

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
October 17, 2018
Regular Session – 6:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the aforementioned date with the following in attendance: **Mayor Robert Higgins, Deputy Mayor Janice DiGiuseppe, Committeeman Michael Magee, Committeeman Frederick Cain, Township Administrator Michael Fitzpatrick, Township Solicitor John Gillespie, Township Engineer Chris Briglia, Chief Financial Officer Joseph Monzo, Deputy Treasurer Bonnie Grouser, Deputy Clerk Caitlin Midgette, and Municipal Clerk Linda Semus. Committeeman Gable** was absent at tonight's meeting.

Mayor Higgins called the meeting to order at 6:00PM, 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.

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

PRESENTATION

Presentation of Budget Information

Presented by: **CFO Monzo and Deputy Treasurer Grouser**

CFO Monzo presented a preliminary overview of the 2019 Municipal Budget, including the current fund balance, possible deficits, expenditures, anticipated revenues, and next year's anticipated tax levy. Mr. Monzo stated that spending cannot be increased unless revenues are also increased, and that department heads should submit budget requests to ensure careful fiscal planning for the following year.

Deputy Mayor DiGiuseppe inquired as to when the 2019 Municipal Budget must be adopted. Mr. Monzo stated that statutorily, the budget should be adopted by the end of March, though the State has the tendency to delay the same each year for various reasons. Additionally, Mr. Monzo recommended that the budget not be adopted until the sale of the former municipal complex is finalized, so revenue from the same can be incorporated into the budget.

ENGINEER'S REPORT

Township Engineer Briglia summarized the Engineer's Report as follows:

Axe Factory Road: This project is still in the process of being closed out.

Mansfield Road East: A change order was submitted in the amount of \$6,647.27, a 4.6% overage of the total project cost. Mr. Briglia explained that the increase was due to a State imposed asphalt price adjustment. Additionally, since it was planned to utilize the remainder of grant funds for Mansfield Road East Phase II, said change order will require financial vigilance to complete this project. **Committeeman Magee** inquired if proactive adjustments should be made for asphalt prices for Phase II. Mr. Briglia responded that he had already made those allowances. **Committeeman Cain** questioned when Mr. Briglia anticipates Phase II to commence. Mr. Briglia noted that the same depends on the weather and the speed in which the paperwork process is facilitated. **Mayor Higgins** inquired if the asphalt price adjustment is in response to the increase in oil prices. Mr. Briglia confirmed.

Mt. Pleasant Road: Preliminary designs have been completed and will be forwarded to the NJDOT for review and approval to begin the bid process.

White Pine Road: Mr. Briglia has yet to receive a quote from the selected contractor to complete repairs.

Georgetown Park: A quote was received to locate utilities at the area to determine the cause of flooding. **Deputy Mayor DiGiuseppe** asked for further details regarding same. Mr. Briglia stated that he speculates a utility pipe was damaged by the contractor during construction at the park, which has consequently led to flooding under the playing surface. If it is determined that a pipe has been damaged, the area will need to be excavated so the same can be repaired. **Mayor Higgins** expressed the need to have the problem rectified as quickly as possible.

Hedding Park: An on-site meeting was conducted with Mr. Briglia and the contractor to formulate feasible options to finalize the edging of the park surface.

Minor Subdivision: The minor subdivision of the former municipal complex has been submitted to the Township Attorney and local Planning Board for review, before final submittal to the County Planning Board.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to accept the Engineer's Report. Motion carried.

ORDINANCES – FIRST READING

ORDINANCE 2018-15

AN ORDINANCE AMENDING CHAPTER 65, ARTICLE IV, SECTION 7 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED “DEFINITIONS”

WHEREAS, there exists a need to amend a certain subsection of Chapter 65 of the Code of the Township of Mansfield to revise the definition of “Height of Building;”

NOW THEREFORE, BE IT RESOLVED that Chapter 65 of the Code of the Township of Mansfield be amended to read as follows:

Article IV. Definitions and Word Usage; Measurements

§65-7. Definitions.

Height of Building.

The vertical distance measured from the average elevation of the proposed finished grades at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the average height between eaves and ridge for gable, hip and gambrel roofs, provided that chimneys, spires, towers, mechanical penthouses, tanks and similar projections of the buildings not intended for human occupancy shall not be included in calculating the height. If there are two or more separate roofs on a single building, the height of such building shall be calculated from the highest roof.

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 Magee** and seconded by **Committeeman Cain** to introduce Ordinance 2018-15. Motion carried. **Municipal Clerk Semus** requested a date for public hearing. Township Committee agreed that said date shall be set for November 1, 2018.

ORDINANCE 2018-16

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MANSFIELD, AND TO RE-ALLOCATE AND REDEFINE CERTAIN POSITIONS WITHIN THE TOWNSHIP ADMINISTRATION

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 2-10, entitled “Construction Department”, is hereby amended to delete subparagraphs (B) “Land Use Coordinator” and (C) “Zoning Officer”, and re-alphabetizing paragraphs D through H, as B through F, respectively.
- B. Section 2-14, “Various Department Positions”, is hereby amended to add the following new subparagraphs:
 - “G. Land Use Coordinator. The Land Use Coordinator shall serve as the Administrative Officer, as forth in N.J.S.A. 40:55D-3, to be appointed by the governing body for a term not to exceed one-year, commencing January 1 in the year in which (s)he is appointed, and subject to all qualifications, rights and entitlements as shall be prescribed by general law and the Ordinances of the Township of Mansfield. The Land Use Coordinator shall have the authority to carry out the various land use administrative functions and shall serve as both Township Planning Board Secretary and Township Zoning Board of Adjustment Secretary, shall receive and process all land use applications, submitted to either of said Boards, and shall perform all of the other duties and responsibilities set forth in the Township’s job description for the position of Land Use Coordinator.”
 - “H. Zoning Officer. The individual responsible for enforcement and interpretation of the Zoning Ordinances of the Township of Mansfield, to be appointed by the Township Committee for a one-year term, which shall run from January 1 in the year in which (s)he was appointed, and subject to all qualifications, rights and entitlements as prescribed by

general law and the Ordinances of the Township of Mansfield. The Zoning Officer shall also be responsible for inspecting properties in the municipality for violations, issuing zoning cease & desist orders to owners of property in violation of Zoning Ordinances, filing complaints in Municipal Courts against property owners who fail to comply with Ordinance provisions; shall be the person responsible for issuing zoning permits; and shall perform such other duties as may be prescribed from time-to-time by the Township Committee in the job description for the position of Zoning Officer, as well as those duties set forth in Section 65-118(B) of this Code.”

c. Section 27-4, entitled “Organization”, relating to the Planning Board is hereby amended to read as follows:

“27-4. Organization. The Planning Board shall elect a Chairman and Vice-Chairman from the members of Class IV, select a Secretary who may or may not be a member or alternate member of the Planning Board or a municipal employee, and create and fill such other offices as established by Ordinance. The Township’s Land Use Coordinator shall be the Administrative Officer of the Board as set forth in Section 2-14 of the Code of the Township of Mansfield.”

D. Section 27-10, entitled “Officers”, is hereby amended to read as follows:

“The Board of Adjustment shall elect a Chairman and Vice-Chairman from its members and shall also select a Secretary who may or may not be a Board member or another municipal employee.” The Township’s Land Use Coordinator shall be the Administrative Officer of the Board as set forth in Section 2-14 of the Code of the Township of Mansfield.”

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.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Magee** to introduce Ordinance 2018-16. Motion carried on a Roll Call Vote, as follows:

AYES: CAIN, MAGEE, DIGIUSEPPE, HIGGINS

NAYS:

ABSTAIN:

ABSENT: GABLE

Municipal Clerk Semus requested a date for public hearing. Township Committee agreed that said date shall be set for November 1, 2018.

RESOLUTIONS

RESOLUTION 2018-10-2

RESOLUTION TO REPLACE RESOLUTION 2018-5-7 CONDITIONALLY DESIGNATING FLORENCE-COLUMBUS ROAD, LLC AS A REDEVELOPER FOR A PORTION OF THE FLORENCE/COLUMBUS REDEVELOPMENT PLAN

WHEREAS, Block 10.02 was inadvertently listed as property owned by Alan Margolis and is hereby excluded from the property referred to in the **Redevelopment Plan**; and

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

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

WHEREAS, on September 28 2018, the Township received a request from Florence-Columbus Road, LLC, having offices at 1911 South Federal Highway, Suite 800, Delray Beach, Florida 33483, to be conditionally designated redeveloper of the portion of the Florence/Columbus Redevelopment Area consisting of property which is owned by Alan Margolis and is located on Florence/Columbus Road and designated as Block 47.01, Lots 3.02, 9.01, 9.02, 11 and 12 (the “**Property**”); and

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

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

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

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

AND IT BE FURTHER RESOLVED, upon receiving evidence of the execution of the three (3) conditions set forth above, the Township Committee of the Township shall designate the Urban Renewal Entity, Florence-Columbus Road, LLC, formed by Alan Margolis, as the redeveloper of the Property.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt Resolution 2018-10-2. Motion carried on a Roll Call Vote, as follows:

AYES: MAGEE, CAIN, DIGIUSEPPE, HIGGINS

NAYS:

ABSTAIN:

ABSENT: GABLE

RESOLUTION NO. 2018-10-3

RESOLUTION AMENDING APPROXIMATE COST AGREEMENT FOR THE TOWNSHIP OF MANSFIELD'S CONTRIBUTION OF THE INSTALLATION OF A DRAINAGE PIPE IN COVINGTON MANOR

WHEREAS, the township is a party to separate agreements with an adjoining property owner, various homeowners, and the Covington Manor Homeowners Association in connection with an existing drainage problem in the Orleans Development known as "Covington Manor"; and

WHEREAS, the agreements provide for, in part, the installation of a certain drainage pipe on a portion of the property owned by the Covington Manor Homeowners Association ("HOA"); and

WHEREAS, at said time of execution of agreement, the approximate cost to install the drainage pipe was twelve thousand (\$12,000.00) dollars; and

WHEREAS, the Township Committee had agreed to pay one-half of the cost in the amount of five thousand seven hundred eighty-five (\$5,785.00) dollars towards the cost of the installation of the drainage pipe; and

WHEREAS, since said execution of agreement, a further cost was realized for the layout of the proposed storm drain and swale; and

WHEREAS, the additional cost proposed is one thousand (\$1,000.00) dollars which additional cost will be borne by the Township; and

WHEREAS, the Township of Mansfield, hereby reiterates that, while not admitting any liability nor establishing any precedent has decided, that on the basis of economics, has elected to contribute to the cost of the installation of the drainage pipe.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that payment is authorized in the amount of six thousand seven hundred eighty-five (\$6,785.00) dollars to cover one-half of the cost of installing the drainage pipe on a portion of the property owned by the Covington Manor HOA, funds which may be available from the following account 01-201-20-100-299.

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-10-3. Motion carried on a Roll Call Vote, as follows:

AYES: CAIN, DIGIUSEPPE, MAGEE, HIGGINS

NAYS:

ABSTAIN:

ABSENT: GABLE

RESOLUTION 2018-10-4

AUTHORIZING AWARD OF CONTRACT FOR ROADWAY IMPROVEMENTS FOR MANSFIELD ROAD EAST – PHASE II

WHEREAS, there exists a need for Roadway Improvements for Mansfield Road East – Phase II in the Township of Mansfield; and

WHEREAS, funds are available for this purpose through a 2016 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 for the purpose of Roadway Improvements for Mansfield Road East –Phase II; and

WHEREAS, the Municipal Engineer has recommended that the award of contract for Roadway Improvements for Mansfield Road East be made to Richard T. Barrett Paving Co., Inc., 400 Prospect Street, Trenton, New Jersey 08618; 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 Township 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 Municipal Clerk are hereby authorized and directed to execute the approved contract with Richard T. Barrett Paving Co., Inc. to provide for Roadway Improvements to Mansfield Road East – Phase II, according to the attached Bid Proposal Form.

Section 2. After the solicitation of bids, Richard T. Barrett Paving Co., Inc. 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 Seventy-Nine Thousand, Nine Hundred and Eighty-Nine Dollars and Thirty-Seven Cents (\$79,989.37), 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

A motion was offered by **Committeeman Magee** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-10-4. Motion carried on a Roll Call Vote, as follows:

AYES: MAGEE, DIGIUSEPPE, CAIN, HIGGINS

NAYS: ABSTAIN: ABSENT: GABLE

RESOLUTION 2018-10-5

RESOLUTION OF THE TOWNSHIP OF MANSFIELD OPPOSING THE APPLICATION OF ELCON RECYCLING SERVICES, LLC RESUBMITTED TO THE PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR A PROPOSED HAZARDOUS WASTE FACILITY TO BE LOCATED IN FALLS TOWNSHIP, PA

WHEREAS, Elcon Recycling Services, LLC has resubmitted an application to the Pennsylvania Department of Environmental Protection Agency which would allow for the construction of a thermal oxidizer facility in Falls Township, Bucks County, Pennsylvania; and

WHEREAS, according to the Clean Air Council, Elcon has applied to receive 596 different kinds of waste, producing 800 tons of hazardous sludge per year and 5,000 tons of hazardous salts; and

WHEREAS, given the prevailing winds out of the west, the location of this facility will undoubtedly have a direct impact on the residents of the Township of Mansfield and other surrounding communities; and

WHEREAS, the proposed proximity of this facility to the Delaware River will also have a direct impact on the water supply of over 8 million residents; and

WHEREAS, it is the duty of the Township Committee of the Township of Mansfield to represent and protect the interests, health, and quality of life of the residents of 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, that it does hereby oppose the construction of this facility and further urges the Pennsylvania Department of Environmental Protection Agency to consider the negative impact that the proposed hazardous thermal oxidizer facility would have on the residents of Burlington County; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to forward a certified copy of this resolution to the Pennsylvania Department of Environmental Protection Agency, the Burlington County Municipal Clerks, and the Burlington County Board of Chosen Freeholders.

Mayor Higgins explained that the purpose of the aforementioned resolution is to oppose the construction of a recycling center in Falls Township, PA, as the same will contribute to pollution that will affect municipalities in Burlington County.

A motion was offered by **Committeeman Magee** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-10-5. Motion carried.

RESOLUTION 2018-10-6

RESOLUTION APPOINTING A CLEAN COMMUNITIES COORDINATOR

WHEREAS, the Township of Mansfield is in need of a Clean Communities Coordinator; and

WHEREAS, Caitlin Midgette was found to meet the qualifications required of said position; and

WHEREAS, the annual compensation for said position is 5% of the total amount of the Clean Communities Grant.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their Regular Meeting held on October 17, 2018 at the Municipal Complex at 6:00PM that Caitlin Midgette is hereby appointed as the Clean Communities Coordinator with an annual compensation of 5% of the total amount of the Clean Communities Grant.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2018-10-6. Motion carried on a Roll Call Vote, as follows:

AYES: DIGIUSEPPE, CAIN, MAGEE, HIGGINS

NAYS: ABSTAIN: ABSENT: GABLE

RESOLUTION 2018-10-7

RESOLUTION TO ADOPT THE REGULATIONS OF P.L. 2016, CHAPTER 29 ELECTRONIC FUNDS TRANSFER AND VENDOR CERTIFICATIONS (NJAC 5:30-9A.6)

WHEREAS, on August 18, 2016 the State of New Jersey legislature adopted PL 2016, Chapter 29, which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

WHEREAS, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

WHEREAS, NJAC 5:30-9A.6 allows that municipalities may by resolution set forth the circumstances when they will or will not require a vendor (claimant) signature on a purchase order; and

WHEREAS, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act:

Vendor Signature Required (stamp, fax electronic or wet is acceptable)	Vendor Signature not Required (rule language)
Employee Reimbursements	Vendors who are paid through EFT technologies
For services provided exclusively and entirely by an individual or professional service	Vendors who do not provide certifications part of the normal course of business

Refund of municipal revenue	Debt Service
Retiree reimbursements	Non Municipal Taxes
Individual /sole proprietor or single member LLC	Utilities regulated by tariff
Any situation deemed necessary by the CFO or his designee	Professional Development expenses

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, State of New Jersey, that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective November 1, 2018.

CFO Monzo explained that the State of New Jersey allows for municipalities to adopt a resolution stating that a claimant’s signature on a purchase order is not needed, as it is the responsibility of an employee to determine that goods and services were delivered in satisfactory condition. If a claimant’s signature is not required, the payment process is expedited and mailing costs will be decreased.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2018-10-7. Motion carried on a Roll Call Vote, as follows:

AYES: DIGIUSEPPE, CAIN, MAGEE, HIGGINS
NAYS: ABSTAIN: ABSENT: GABLE

RESOLUTION 2018-10-8
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY
WITHIN THE PUBLIC WORKS DEPARTMENT

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:
1997 Jeep Cherokee 4 Door VIN# 1J4FJ68S8VL602421
2. The Superintendent of Public Works 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.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt Resolution 2018-10-8. Motion carried on a Roll Call Vote, as follows:

AYES: MAGEE, CAIN, DIGIUSEPPE, HIGGINS
NAYS: ABSTAIN: ABSENT: GABLE

RESOLUTION 2018-10-9
RESOLUTION SUPPORTING CONSTITUTIONAL AMENDMENT ACR-176 REQUIRING FULL
PAYMENT OF ENERGY TAXES TO MUNICIPAL GOVERNMENT

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities, and when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; and

WHEREAS, just as municipalities collect property taxes for the benefit of school districts, counties and other entities; the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State officials have diverted funding from Energy Taxes to plug holes in the State budget and to fund State programs; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, municipalities lost \$368 million in combined Energy Tax and Consolidated Municipal Property Tax Relief Aid (CMPTRA) funding since Fiscal Years 2009, while also being denied scheduled interest rate increases; and

WHEREAS, as a result of these cuts, in a number of municipalities property taxes are higher now, despite the fact that they are spending less, proving that the State’s diversion of tax relief funding has contributed to higher municipal property taxes; and

WHEREAS, ACR-176, sponsored by Assemblymen Ryan Peters and Joe Howarth, would restore municipal property tax relief aid to 2009 levels, plus inflation, for a total restoration of \$384 million; and

WHEREAS, the amendment would require the state to match the new municipal property tax relief aid total every year going forward, plus annual inflation, thereby assuring local property taxpayers compensation for hosting transmission facilities and lines that allow gas and electric energy corporations to serve customers and conduct business in our Garden State; and

WHEREAS, the time has come to restore to local budgets the millions in property tax relief that have been annually diverted to meet State needs.

NOW, THEREFORE BE IT RESOLVED, that the Mansfield Township Committee salutes the sponsors for listening to the Mayors in their districts and all around New Jersey and for advancing this legislation.

BE IT RESOLVED, that we enthusiastically support and urge our State Legislators to pass ACR-176.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Phil Murphy, Lieutenant Governor Sheila Oliver, New Jersey Senate President Steve Sweeney, New Jersey Senate Republican Leader Thomas Kean, Jr., New Jersey Assembly Speaker Craig Coughlin, New Jersey Assembly Republican Leader Jon Bramnick, our State Senator, and to the New Jersey League of Municipalities.

CFO Monzo explained that the purpose of the aforementioned resolution is to support the return of energy tax receipts from the State to municipalities.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Magee** to adopt Resolution 2018-10-9. Motion carried on a Roll Call Vote, as follows:

AYES: CAIN, MAGEE, DIGIUSEPPE, HIGGINS

NAYS: ABSTAIN: ABSENT: GABLE

BILL LIST: Regular and Escrow

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:

AYES: MAGEE, CAIN, DIGIUSEPPE, HIGGINS

NAYS: DIGIUSEPPE (8339) ABSTAIN: DIGIUSEPPE (8380, 8409, 8314)

ABSENT: GABLE

Deputy Mayor DiGiuseppe explained that she did not vote to approve Check No. 8339, as it pertains to vehicle maintenance repairs via a private vendor selected by the Ambulance Squad. Mrs. DiGiuseppe expressed her opinion that said payments should instead be funded by the Ambulance Squad, as not only is personal discretion being used to select an independent vendor, but the township already funds insurance, vehicles, workers compensation, etc. for the organization.

Mayor Higgins replied that while he respects Mrs. DiGiuseppe's position, the township has contractual obligations with the Ambulance Squad to uphold.

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

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

MINUTES

-September 19, 2018

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor DiGiuseppe** to approve the minutes of September 19, 2018. Motion carried on a Roll Call Vote, as follows:

AYES: CAIN, DIGIUSEPPE, MAGEE (to the extent he participated), HIGGINS

NAYS: ABSTAIN: ABSENT: GABLE

- October 4, 2018

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to approve the minutes of October 4, 2018. Motion carried.

DISCUSSION

A. Georgetown Park Lighting Procedure: Township Administrator Fitzpatrick stated that the Recreation Coordinator, Paul Narwid, sought three quotes to correct the lighting issue at Georgetown Park, in which breakers must be manually turned on and off in order for the field lights to function. In the attempt to obtain three quotes, only one was received in the amount of \$19,815, which includes both equipment and installation costs. **CFO Monzo** explained that State law only requires that a municipality perform due diligence to attain three quotes; it does not require that three quotes actually

be obtained. Accordingly, Mr. Monzo stated his satisfaction in moving forward with the selected quote should Township Committee agree to same.

B. Facilities Use Permit – Dodger’s Travel Baseball, October 12, 2018 to October 31, 2018 (Indoor Facility, Civic Field, and Mansfield Community Park Fields)

A motion was offered by **Committeeman Magee** and seconded by **Deputy Mayor DiGiuseppe** to approve the above listed facilities use permit. Motion carried.

C. Letter to DOT regarding 206 Left Turn Lane from New Daycare Facility: Committeeman Cain explained that at the previous Planning Board meeting, various concerns were noted concerning the future Daycare Facility on Route 206 and access to same via a left turn. Mr. Cain continued by stating that it was recommended that a letter be sent to NJDOT to request a left turn lane for safety purposes. Al Litwornia, appointed Traffic Engineer, already drafted a letter complete with supplemental information to support same. Township Committee agreed with the submission of said letter.

At this time, **Township Solicitor Gillespie, Mayor Higgins, and Committeeman Magee** left the dais for a brief break at 7:03PM. They returned at 7:06PM.

D. Department Head Attendance at Township Meetings: Deputy Mayor DiGiuseppe presented the idea that department heads attend Township Committee meetings in order to stay informed and answer any questions that may arise related to their respective office. **Committeeman Cain** noted his agreement, as it will provide for more immediate answers and transparency. Discussion ensued between Township Committee and support staff, and it was determined that depending on the agenda items, the attendance of certain department heads will be requested with advanced notice by the Township Administrator.

E. Answer to Resident Questions/Concerns: Deputy Mayor DiGiuseppe confirmed that a pole barn at a particular property, as well as tree clearing on a separate property, are both in compliance with municipal regulations. Both concerns were noted by a resident during the public comment section of a previous meeting.

PUBLIC COMMENTS

Fred Wainwright, 1011 Cedar Lane in Burlington Township, stated that there is an individual who has a substantial amount of historic and informative information relating to a property on Route 206 that has been the subject of recent contention (Mr. Wainwright did not specifically state which property he was referring to, but it is with reasonable assumption that it can be concluded said property is what is now known as the Ad-Dawah Center). **Mayor Higgins** requested that this certain individual appear before the Planning Board to share this information as it may prove valuable to same. **Township Solicitor Gillespie** cautioned that no members of the Township Committee should meet with said person before approval by the Planning Board so the decision of the same cannot be considered prejudiced.

There being no additional comments, the public comment section of the meeting was closed.

MAYOR AND COMMITTEE COMMENTS

Deputy Mayor DiGiuseppe requested that **Township Administrator Fitzpatrick** update Township Committee on the debris in front of a property located on Mansfield Road East. Mr. Fitzpatrick explained that violations have been issued to the property, and placing a lien on the same to have the debris removed by the Public Works Department is being considered.

Mayor Higgins stated that there are cars parked on lawns along Mansfield Road East, and requested that the Zoning Official address these properties.

ADJOURNMENT

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adjourn the meeting. Motion carried. Meeting adjourned at 7:28PM.

Prepared by:

Respectfully submitted by:

Caitlin Midgette, Deputy Clerk

Linda Semus, Municipal Clerk

APPROVED: November 28, 2018