

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
December 19, 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 Robert Higgins, Deputy Mayor Janice DiGiuseppe, Committeeman Sean Gable, Committeeman Michael Magee, Committeeman Frederick Cain, Township Administrator Michael Fitzpatrick, Township Solicitor John Gillespie, Chief Financial Officer Joseph Monzo, Deputy Barbara Crammer, and Deputy Clerk Caitlin Midgette.**

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

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 2018-12-6A
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:
Potential Litigation, Personnel, Contract Negotiations
3. It is anticipated at this time that the above subject matter will be made public when the matter has been resolved and approved for release by the Township Solicitor.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt Resolution 2018-12-6A and convene into Executive Session. Motion carried. Township Committee entered same at 5:31PM.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to exit Executive Session. Motion carried.

Township Committee returned to the dais at 6:11PM.

Township Solicitor Gillespie explained that the purpose of Executive Session was to discuss potential litigation, contract negotiations, and personnel matters.

ENGINEER'S REPORT

Due to the absence of the appointed Township Engineer, **Township Administrator Fitzpatrick** explained that there are no significant updates to report to Township Committee regarding the Engineer's Report.

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

ORDINANCES – SECOND READING

ORDINANCE 2018-17

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING TO CHAPTER 2 “ADMINISTRATION OF GOVERNMENT,” THEREOF, SUBPARAGRAPH 13.5 ENTITLED MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER (2-13.5)

WHEREAS, the New Jersey State Legislature enacted a law, the same of which is codified at N.J.S.A. 4:22-14.1 et seq. and went into effect on May 1, 2018, which requires municipalities throughout the State of New Jersey to formally appoint a Municipal Humane Law Enforcement Officer who shall be responsible for animal welfare within the jurisdiction of the municipality in which they are appointed.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED By the Township Committee of The Township of Mansfield, County of Burlington, and State of New Jersey that the position, duties, and compensation are hereby created as follows:

2-13.5 MUNICIPAL HUMANE LAW ENFORCEMENT OFFICER NJSA 4:22-14.1

Shall be responsible for animal welfare within the jurisdiction of the Municipality in which they are appointed pursuant to NJSA 4:22-14.1 et seq; and will be required to complete a training course approved by the Police Training Commission within one year to qualify for the position.

COMPENSATION. The range of compensation will be between Five Hundred (\$500.00) dollars per year and One Thousand Five Hundred (\$1,500.00) dollars per year.

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 opened the Public Hearing for Ordinance 2018-17. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt Ordinance 2018-17. Motion carried on a Roll Call Vote, as follows:

AYES: MAGEE, CAIN, GABLE, DIGIUSEPPE, HIGGINS

NAYS: ABSTAIN: ABSENT:

RESOLUTIONS

RESOLUTION 2018-12-7

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE METRO EMPLOYEE ASSISTANCE SERVICE

WHEREAS, the Metro Employee Assistance Service provides its clients with professional and confidential counseling services for employees in various matters; and

WHEREAS, the Township of Mansfield recognizes the relationship between an employee’s personal well-being and the effects of the same on job performance; and

WHEREAS, it is the desire of the Township Committee of the Township of Mansfield to enter into an agreement with the Metro Employee Assistance Service to provide its employees with the opportunity to engage in as needed beneficial counseling services.

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield that the Mayor and the Township Clerk are hereby authorized to execute an agreement with the Metro Employee Assistance Service for the aforementioned employee services in the amount of \$2,800.00 with a term of January 1, 2019 to December 31, 2019.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt Resolution 2018-12-7. Motion carried on a Roll Call Vote, as follows:

AYES: GABLE, MAGEE, CAIN, DIGIUSEPPE, HIGGINS

NAYS: ABSTAIN: ABSENT:

RESOLUTION 2018-12-8

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF SOUTHAMPTON AND THE TOWNSHIP OF MANSFIELD FOR MUNICIPAL COURT FACILITIES AND PERSONNEL

WHEREAS, both Mansfield Township and Southampton Township (“Parties”) desire to save costs and provide efficient services to their respective citizens; and

WHEREAS, both Parties feel it is beneficial to engage in a shared services within the Court System as provided for by N.J.S.A 2b:12-1(c); and

WHEREAS, a shared service agreement was prepared and both Parties have consented to all the terms and conditions as set forth therein (copy attached); and

WHEREAS, Mansfield Township shall provide full and complete Municipal Court facilities and services as may be required by the Administrative Office of the Courts or the Assignment Judge of Burlington County; and

WHEREAS, said term of the Shared Services Agreement will be for a five (5) year period.

NOW, THEREFORE, BE IT RESOLVED that said combining of the court system will be subject to the formal execution of said Agreement by the Mayor and Municipal Clerk of both Townships and the final approval by the Administrative Office of the Courts and the Assignment Judge of Burlington County.

BE IT RESOLVED that the Mayor and Municipal Clerk for the Township of Mansfield, County of Burlington, and State of New Jersey are hereby authorized to execute the agreement between the Township of Mansfield and the Township of Southampton.

Mayor Higgins explained that Southampton Township has expressed interest in establishing a shared service agreement with Mansfield for municipal court services. If the same is approved, the township will receive \$120,000 annually for each year of the contract.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2018-12-8. Motion carried on a Roll Call Vote, as follows:

AYES: DIGIUSEPPE, CAIN, GABLE, MAGEE, HIGGINS

NAYS: ABSTAIN: ABSENT:

RESOLUTION 2018-12-9

RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION FOR THE PROGRAM YEAR 2019 BURLINGTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AS ADMINISTERED BY THE BURLINGTON COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT

WHEREAS, Mansfield Township has prepared an application for the 2019 Burlington County Community Development Block Grant as a funding request for an ADA accessible path to the Mansfield Township Community Park Playground Area, 24830 East Main Street, Columbus, NJ, as well as a public patio area with a ADA accessibility including walkway, lighting, fall protection and shade structure at the Mansfield Township Municipal Complex, at 3135 Route 206, Columbus, NJ, which said improvements are to assist in ADA regulations; and

WHEREAS, this application must have Mayor and Township Committee approval; and

WHEREAS, it is understood that the scope of work stated above may exceed the program's funding amount. The amount listed in the project cost estimate represents the total project cost. The Township is prepared to supplement CDBG funding with other funding sources, if necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee for the Township of Mansfield, County of Burlington, New Jersey, fully supports and approves this grant funding request to the Burlington County Community Development Block Grant Program, which does not require any local matching funds.

BE IT FURTHER RESOLVED that the Mansfield Township Committee will conduct a hearing at its regular town meeting on December 19, 2018 at 6:00 PM for residents to comment during that public portion of the hearing.

A motion was offered by **Committeeman Magee** and seconded by **Deputy Mayor DiGiuseppe** to adopt the Resolution 2018-12-9. Motion carried on Roll Call Vote, as follows:

AYES: MAGEE, DIGIUSEPPE, CAIN, GABLE, HIGGINS

NAYS: ABSTAIN: ABSENT:

RESOLUTION 2018-12-10

RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUND IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2018

BE IT RESOLVED on this 19th day of December, 2018 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2018 budget appropriations transfers be made as follows:

CURRENT FUND: Inside the CAP to Inside the CAP
Operating Expenses and Salaries & Wages

<u>Title</u>		<u>Transfer From</u>	<u>Transfer To</u>
<u>CURRENT FUND</u>			
Affordable Housing	OE	500.00	
Zoning Enforcement	OE	500.00	

Finance	SW	8,000.00	
Court	SW	20,000.00	
Tax Collection	SW	2,500.00	
Planning	OE	2,000.00	
Police	OE	6,000.00	
Fire	OE	2,500.00	
Court	OE	5,000.00	
Public Defender	OE	1,000.00	
Street Lighting	OE	12,000.00	
Water	OE	4,000.00	
Engineering	OE	5,000.00	
Admin	OE	500.00	
Clerk	OE	200.00	
Tax Collection	OE	300.00	
Tax Assessor	OE	546.00	
Group Insurance	OE		32,000.00
FICA	OE		8,500.00
DCRP	OE		500.00
Police	SW		18,000.00
Streets and Roads	SW		4,300.00
Fire	SW		1,000.00
OEM	SW		20.00
Zoning	SW		125.00
Land Use	SW		800.00
Assessor	SW		475.00
Clerk	SW		2,500.00
Admin	SW		1.00
Park Maintenance	OE		350.00
Petroleum	OE		1,950.00
Land Use	OE		25.00

TOTAL: \$70,546.00

A motion was offered by **Committeeman Magee** and seconded by **Deputy Mayor DiGiuseppe** to adopt Resolution 2018-12-10. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2018-12-11
RESOLUTION OF THE TOWNSHIP COUNCIL SUPPORTING BUS STOP LOCATIONS ALONG
ROUTE US 130 IN THE TOWNSHIP OF MANSFIELD AS RECOMMENDED BY THE NEW JERSEY
DEPARTMENT OF TRANSPORTATION

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a survey of all existing and recommended bus stop locations along Route US 130 within the Township of Mansfield, County of Burlington; and

WHEREAS, this survey included the following stops as currently existing or recommended stops along Route US 130 within the Township of Mansfield:

Along Route US 130, northbound, on the easterly side at:

- A. **Albert Avenue – (far side) (NJ Transit ID# 14497)**
Beginning at the northerly curb line of Albert Avenue and extending 100 feet northerly therefrom.
- B. **Maple Avenue – (far side) (NJ Transit ID# 14498)**
Beginning at the northerly curb line of Maple Avenue and extending 100 feet northerly therefrom.
- C. **Between Jachner Road (northerly intersect) and Kinkora Road (CR 678) – (mid-block) (NJ Transit ID# 14499)** Beginning at a point 155 feet north of the northerly curb line of Jachner Road and extending 135 feet northerly therefrom.
- D. **Between Kinkora Road (CR 678) and Burlington Road (CR 662) – (mid-block) (NJ Transit ID# 14501)**
Beginning at a point 1960 feet north of the northerly curb line of Kinkora Road (CR 678) and extending 135 feet northerly therefrom.

Along Route US 130, southbound, on the westerly side at:

- A. **Between Burlington Road (CR 662) and Kinkora Road (CR 678) – (mid-block) (NJ Transit ID # 14502)**
Beginning at a point 2715 feet south of the southerly curb line of Burlington Road (CR 662) and extending 135 feet southerly therefrom.
- B. **Jachner Road – (near side) (NJ Transit ID# 14504)**
Beginning at the prolongation of the northerly curb line of Jachner Road and extending 105 feet northerly therefrom.
- C. **Maple Avenue – (near side) (NJ Transit ID# 14505)**
Beginning at the prolongation of the northerly curb line of Maple Avenue and extending 105 feet northerly therefrom.
- D. **Albert Avenue – (far side) (NJ Transit ID# 14506)**
Beginning at the prolongation of the southerly curb line of Albert Avenue and extending 100 feet southerly therefrom.

WHEREAS, based on this survey, all currently recommended and existing approved bus stop locations will be approved by a new Traffic Regulation Order (TRO) by the NJDOT; and

WHEREAS, an initial step in the TRO process is to receive a Resolution of Support from the municipal governing body.

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Mansfield, County of Burlington, in the State of New Jersey, that it supports the bus stops along Route US 130 as listed herein.

BE IT FURTHER RESOLVED, that the Township of Mansfield concurs that any approved bus stop locations or Traffic regulations in conflict with or inconsistent with the provisions of this resolution be rescinded upon approval of the Traffic Regulation Order.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be submitted the NJDOT Bureau of Traffic Engineering as requested.

Regarding the above resolution, **Township Administrator Fitzpatrick** stated that a particular bus stop located on Kinkora Road was removed from the list provided in same, as the Chief of Police was concerned about potential safety hazards. **Committeeman Gable** expressed his concern that should said bus stop be removed by NJDOT, it would create a safety issue for pedestrians who would then have to travel on foot to the nearest bus stop. Accordingly, Mr. Gable suggested that the resolution be tabled until further information can be provided.

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Gable** to table Resolution 2018-12-11. Motion carried.

BILL LIST: Regular and Escrow

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

AYES: DIGIUSEPPE, CAIN, GABLE, MAGEE, HIGGINS

NAYS: ABSTAIN: GABLE (8573) ABSENT:

APPROVAL OF MINUTES

- November 28, 2018 (Magee absent)

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Cain** to approve the minutes of November 28, 2018. Motion carried on a Roll Call Vote, as follows:

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

• **December 6, 2018**

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to approve the minutes of December 6, 2018. Motion carried.

• **December 11, 2018** (Gable absent)

A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Magee** to approve the minutes of December 11, 2018. Motion carried on a Roll Call Vote, as follows:

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

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

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

DISCUSSION

A. Notary Fees: Deputy Clerk Midgette explained that on several occasions, certain residents have requested up to 500 pages of documents to be notarized at a time, and that said notarization process has taken up to four hours a day. Ms. Midgette inquired if the Township Committee would be interested in establishing an ordinance to implement notary fees at a potential rate of \$2.50 per signature as recommended by the New Jersey Division of Revenue. Slight discussion ensued. **Mayor Higgins** stated that he is in agreement with charging for notary services and including a provision within the ordinance to limit the amount of documents that can be notarized at one time to prevent significant disruption of the Clerk's Office. Township Committee agreed to move forward with an ordinance to establish notary fees.

B. Budget Meeting: Deputy Mayor DiGiuseppe inquired if a budget meeting will be held with department heads in order to gauge the financial needs of specific offices. **CFO Monzo** replied that requests have been submitted by all department heads, and that a report will be submitted for Committee review. Slight discussion ensued on budget restrictions and taxation levels.

C. Redevelopment Plan – Columbus Inne Area: Township Administrator Fitzpatrick explained that though the Olde Columbus Inne falls within an area deemed to be in need of redevelopment, no redevelopment plan has been formulated for the property. Accordingly, Mr. Fitzpatrick inquired if Committee would like to move forward with a redevelopment plan. **Township Solicitor Gillespie** stated that if the developers are interested in obtaining a PILOT agreement with the township, a redevelopment plan must be in place. If they chose to move forward without a redevelopment plan, then the developers must receive certain variances from the Planning Board in order to complete their overall objective for the property. **Deputy Mayor DiGiuseppe** expressed that she feels a redevelopment plan would be favorable to both the township and the developers. A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to direct **Township Administrator Fitzpatrick** to move forward in discussions with the developers of the Olde Columbus Inne regarding a potential redevelopment plan. Motion carried.

D. Meadows at Mansfield – Release of Bond: Township Administrator Fitzpatrick explained that **Township Solicitor Gillespie** issued an opinion that the \$17,000 cash bond posted by the developers of the Meadows at Mansfield residential development can be used to correct items on the final punch list dated December 4, 2014 that went unsatisfied, which should be overseen by the appointed 2019 Township Engineer. Additionally, Mr. Gillespie explained that the township is not authorized to release funds directly to the homeowner's association to complete the repairs; however, the township may contract with the association in order to facilitate same.

E. TRIAD (Affordable Housing Documents): Township Solicitor Gillespie recommended that this discussion item be tabled until a later date. A motion was offered by **Committeeman Magee**

and seconded by **Deputy Mayor DiGiuseppe** to table the discussion on affordable housing. Motion carried.

F. Recreational Facilities Use Applications – *South Jersey Spartans, Northern Burlington, Soccer Associations-Greyhounds, Northern Burlington Soccer Club, Jersey Outlaws Gold Tournaments, Hamilton Northern Burlington 14U Travel Baseball*: **Deputy Mayor DiGiuseppe** stated that all applications contain the required documents and have been approved by the Recreation Committee. A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Magee** to approve the above listed recreation facilities use applications. Motion carried.

G. Recreation Area (9 Acres): This item was not discussed, as it was considered in Executive Session.

H. Franklin Fire Company Junior Member – Matthew S. Matey: A motion was offered by **Deputy Mayor DiGiuseppe** and seconded by **Committeeman Magee** to approve the above listed junior member application. Motion carried.

I. Liberty Lakes: Township Administrator Fitzpatrick stated that a meeting was held with the owner of Liberty Lake, who would like to amend the property's uses in order to expand future services. Gracy Hulse Wynter Esq., representative for Andy Pritikin, explained that her client is seeking to amend the Interstate 295 and Florence-Columbus Road Area Redevelopment Plan to allow pre-existing non-conforming uses to be permitted, with said proposed uses outlined in the correspondence to the township dated November 21, 2018. **Committeeman Magee** inquired if said redevelopment plan can be amended specifically for one property. **Township Solicitor Gillespie** confirmed. Township Committee and Mr. Pritikin discussed his overall future objectives for Liberty Lake. Mr. Gillespie stated that some additional information and review will be needed, and recommended that a separate redevelopment plan be adopted solely for Liberty Lake. Township Committee agreed to move forward in negotiating said redevelopment plan. Accordingly, Mr. Gillespie stated that a redeveloper's escrow agreement will be forwarded to Mr. Pritikin for approval at the following Committee meeting.

PUBLIC COMMENTS

Colleen Herbert, 2 Millennium Drive, inquired about the application that will be submitted for CDBG funds pursuant to Resolution 2018-12-9. **Deputy Clerk Midgette** explained that the funds will be used to relocate the gazebo to the pond area at the Municipal Complex, and to make the same ADA accessible. **Township Administrator Fitzpatrick** added that ADA compliant pathways will also be installed at Mansfield Park. Ms. Herbert expressed her disappointment with same, and suggested that the grant funds be utilized for other projects.

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

MAYOR AND COMMITTEE COMMENTS

Township Committee thanked the public for attending.

EXECUTIVE SESSION

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to amend the agenda and reconvene into Executive Session to discuss matters relating to reorganization. Motion carried. Township Committee entered Executive Session at 7:07PM.

A motion was offered by **Committee Cain** and seconded by **Committeeman Gable** to exit Executive Session. Motion carried. Township Committee returned to the dais at 7:13PM.

ADJOURNMENT

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adjourn the meeting. Motion carried. Meeting adjourned at 7:13PM.

Prepared and submitted by:

Caitlin Midgette, Deputy Clerk

APPROVED: JANUARY 15, 2019