

A motion was offered by **Committeeman Gable** and seconded **Committeeman Magee** to introduce Ordinance 2018-12. Motion carried.

ORDINANCE NO. 2018-13

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MANSFIELD CHAPTER 60 THEREOF, “TRAFFIC CONTROL”

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

Chapter 60 entitled Traffic Control is amended as follows:

Chapter 60-8.3 BY ADDING SUBSECTIONS “C and D”

C. All Roadways Throughout Township. Tow-Away Zone. In addition to any ticket to be written under N.J.S.A. 39:4-198 for improper parking violations, in the opinion of the law enforcement officer, any vehicle parked or standing as to obstruct or impede a normal flow of traffic, or block entrances or exit ways, driveways, loading zones, no parking zones, oil -fills, any grassy area pedestrian walkway, or present in any way a safety or traffic hazard may be removed by towing the vehicle at the owner’s or operator’s expense.

D. All Roadways Throughout Township. Enforcement. Any law enforcement officer shall enforce this section. Private Citizens may identify a violation and report it to the police. Only a law enforcement officer or fire official acting in his official duty may take action to tow a vehicle. In the discretion of the law enforcement officer, of fire official, that officer or official may take reasonable efforts to notify the vehicle owner and request that the vehicle be moved to a proper location prior to initiating a tow request. The registered owner shall be responsible for the cost of the towing and storage of the vehicle.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to introduce Ordinance 2018-13. Motion carried.

ORDINANCE 2018-14
AN ORDINANCE TO AMEND A REDEVELOPMENT PLAN
AUTHORIZED UNDER ORDINANCE 2017-4 WITHIN THE
US HIGHWAY ROUTE 206 REDEVELOPMENT AREA

WHEREAS, by Ordinance 2017-4, the Township Committee of the Township of Mansfield adopted a “Redevelopment Plan”, for certain properties identified as an “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., which properties are specifically listed in Ordinance 2017-4; and

WHEREAS, said Redevelopment Plan identified as, among its purposes, the economic development of the Municipality through the creation of redevelopment areas and the establishment of various incentives; and

WHEREAS, identified, among its purpose, that “this Redevelopment Plan encourages private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support commercial and light industrial development in the redevelopment area” [Redevelopment Plan, page 8, paragraph B(b), B(1)(a)]; and

WHEREAS, the Plan nevertheless omitted such tax policies or incentivizations authorized under both the New Jersey Redevelopment and Housing Law, the New Jersey Long Term Exemption Law, N.J.S.A. 40A:20-1 et seq., and the New Jersey Five-Year Exemption and Abatement Law, N.J.S.A. 40A:21-1 et seq., and the Township Committee desires to amend said Redevelopment Plan to include among the various tools to advance redevelopment, and policies for incentivization of developers to invest private capital in the redevelopment of the Route 206 Redevelopment Area, the ability to secure, through appropriate processes, either long-term, or five-year, financial agreements.

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

Article I – Redevelopment Plan Amended

The “Redevelopment Plan: U.S. Route 206 Northern Area”, adopted by Ordinance 2017-4, is hereby amended to add the following new Article III, to be inserted between Articles II “Affordable Housing Provisions”, and IV “Relationship to Municipal Development Regulations” the following:

III. Financial Incentives. The Township Committee shall be empowered under N.J.S.A. 40A:12A-1 et seq., N.J.S.A. 40A:21-1 et seq., and N.J.S.A. 40A:20-1 et seq., to allow for the implementation of alternative tax structures to assist in realizing the Redevelopment Plan objective and to make redevelopment projects economically feasible. The establishment of redevelopment agreements including provisions for short-term or long-term tax abatement or exemption may benefit the Township by making private investment in the properties attractive and feasible, and by increasing the long-term value of the properties. The alternative tax structures may be mutually beneficial for the Township and the redeveloper. Each project and payment structure shall be subject to an individualized program through negotiation and shall be based on the specific circumstances and development budget.

“**A.** Five-Year Exemption and Abatement Law (N.J.S.A. 40A:21-1 et seq.). The short-term exemption and abatement is an inducement for property owners to invest in their properties, as it ensures that the improvements will not result in an immediate increase in their property taxes. This tool may be used in the redevelopment and rehabilitation area for adaptive re-use and improvements to existing buildings, construction of new buildings, and the improvement or expansion of commercial or industrial structures. Tax exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (“PILOT”) may then be established along with a schedule for phasing into full taxation at the end of a five-year period. Abatement may be granted to reduce the taxes for a portion of the existing assessed value of a property. Abatement is potentially available for the conversion of non-residential structures to residential use, for the construction of residential dwellings and for new commercial and industrial buildings, but not for improvements to existing commercial or industrial buildings.

“**B.** Long-Term Exemption Law (N.J.S.A. 40A:20-1 et seq.). In order to utilize long-term exemption the redevelopment project must have a public purpose linked to the Redevelopment Plan, it must be limited to a specific time period (up to 30 years), and the profits of the corporation receiving the exemption must be limited. The exemption applies to the value of the new improvements, not to the value of the land. Long-term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The Urban Renewal Entity must apply to the Township for tax exemption, and must provide all required information about the project, architectural plans, site plans, estimated project costs, sources of private capital funds, and a fiscal plan for the project, as well as such other information that the Township deems appropriate in order to evaluate the request. Instead of paying property taxes, the redeveloper pays an annual service charge to the municipality, referred to as a “PILOT” (payment in lieu of taxes). The amount is established as part of the Financial Agreement pursuant to N.J.S.A. 40A:20-1 et seq. The PILOT

may be a percentage of the total project cost or the annual gross revenue. The PILOT is phased into full taxation by the end of the exemption period.”

ARTICLE II. Repealor; Severability; Effective Date.

- A. Repealor:** Any and all ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent any such inconsistencies.
- B. Severability:** In the event that any clause, paragraph or section of this Ordinance is deemed to be unenforceable or invalid for any reason, it is hereby declared to be the intention of the governing body that the balance of the Ordinance shall nevertheless remain in full force and effect.
- C. Effective Date:** This Ordinance shall take effect upon proper passage in accordance with the law.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to introduce Ordinance 2018-14. Motion carried.

RESOLUTIONS

RESOLUTION 2018-8-2

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that 2 Police Department Safes 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 2 items are hereby declared to be surplus property and no longer needed for public use:

Brand:	Liberty Safe	Brand:	unknown
Model:	Colonial 50	Model:	unknown
Serial Number:	353129	Serial Number:	unknown
Township Asset Code:	0261	Township Asset Code:	0262
- 2. The Chief Of Police and Township Clerk are directed to arrange for the public auction of the safes 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 2018-8-3

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:

2008	Chevrolet	Cobolt	VIN: 1G1AK 58F08 71882 13
2001	Nissan	Maxima	VIN: N1CA 31DX1 T6005 08
1993	Kawasaki	Ninja	VIN: JKAEX VA18P A0764 42
1999	Mercury	Sable	VIN: 1MEFM 53S6X A6349 26
2005	Buick	Tereza	VIN: 5GADV 23L75 D2001 67
2008	BMW	528	VIN: WBANU 53588 CT073 42
- 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.
- 3. The Township Clerk shall assure that proper public notice of the auction is made, as required by law.

Municipal Clerk Semus explained that the above resolutions are to authorize the sale of surplus property.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adopt Resolution 2018-8-2 and Resolution 2018-8-3. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

RESOLUTION 2018-8-4

RESOLUTION ACCEPTING THE QUOTE FROM ACCSES NEW JERSEY, INC., CNA SERVICES FOR GENERAL JANITORIAL CLEANING SERVICES FOR MANSFIELD TOWNSHIP AND AMENDING THE ONE-YEAR CONTRACT PREVIOUSLY AWARDED

WHEREAS, ACCSES of New Jersey, Inc., CNA Services has provided general janitorial services for the Mansfield Township Municipal Building, Public Works Building, Columbus Park Restrooms, Civic Concession Club and Police Station from the State of New Jersey authorized Cooperative Purchasing Janitorial Services contractor, under State Contract #T-48077110 since April 1, 2015; and

WHEREAS, the Township Committee is desirous of increasing the amount of cleaning to be done in the Municipal Building (equal to 2 extra hours per week), adding an extra cleaning per month at the Civic Club Training Center, and adding 1 cleaning per week at the Georgetown Park Restrooms; and

WHEREAS, a quote was received from ACCSES New Jersey, Inc., CNA Services., the State authorized Cooperative Purchasing Janitorial Service on May 15, 2018, which quote was reviewed and considered at the July 18, 2018 Township Committee meeting, for an amount not to exceed \$5,006.40 per year/\$417.20 per month, pursuant to the attached quotation; and

WHEREAS, ACCSES of New Jersey, Inc., CNA Services has agreed to perform said additional janitorial services as scheduled, pursuant to the attached quote, commencing August 16, 2018; and

WHEREAS, the Chief Financial Officer has certified that funds are available in that amount; and

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

1. The Township Committee hereby amends the original Contract award to ACCSES New Jersey, Inc, CNA Services, for general janitorial services at the Mansfield Township Municipal Building, Public Works Building, Columbus Park Restrooms, Civic Concession Club and Police Station, by adding the Georgetown Park Restrooms and extra hours to both the Municipal Building and Training Center's schedule, according to the attached quote, which is made a part hereof, and scheduled cleaning dates/times, in the additional amount not to exceed \$5,006.40 per year/\$412.20 per month, to be combined with the contract which began on July 1, 2018 and runs through June 30, 2019; and
2. This award is made available through the following account: 01-201-26-310-124
3. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award in a form substantially the same as that included in the specifications.

Township Administrator Fitzpatrick stated that the purpose of the above resolution is to amend the contract providing for janitorial services to include additional cleanings at the Municipal Complex and facilities at the park in Mapleton.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adopt Resolution 2018-8-4. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

RESOLUTION 2018-8-5

RESOLUTION AUTHORIZING NEGOTIATION OF A SHARED SERVICES AGREEMENT BETWEEN THE BURLINGTON COUNTY BOARD OF CHOSEN FREEHOLDERS, CITY OF BURLINGTON, TOWNSHIP OF BURLINGTON, TOWNSHIP OF FLORENCE AND THE TOWNSHIP OF MANSFIELD

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., local governmental units in New Jersey are encouraged by the legislature to work cooperatively to provide services to their citizens; and

WHEREAS, N.J.S.A. 40A:65-4, authorizes local governmental units to enter shared service agreements with other local governmental units to provide services which each may provide on its own; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board"), the Mayor and Common Council of the City of Burlington ("Burlington City"), the Mayor and Township Council of the Township of Burlington ("Burlington Township"), the Mayor and Township Council of the Township of Florence ("Florence Township") and the Mayor and Township Committee of the Township of Mansfield ("Mansfield Township") are concerned about the growing traffic congestion and circulation issues occurring in an area of Burlington County identified as the Northern Route 130 Region ("Region"), which comprises portions of Burlington City, Burlington Township, Florence Township and Mansfield Township centered principally along US Route 130 and is served by Exit 6A of the New Jersey Turnpike as well as positioned in the vicinity of Interchange 52 of Interstate 295; and

WHEREAS, the Board, Burlington City, Burlington Township, Florence Township and Mansfield Township recognize that traffic generated within the Region affects residents' quality of life and businesses' operational efficiencies across municipal boundaries; and

WHEREAS, the Board, Burlington City, Burlington Township, Florence Township and Mansfield Township wish to work together in developing and implementing a Northern Route 130 Circulation and Transportation Plan ("Plan") that addresses the traffic issues in the Region; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that it approves negotiating an agreement with the County of Burlington,

Burlington City, Burlington Township, and Florence Township to undertake the following responsibilities to develop and implement the Plan:

1. Responsibilities undertaken by each local governmental unit:

a. Burlington County

- Coordinate Burlington City, Burlington Township, Florence Township and Mansfield Township to prepare and finalize the Plan, at the County's expense;
- Prepare the Plan, which is based on the input obtained from the four municipalities as well as the New Jersey Department of Transportation ("NJDOT");
- Adopt, through the Burlington County Planning Board, the Plan and incorporate it into the Burlington County Highway Master Plan for implementation;
- Implement the county-related recommendations of the Plan by various available means such as: (1) requiring developers that obtained county planning board approvals to construct recommended improvements or, when warranted, to make pro rata share contributions toward the construction of recommended improvements; (2) the Board constructing recommended improvements funded by developer pro rata share contributions; (3) when appropriate, the Board constructing recommended improvements that are county-funded; and (4) the Board pursuing federal and state funding to construct recommended county-related improvements;
- Pursue efforts to have NJDOT construct, through various state programs, recommended state-related improvements;
- Direct the County Engineer to receive information about pending and anticipated development applications from the four municipalities in the Region, review and evaluate the development applications vis-à-vis traffic impacts, and provide the development application information to the Burlington County Bridge Commission Department of Economic Development and Regional Planning to maintain a list of proposed developments in the region and to compare the proposed/anticipated development to the buildout component of the Plan to anticipate future traffic generation by development that will impact the Region;
- Convene, on an annual basis, a meeting with the four municipalities to discuss progress in implementing the Plan and related matters, and prepare a summary of the meeting and distribute it to the governing bodies of the four municipalities.

b. Burlington City, Burlington Township, Florence Township and Mansfield Township

- Agree to cooperate and collaborate with Burlington County and one another to develop the Plan;
- Encourage their respective planning boards, to adopt the Plan as part of their master plans;
- Review their respective ordinances to ensure compliance with state law involving off-tract improvement and contribution requirements imposed upon applicants seeking local land development approvals;
- Revise and amend their respective ordinances to refer to the Plan as a basis for the need for off-tract improvements and, as necessary, to comply with state law involving off-tract improvements and contributions
- Agree to provide the County Engineer with information about pending and anticipated development applications in their respective municipalities so that the County Engineer may review and evaluate the development applications vis-à-vis traffic impacts;
- Agree to require, through resolutions of approval granted by municipal land development boards, and to the extent legally permitted, developers to construct off-tract municipal improvements recommended in the Plan or, when warranted, make pro-rata share contributions for off-tract municipal improvements recommended in the Plan;
- Agree to require, through resolutions of approval granted by municipal land development boards, developers of significant projects to submit their projects to the Burlington County Planning Board;
- Implement the municipal-related recommendations of the Plan by various available means such as: (1) requiring developers that obtain municipal board approvals to construct recommended improvements or, when warranted, to make pro rata share contributions toward the construction of recommended improvements; (2) the municipality constructing recommended improvements funded by developer pro rata share contributions; (3) when appropriate, the municipality constructing recommended improvements that are municipally-funded, to the extent funds are available; and (4) the municipality pursuing federal and state funding to construct recommended municipal-related improvements;
- Pursue efforts to have NJDOT construct, through various state programs, recommended state-related improvements.

c. Burlington County, Burlington City, Burlington Township, Florence Township and Mansfield Township

- Agree to meet on an annual basis to: discuss progress in implementing the Plan, identify emergent traffic issues and ways to address them, provide an accounting of off-tract contributions collected and expended, strategize to fill gaps in funding to implement the Plan, and collaborate to pursue grants and outside agency funding to implement the Plan.

BE IT FURTHER RESOLVED that the Mayor, Township Administrator, and Township Solicitor are authorized to engage in discussions with the other governmental entities in an effort to develop an agreement along the lines set forth above, and satisfactory to the Township Committee, it being understood that this Resolution is not, in and of itself, an agreement of any sort, but is simply, instead, an outline of the type of agreement that the Township would like to enter into with the other governmental entities identified herein.

Mayor Higgins explained that in response to the significant growth occurring in surrounding municipalities, the County requested that said municipalities collaborate to discuss options to curb increasing traffic on Route 130.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-8-5. Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN: MAGEE

RESOLUTION 2018-8-6

**A RESOLUTION AUTHORIZING THE INSTALLATION AND OPERATION
OF AN EMERGENCY SIGNAL LIGHT AT THE
MANSFIELD TOWNSHIP MUNICIPAL COMPLEX**

WHEREAS, a traffic condition exists at the intersection of Route US 206 and the entrance to the Municipal Complex in the Township of Mansfield, County of Burlington, located at 3135 Route 206 South, Columbus, New Jersey 08022, the same of which requires the installation and operation of a fire station beacon with a hard wire connection to the push button in the Franklin Fire Company No. 1 fire station in order to expedite the movement of emergency vehicles through said entrance; and

WHEREAS, it is necessary to expedite the safe movement and conduct of vehicular traffic; and

WHEREAS, the State of New Jersey has proposed a form of agreement pertaining to the installation and maintenance of the aforementioned fire station beacon with a hard wire connection, a copy of said agreement being attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Clerk of the Township of Mansfield, County of Burlington, and State of New Jersey are hereby authorized to enter into an agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose of providing for the installation and operation of an emergency traffic light at the Municipal Complex.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt Resolution 2018-8-6. Motion carried.

BILL LIST – Regular and Escrow

Municipal Clerk Semus requested that purchase orders #18303 and #18500 be removed from the bill list.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to amend the bill list to remove purchase orders #18303 and #18500. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to approve the bill list. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, CAIN, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN: MAGEE (8136, 8177)
GABLE (8133, 8141)
HIGGINS (8177)

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

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to accept the above listed reports. Motion carried.

APPROVAL OF MINUTES

- July 18, 2018

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to approve the minutes of July 18, 2018. Motion carried.

- July 26, 2018

Mayor Higgins stated that the above listed minutes have to be placed on the following agenda as there is not a quorum at tonight's meeting to approve the same.

DISCUSSION

Mayor Higgins requested a motion to amend the agenda to include a discussion item regarding the gazebo at the Municipal Complex. A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to amend the agenda accordingly. Motion carried.

A. Eagle Scout Project – Gazebo Relocation: **Mayor Higgins** suggested that resident Nolan Golowski, for his Eagle Scout project, relocate the gazebo at the Municipal Complex from the rear of the property to the area surrounding the pond.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to authorize the aforementioned Eagle Scout project. Motion carried on a Roll Call Vote, as follows:

AYE: GABLE, MAGEE, CAIN, HIGGINS

NAY: ABSENT: DIGIUSEPPE ABSTAIN:

Nolan Golowski, 55 Sheffield Drive, thanked Township Committee for the opportunity to serve the community. For his Eagle Scout project, Mr. Golowski stated that he will relocate the gazebo as suggested, and also plans to landscape the area and construct a pathway leading to the structure.

Committeeman Magee suggested that Mr. Golowski meet with Jef Jones, Township Superintendent, to discuss details.

Township Committee thanked Mr. Golowski for his efforts.

B. Recreation – Facilities Use Permit – Northern Burlington Soccer Club: A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to approve said facilities use permit. Motion carried.

C. “KIA” Killed in Action Flag: **Municipal Clerk Semus** stated that the Burlington County Clerk would like to appear at a future Township Committee Meeting to present a flag to Mansfield in honor of all military service members who have been killed in action.

D. Special Events Coordinator: **Township Administrator Fitzpatrick** inquired if Committee would like to move forward with establishing the position and corresponding salary for a Special Events Coordinator. Mr. Fitzpatrick noted that such position will allow for the proper organization of township events, and possibly even the creation of additional event days in the future. **Mayor Higgins** reflected Mr. Fitzpatrick’s statements, and recommended that Township Committee consider same.

E. Truck Traffic: **Committeeman Cain** stated that at the last Planning Board meeting, there was tremendous discussion regarding truck traffic. It was noted by a member of the public that a neighboring municipality had previously adopted an ordinance regulating truck traffic on its roadways. Upon investigating, said municipality only has an ordinance that require trucks to utilize Route 295 to enter the same – it does not give authorization to control truck traffic on all roadways within the municipality. Mr. Cain continued by stating that even if it were possible to control truck traffic in Mansfield via ordinance, most of the main roadways in the township are State or County owned and therefore cannot be regulated by the Township Committee.

PUBLIC COMMENT

Bob Tallon, 2454 Axe Factory Road, thanked Township Committee for the proclamation presented on behalf of his late mother, Marion Tallon, in recognition of her dedication to the township. In regards to truck traffic, Mr. Tallon stated that he would like the speed limit on Axe Factory Road reduced to 35mph, in addition to a sign prohibiting truck traffic on same. **Township Administrator Fitzpatrick** noted that he would contact Mr. Tallon in the coming days to discuss same.

Mayor Higgins noted that the State has increased its regulations regarding stormwater management, and accordingly acknowledged Mr. Tallon for his knowledge and assistance in implementing the same within the township. Mr. Tallon noted that Township Committee has been proactive with stormwater management.

Carol Foster, 191 Atlantic Avenue, inquired about Committee's plans to control truck traffic in light of the approval of the Margolis warehouse project. Ms. Foster also went on to note that she met with County Engineer, Joseph Brickley, who stated that the County cannot control truck traffic within the municipality, even on County owned roadways, as the entity has no jurisdiction over local Planning and Zoning Board decisions. Discussion ensued on the particulars of said meeting, and how certain traffic control measures are not feasible.

On a separate topic, Ms. Foster inquired if it would be possible to either have police officers monitor the bus stops at the center of town or to have the bus stops relocated, as vehicles have been failing to abide by the same, potentially causing safety concerns for schoolchildren. Ms. Foster also stated that she had previously put forth this concept to the School District, but it was declined. Since there will now be an increase in traffic due to development in the township, she asked if the idea could be pursued once more. **Mayor Higgins** directed **Township Administrator Fitzpatrick** to contact the School District in relation to same.

Kimberly Clark, 3193 Route 206, asked if it would be possible to make recommendations to business owners that trucks utilize major roadways, such as Route 295, to decrease traffic in town. **Mayor Higgins** replied that said request is reasonable, and authorized **Township Administrator Fitzpatrick** to contact Manheim New Jersey to begin the process.

Colleen Herbert, 2 Millennium Drive, inquired if certain dilapidated properties will be addressed, as they may deter new residents and businesses from settling in the township. **Committeeman Magee** noted that the adoption of Ordinance 2018-11 is a step forward in addressing vacant and abandoned properties. **Mayor Higgins** stated that Township Committee is extremely serious about such matters. Small discussion ensued.

There being no further comments, the public comment portion of the meeting was closed.

MAYOR AND COMMITTEE COMMENTS

Committeeman Cain stated that public input is invaluable, and Committee should follow up on certain suggestions.

Mayor Higgins, in reference to the needs of the Recreation Committee, thanked Colleen Herbert for making a difficult topic workable. He also commended Nolan Golowski for his service to the community, as his project will be a benefit to all.

Township Committee thanked the public for attending tonight's meeting.

ADJOURNMENT

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to adjourn the meeting. Motion carried. Meeting adjourned at 7:45PM.

Prepared by:

Respectfully submitted by:

Caitlin Midgette, Deputy Clerk

Linda Semus, Municipal Clerk

APPROVED: September 19, 2018