

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
February 6, 2019  
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 Sean Gable, Deputy Mayor Michael Magee, Committeeman Robert Higgins, Committeeman Frederick Cain, Committeewoman Janice DiGiuseppe, Township Administrator Michael Fitzpatrick, Township Solicitor John Gillespie, Chief Financial Officer Joseph Monzo, Deputy Treasurer Bonnie Grouser, Township Engineers John Pyne and Sam Agresta, Deputy Clerk Caitlin Midgette, and Municipal Clerk Linda Semus.**

**Mayor Gable** 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, 2019. 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, posted on the official website, 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, 2019.**

**EXECUTIVE SESSION**

**RESOLUTION 2019-2-1  
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:***  
*Contract Negotiations, Attorney-Client Privilege*
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 Cain** and seconded by **Deputy Mayor Magee** to adopt Resolution 2019-2-1 and convene into Executive Session. Motion carried. Township Committee entered the same at 5:32PM.

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor Magee** to exit Executive Session and return to the public portion of the meeting. Motion carried. Township Committee returned to the dais at 6:03PM.

**Township Solicitor Gillespie** explained that the purpose of Executive Session was to finalize matters regarding a potential PILOT agreement with the Margolis Warehouse Project, to discuss updates relating to affordable housing matters, the shared services agreement with Southampton Township for municipal court services, and the potential land swap with American Water. Mr. Gillespie further stated that Township Committee will reconvene into Executive Session at the conclusion of the public meeting, and that no formal action will be held following same.

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

**PRESENTATION – Michael Coyle of PSE&G**

Michael Coyle, Public Affairs Manager, briefed Township Committee on the voltage upgrade of the company's transmission system throughout Burlington County. Mr. Coyle explained that three miles of transmission line runs through Mansfield, and that voltage will be increased from 138,000 volts to 200,000. Jason Kalwa, Senior Project Manager, stated that the total scope of the project spans 55 miles, and that the structures in Mansfield were built in 1940 and are in need of replacement. Currently, there are 16 tower structures in Mansfield, all of which will be replaced

over the course of several years. The height of said towers will be increased by 15ft to 48ft, with most towers ranging from 25ft to 30ft. Mr. Kalwa stated that the construction will be intermittent, generally during night hours, and that the project is anticipated to be completed in full in 2022. Pictures and maps of the project were displayed and explained.

**Committeewoman DiGiuseppe** stated that information regarding the aforementioned project is available on the township's website.

### **ENGINEER'S REPORT:**

**Township Engineer Pyne** summarized the Engineer's Report as follows: a recommendation to improve the drainage issue on Lincoln Drive is being formulated; there are no updates on the NJDOT grant applications or the minor subdivision of the former municipal complex; the zoning map has been updated to reflect the anticipated zoning change on the White Pine property; the Axe Factory Roadway project is being finalized with NJDOT; a project coordination meeting will be held with the contractor of Mansfield Road East – Phase II to discuss the construction of same and potential White Pine Road repairs; the subdivision relating to the Margolis Warehouse Project was approved by the County Planning Board; formal recommendations regarding White Pine Road and Manheim NJ will be provided at a subsequent meeting; and miscellaneous inspections will be completed throughout the township.

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

### **FINANCE: 2019 Draft Budget Presentation**

**CFO Monzo** presented to Township Committee the 2019 preliminary budget. Mr. Monzo stated various aspects of same, summarized as follows: the township's tax rate is one cent for every \$99,000 of taxes; \$855 million of the township's assessed total value is residential, which consists of 86% of properties throughout the municipality; the end of the year fund balance is approximately \$56,000; the tax collection rate was down from 99% in 2017 to 97.75% in 2018, most likely relating to the increase of residents prepaying taxes for the latter year; the preliminary budget will see various increases in areas such as pension contributions, employee health insurance, and park maintenance; the projected budgeted expenditures include \$2.3 million for salaries, \$1.9 million in debt service, \$1.5 million in statutory expenses, and \$1.8 million in contractual obligations, insurances, and legal expenses; utility costs make up 4.3% of the budget, and department overhead costs are roughly 7%; the requested increase in aid to the Fire Company will require a public referendum if Township Committee is agreeable to same; new and anticipated revenue was discussed, such as funds from the sale of the former municipal complex and the shared municipal court services agreement with Southampton Township; department heads have submitted budget requests for the 2019 year for review; and the State moved the deadline to introduce and adopt the budget to March 29<sup>th</sup> and April 30<sup>th</sup> respectively due to the implementation of a new online budget system.

**Mayor Gable** stated that he would like to hold a special meeting to discuss the department manager's budget requests. Township Committee agreed to hold same on February 27, 2019 at 4:00PM.

Slight discussion ensued between Township Committee and support staff on delinquent taxes. **Committeeman Higgins** inquired if there would be a tax increase with the presented 2019 preliminary budget. Mr. Monzo replied that the proposed tax increase is 8%, averaging a 3.6 cent increase.

### **ORDINANCES – SECOND READING/PUBLIC HEARING**

#### **ORDINANCE 2019-1**

**AN ORDINANCE TO AMEND ORDINANCE 2018-18 WHICH AMENDS ORDINANCE 2017-9, "AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD ADOPTING A REDEVELOPMENT PLAN FOR PARCELS WITHIN COLUMBUS VILLAGE REDEVELOPMENT AREA CONSISTING OF THE FORMER MUNICIPAL COMPLEX, THE FIRE STATION AND THE MUNICIPAL POLICE STATION"**

**WHEREAS**, by Ordinance 2017-9, the Township Committee of the Township of Mansfield adopted a Redevelopment Plan for certain properties known as Block 28, Lots 5, 6 and 38, which included the municipal complex, fire station and police station, containing 3.82 acres; and

**WHEREAS**, by Ordinance 2018-6, the Township Committee authorized the sale of the municipally-owned properties at Block 28, Lots 5 and 6 to Saylor's Ponds Commons, LLC; and

**WHEREAS**, following the adoption of said Ordinance, the Township Committee then entered into an Agreement of Sale with Saylor's Ponds Commons, LLC, and over the last year, the parties have discussed the best re-use of the property and have determined that the Redevelopment Plan should be amended, to recognize that certain of the permitted uses contained therein, at pages 12-14, and specifically, subparagraph "H", "Medical Offices for Doctors, Dentists and Other Licensed Medical Professionals", might be able to be achieved without requiring formal site plan approval for said use, if certain conditions are met; and

**WHEREAS**, the Township Committee is desirous of facilitating the adaptive re-use of these buildings, and to do so in fashion that eliminates unnecessary delay and bureaucratic hurdles; and

**WHEREAS**, in order to achieve same, it is appropriate to amend the Redevelopment Plan to facilitate same.

**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 aforementioned "Columbus-Village/Former Municipal Complex Redevelopment Plan" is hereby amended at Article III "Redevelopment Plan" is hereby amended at page 18, paragraph "H", to read as follows, with the underlined language being added hereby:

"**H.** Unless otherwise indicated within this Redevelopment Plan, all provisions of the Code of the Township of Mansfield shall apply. Notwithstanding the foregoing, however, should the former municipal building be adaptively re-used and re-develop for "medical offices for doctors, dentists and other licensed medical professionals" as set forth in paragraph 'H' on page 14, *supra*, and if said use is limited to existing buildings, does not seek new construction of buildings, parking, or change in existing drainage, then, and in those events, site plan approval for said use, from the Township Planning Board, shall not be required; however, all building, sanitary, and other public health, safety, and welfare codes must be satisfied."

**BE IT FURTHER ORDAINED AND ENACTED** that this Ordinance shall take effect upon proper passage in accordance with the law, and any and all Ordinances inconsistent with the terms hereof are hereby repealed to the extent of any such inconsistencies.

**Deputy Mayor Magee and Committeeman Higgins** recused themselves for the vote on Ordinance 2019-1.

**Mayor Gable** opened the floor to public hearing on the aforementioned ordinance. There being no comments, the public hearing was closed.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to adopt Ordinance 2019-1. Motion carried on a Roll Call Vote, as follows:

**AYES: DIGIUSEPPE, CAIN, GABLE**

**NAYS: ABSTAIN: MAGEE, HIGGINS ABSENT:**

**Deputy Mayor Magee and Committeeman Higgins** returned to the dais.

#### **ORDINANCE 2019-2**

#### **CALENDAR YEAR 2019 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Township Committee of the Township of Mansfield in the County of Burlington finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$185,033.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Mansfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 5,471,705.89 and that the CY 2019 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction.

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**Mayor Gable** opened the floor to public hearing on Ordinance 2019-2. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Higgins** and seconded by **Committeewoman DiGiuseppe** to adopt Ordinance 2019-2. Motion carried on a Roll Call Vote, as follows:

**AYES: HIGGINS, DIGIUSEPPE, CAIN, MAGEE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

#### **ORDINANCE 2019-3**

#### **AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWNSHIP OF MANSFIELD AND RE-ZONING CERTAIN PROPERTY KNOWN AS BLOCK 3, LOT 6.06 (537 WHITE PINE ROAD) FROM “C-2” TO “R-1”**

**WHEREAS**, the Township of Mansfield is the owner, by way of an In Rem Tax Foreclosure of certain property now known as Block 3, Lot 6.06, located at 537 White Pine Road and located in the Township’s C-2 commercial zoning district; and

**WHEREAS**, said property is a remnant portion from a piece previously known as Lot 6.01, which was previously subdivided, and the other half of which has been developed for commercial purposes, while the 3.0 +/- acres owned by the Township of Mansfield has not been developed at all; and

**WHEREAS**, said property was the subject of a Zoning Board application seeking a use variance to construct a residence on Lot 6.01, situated in the C-2 zone, in 2003-2004; and

**WHEREAS**, at the time of the application, the Zoning Board found as a fact that:

“The present line between the C-2 Zone District and the R-1 Zone District was drawn to follow tax lot lines. Had the lot lines been drawn as now proposed by the applicant at the time of the drafting of the Master Plan and Zoning Ordinances, the demarcation between the C-2 Zone District and the R-1 Zone District likely would have been as is presently proposed by the applicant. This is because the proposed residential use of the southeasterly part of Lot 6.01 (proposed Lot 6.06), will provide a more regular line of demarcation between use types and cause commercial uses to obtrude less into the residential zone.” (ZBA Resolution 2004-01-04, “Findings of Fact”, par. 7); and

**WHEREAS**, no development ever occurred on the Lot 6.06 property, following said subdivision, taxes were not paid, and the Township was forced to exercise its rights under the In Rem Tax Foreclosure Act, N.J.S.A. 54:5-104.29 et seq.; and

**WHEREAS**, in consultation with the Township Planner, it has been recommended that the property be re-zoned for R-1 residential purposes, for the very reasons articulated by the Zoning Board in its above quoted par. 7 of Resolution 2004-01-04; and

**WHEREAS**, it is in the public interest not only to re-zone the property for planning purposes as articulated by the Zoning Board in 2004, but also to improve the ability of the Township, as the current owner of the property, to sell same at auction, thereby creating a benefit to the taxpayers of the Township of Mansfield.

**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.** The boundaries of the R-1 residential zoning district are hereby re-drawn to include Block 3, Lot 6.06, subject to all standards, requirements, benefits and limitations of said zoning district, and of Zoning Board of Adjustment Resolution 2004-01-04, as said re-drawing of said boundary will better reflect the land use pattern for the area, as articulated by the Zoning Board of Adjustment in 2004, which articulation is incorporated herein and adopted hereby as if set forth at length as one of the premises for the adoption of the Ordinance.

**Article II.** Upon final adoption of this Ordinance, the Township Engineer is direct to amend the Mansfield Township Zoning Map to include Block 3, Lot 6.06 within the boundaries of the R-1 residential zoning district as indicated above.

**Article III.** Repealer, Severability and Effective Date.

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

**Mayor Gable** opened the public hearing on Ordinance 2019-3.

James Walton, 525 White Pine Road, asked for clarification on the change of zoning and future plans for the property. **Deputy Mayor Magee** explained that the property is being rezoned as residential, and that the Township Committee intends to sell same.

There being no additional comments, the public hearing on Ordinance 2019-3 was closed.

**Township Solicitor Gillespie** stated that the Planning Board determined that said ordinance is consistent with the master plan.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Ordinance 2019-3. Motion carried on a Roll Call Vote, as follows:

**AYES: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

## **ORDINANCES – FIRST READING**

### **ORDINANCE 2019-4**

#### **AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED “FEES FOR ADMINISTRATIVE SERVICES”**

**WHEREAS**, N.J.S.A. 22A:4-14 allows notaries public to charge a fee in exchange for certain services; and

**WHEREAS**, N.J.S.A. 22A:4-14 defines those specific services and fees; and

**WHEREAS**, the Township Committee believes it is necessary and helpful to amend the existing Fee Ordinance to conform to those statutory standards.

**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 20-1, titled “Fees enumerated” is hereby amended as follows by the addition of the following subsection [newly added material is indicated by underlined text; deletions are indicated with ~~striketrough~~]:

§20-1 Fees enumerated:

[Sections A through I to remain unchanged]

J. Notary Service fees. As a service to the public, the Township often makes available the services of its staff who are licensed notaries public within the State of New Jersey. However, there is no obligation to provide these services, and it is afforded as a courtesy as a nominal fee. The fees for services associated with the notary service are set forth below. However, it is expressly understood, that should staff in the Clerk’s office be unable, due to time or other constraints, to provide these services, they will not be obligated to do so. Moreover, should they agree to do so, time and other circumstances permitting, there will be a limit of no more than thirty (30) documents per requestor, per day, which staff will be permitted to handle and notarize or provide the other services set forth below. The fees are as follows:

1. Administration of oath/affirmation: \$2.50/each occurrence

2. Execution of jurat: \$2.50/each occurrence

3. Taking proof of a deed: \$2.50/each occurrence

4. Taking an acknowledgment: \$2.50/each occurrence

#### **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.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to introduce Ordinance 2019-4. Motion carried.

### **ORDINANCE NO. 2019-5**

#### **AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND FLORENCE COLUMBUS ROAD URBAN RENEWAL, LLC, FOR A PORTION OF PROPERTY CURRENTLY KNOWN AS LOTS 3.02, 9.01, 9.02, 11 AND 12 WITHIN BLOCK 47.01 (WHICH WILL BE SUBDIVIDED AND KNOWN AS BLOCK 47.01, LOT 11.01), PURSUANT TO THE LONG TERM TAX EXEMPTION LAW (N.J.S.A. 40A:20-1 et seq.)**

**WHEREAS**, the Township of Mansfield ("Township") is a municipal entity organized and existing under the laws of the State of New Jersey and located in Burlington County; and

**WHEREAS**, pursuant to the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* ("Redevelopment Law"), specifically including *N.J.S.A. 40A:12A-6(a)*, the Township Committee of the Township ("Governing Body") adopted a resolution adopting the recommendation of the Township Planning Board and designated, among other parcels now known as Block 47.01, Lots 3.02, 9.01, 9.02, 11 and 12 (to be, upon finalized subdivision, known as Block 47.01, Lots 11.01 and 11.02), on the official Tax Map of the Township, generally identified by the street address of Florence-Columbus Road and Jacksonville-Hedding Road, Mansfield, New Jersey 08053 ("Redevelopment Property"), as a "Redevelopment Area" as such term is defined in the Redevelopment Law; and

**WHEREAS**, pursuant to such designation, by Ordinance No. 2016-4, the Governing Body adopted the "Redevelopment Plan Interstate 295 and Florence Columbus Road", a redevelopment plan that includes applicable development goals and standards for, among other things, the redevelopment of the Redevelopment Property ("Redevelopment Plan"); and

**WHEREAS**, the Township has heretofore designated the Governing Body as the "Redevelopment Entity" (as such term is defined in the Redevelopment Law) for the purpose of implementing the Redevelopment Plan; and

**WHEREAS**, by adoption of Resolution 2018-5-7, the Governing Body appointed Florence-Columbus Road, LLC ("Developer"), as the redeveloper of the Redevelopment Property; and

**WHEREAS**, the Developer has subsequently reorganized as a urban renewal entity formed and qualified to do business under the provisions of the New Jersey Long Term Tax Exemption Law (*N.J.S.A. 40A:20-1 et seq.*) ("Long Term Tax Exemption Law") and, in connection therewith, changed its legal name to "Florence Columbus Road Urban Renewal, LLC"; and

**WHEREAS**, the redevelopment plan of the Developer consists of the redevelopment of the Redevelopment Property by development and construction of three (3) industrial warehouses and distribution buildings (inclusive of office and administrative space) totaling approximately 1,771,824 square feet, together with associated parking, landscaping, lighting and other site improvements, to be constructed in two (2) phases on the Redevelopment Property; and

**WHEREAS**, Phase I of the Developer's approved redevelopment plan includes the development and construction of (i) Building 1 (approximately 249,364 square feet) upon that portion of the Redevelopment Property that will, upon finalization of subdivision, constitute Block 47.01, Lot 11.01 on the official Tax Map of the Township (referred to as the "Property"), and (ii) Building 2 (approximately 710,500 square feet) upon the Property (collectively, the "Project"); and

**WHEREAS**, the Developer has or will purchase or lease the Property and construct, or cause to be constructed, the Project; and

**WHEREAS**, the Long Term Tax Exemption Law permits a municipality to enter into a financial agreement exempting real property from tax assessment and accepting payments in lieu of taxes where the property is qualified; and

**WHEREAS**, in accordance with the Long Term Tax Exemption Law, the Developer submitted a written application ("Application") to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project ("Improvements"), which Application was approved pursuant to resolution of the Governing Body of the Township; and

**WHEREAS**, the Governing Body has heretofore determined, *inter alia*, that the Project would not have been constructed without a tax exemption for the Improvements; and

**WHEREAS**, as part of its Application for tax exemption, the Developer submitted a form of Financial Agreement ("Financial Agreement") providing for payments in lieu of taxes, a copy of which is attached to this Ordinance as Exhibit "A", which includes exhibits and schedules attached to the Financial Agreement; and

**WHEREAS**, the Governing Body has heretofore determined that exemption from taxation of the Improvements pursuant to the Financial Agreement and receipt by the Township of annual service charges in lieu of taxes allows maximum redevelopment of the Property and is, therefore, in the best interest of the Township and is in accordance with the provisions of the Long Term Tax Exemption Law and the public purposes pursuant to which the redevelopment has been undertaken; and

**WHEREAS**, the Governing Body now deems it to be in the best interest of the Township to adopt an Ordinance authorizing the Township to enter into the Financial Agreement with the Entity on the terms and conditions stated in the Financial Agreement attached to this Ordinance and as further set forth herein, including *inter alia* the granting of a tax exemption:

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Township will enter into a Financial Agreement with the Developer on the terms and conditions stated in the Financial Agreement attached to this Ordinance and as further set forth herein:

1. The Governing Body makes such determinations and findings by virtue of and pursuant to and in conformity with the Long Term Tax Exemption Law.

2. The development of the Project is hereby approved for the grant of a tax exemption under the Long Term Tax Exemption Law by virtue of, pursuant to and in conformity with the provisions of the same.

3. The Financial Agreement, in substantially the form attached (with such changes as shall be approved by the Township Administrator and the Township Solicitor upon prior notice to the Governing Body), and all exhibits and schedules thereto, are hereby authorized and approved.

4. The Improvements, when constructed and deemed substantially completed, shall be exempt from real property taxation and, in lieu of real property taxes, the Entity shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.

5. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the Department of Community Affairs, Director of the Division of Local Government Services.

**BE IT FURTHER ORDAINED AND ENACTED**, that this Ordinance shall take effect upon proper passage in accordance with the law;

**BE IT FURTHER ORDAINED** that the Mayor, the Township Administrator, the Township Chief Financial Officer are each hereby authorized to execute the Financial Agreement and any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement. Such Financial Agreement and any additional documents may each be attested on behalf of the Township by the Township Clerk or Township Deputy Clerk.

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor Magee** to introduce Ordinance 2019-5. Motion carried on a Roll Call Vote, as follows:

**AYES: CAIN, MAGEE, DIGIUSEPPE, HIGGINS, GABLE**

**NAYS:           ABSTAIN:   ABSENT:**

**ORDINANCE NO. 2019-6**  
**AN ORDINANCE TO AMEND ORDINANCE 1978-8, ADOPTED 12/19/1978, AMENDED 6/5/2000 BY**  
**ORDINANCE 2000-8 CHAPTER 65 ZONING; ARTICLE XXX LOW-AND-MODERATE INCOME**  
**HOUSING MANAGEMENT PROGRAM AT SECTION 65-166, B(2) – AFFIRMATIVE MARKETING**

**WHEREAS**, the Township of Mansfield adopted a Zoning Ordinance to cover, among other things, the low and moderate income housing management program for the Township; and,

**WHEREAS**, said Ordinance provided for the affirmative marketing of said low and moderate income housing; and,

**WHEREAS**, the Township of Mansfield has decided to amend that portion of the ordinance relating to affirmative marketing to allow the administrative agent to charge a reasonable fee to program participants for the administration of the affirmative marketing of the Affordable Housing Program.

**NOW, THEREFORE, BE IT RESOLVED**, that Chapter 65. Zoning; Article XXX. Low-and Moderate-Income Housing Management Program at section 65-166, B(2) be replaced with the following language:

The developer shall assume all costs for the affirmative marketing and initial sales and rental transactions associated with the low and moderate income housing development. The developer’s administrative agent shall have all of the responsibilities as set forth in this ordinance and shall follow the same procedures for affirmative marketing, qualifying individuals and households and recording of property instruments as described herein for the Township’s Administrative Agent. After the initial sales and rental transactions, the Administrative Agent shall assume the duties of the developer’s administrative agent for any re-sales or rentals. The Administrative Agent shall charge a reasonable fee to the program seller(s)/owner(s) for which the services of the Administrative Agent are required. The Administrative Agent shall perform the duties and responsibilities of an Administrative Agent as set forth in the Uniform Housing Affordability Controls (UHAC) N.J.A.C. 5:80-26, et seq., including those set forth in N.J.A.C. Sections 5:80-26.14, 16 and 18 thereof.

**REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

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.

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 **Committeewoman DiGiuseppe** to introduce Ordinance 2019-6. Motion carried.

**RESOLUTIONS**

**RESOLUTION 2019-2-2**

**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 6th day of February, 2019 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:

<u>Title</u>		<u>From</u>	<u>To</u>
Tax Collector	SW	490.00	
Police	SW	1,725.00	
OEM	OE	3,200.00	
Buildings and Grounds	OE	4,100.00	
Solid Waste	OE	1,850.00	
Zoning	OE	725.00	
Park Maintenance	OE	1,025.00	
Tax Collector	OE	160.00	
Tax Assessor	OE	200.00	
JIF Safety	OE	295.00	
Property Maint	SW	340.00	
Property Maint	OE	340.00	
Other Cde Fire	OE	350.00	
Streets and Roads	SW	780.00	
Public Health	SW	155.00	
Public Health	OE	333.00	
Prosecutor	OE	200.00	
DCRP	OE	850.00	
Social Services	OE	300.00	
Committee	SW	160.00	
Court	SW	530.00	
Clerk	OE		1120.00
Finance	OE		439.00
Admin	OE		45.00
Streets	OE		510.00

Court	OE	1525.00
Vehicle Maintenance	OE	2,030.00
Environmental Health	OE	147.00
Planning	OE	410.00
Land Use	OE	81.00
Water	OE	3800.00
Petroleum	OE	3410.00
Telephone	OE	795.00
Engineering	OE	1615.00
Police	OE	2181.00
<b>TOTAL</b>		<b>\$18,108.00</b>

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-2-2. Motion carried on a Roll Call Vote, as follows:

**AYES: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

**RESOLUTION 2019-2-3  
RESOLUTION AWARDED A CONTRACT TO  
RAY MORICONI JR. LANDSCAPING FOR THE INSTALLATION  
OF DRAINAGE IMPROVEMENTS AT GEORGETOWN COMMUNITY PARK**

**WHEREAS**, there exists a need for drainage improvements at Georgetown Community Park; and

**WHEREAS**, a quote was received from Ray Moriconi, Jr. Landscaping, 102 Georgetown Road, Wrightstown, New Jersey 08562 in the amount of \$8,600.00 to provide for the aforementioned services, the same of which is attached hereto and made part hereof.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that a contract is hereby awarded to Ray Moriconi, Jr. Landscaping to provide for the installation of drainage improvements at Georgetown Park in the amount of \$8,600.00.

In regards to the above resolution, **Mayor Gable** stated that of several quotes received, the aforementioned contractor provided the most reasonable.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2019-2-3. Motion carried on a Roll Call Vote, as follows:

**AYES: DIGIUSEPPE, CAIN, HIGGINS, MAGEE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

**RESOLUTION 2019-2-4  
RESOLUTION FOR THE REDEMPTION OF TAX LIEN**

**WHEREAS**, at the Mansfield Township Tax Sale held on October 11, 2017, a lien was sold to TFS Custodian for FIG Cap Inv NJ13 on Block 42.11, Lot 49, also known as 18 Wagon Wheel Lane for 2016 delinquent taxes; and,

**WHEREAS**, Title Evolution has affected redemption of Certificate #17-00008 on behalf of Jamie Toleno.

**NOW, THEREFORE, BE IT RESOLVED**, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, authorizes that a check be issued to TFS Custodian for FIG Cap Inv NJ13, for the redemption of this lien.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
TFS Custodian for FIG Cap Inv NJ13	17-00008	\$22,382.22

A motion was offered by **Committeeman Higgins** and seconded by **Deputy Mayor Magee** to adopt Resolution 2019-2-4. Motion carried on a Roll Call Vote, as follows:

**AYES: HIGGINS, MAGEE, CAIN, DIGIUSEPPE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

**BILL LIST – Regular and Escrow**

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

**AYES: DIGIUSEPPE, CAIN, HIGGINS, MAGEE, GABLE**

**NAYS: ABSTAIN: GABLE (8699, 8663) ABSENT:**

**MINUTES**

- January 15, 2019

A motion was offered by **Deputy Mayor Magee** and seconded by **Committeeman Cain** to approve the minutes of January 15, 2019. Motion carried on a Roll Call Vote, as follows:

**AYES: MAGEE, CAIN, HIGGINS, GABLE**

**NAYS: ABSTAIN: DIGIUSEPPE ABSENT:**

#### **DISCUSSION**

**A. Lighting and Signage for Municipal Complex:** **Township Administrator Fitzpatrick** stated that a proposal was received from Colorcraft Sign Company for the purchase and installation of an entrance sign, in addition to furnishing the address in large lettering on the municipal building. In regards to lighting, a quote was submitted by DFW Electric to install bollard lights at the entrance of the Municipal Complex to increase visibility. Discussion ensued between Township Committee and support staff on the costs and aesthetic particulars of same. **Deputy Mayor Magee** requested that the Township Engineer examine the future location of the entrance sign to ensure it does not impact the line of sight for motor vehicle operators. Township Committee considered placing the building's address on the entrance sign rather than the building itself in order to save on costs.

A motion was offered by **Deputy Mayor Magee** and seconded by **Committeeman Higgins** to have Colorcraft solely install the entrance sign and have the Township Engineer inspect same. Motion carried on a Roll Call Vote, as follows:

**AYES: MAGEE, HIGGINS, CAIN, DIGIUSEPPE, GABLE**

**NAYS: ABSTAIN: ABSENT:**

**B. White Pine Road Property:** **Mayor Gable** inquired about how Township Committee would like to move forward with the sale of the White Pine Road property. **Township Solicitor Gillespie** stated that the property may be sold via a public auction, and explained the process of same. Mr. Gillespie also noted that a private sale via ordinance could be held if the property was to be sold to neighboring owners. **Committeewoman DiGiuseppe** inquired if the property could be sold on GovDeals. **CFO Monzo** stated that if GovDeals can abide by the authorizing ordinance, it would be an efficient way to reach a wider audience and any potential interested parties. **Township Solicitor Gillespie** inquired if the deed restriction requiring the retention of a wooded buffer on the property noted in Zoning Board Resolution 2004-01-04 was ever implemented, and if the foreclosure complaint extinguished the restriction. If not, then the judgement of foreclosure does not apply to the same.

**C. Jones Farm:** **Township Administrator Fitzpatrick** stated that the property was originally zoned as Light Industrial, but recently rezoned to residential (R1). Mr. Fitzpatrick stated that the owner of the property is looking to advertise the sale of same, and would like confirmation that the zoning will not change as to not compromise prospective buyers. **Deputy Mayor Magee** suggested adding an overlay to the zoning to give the option of affordable housing. Mr. Magee further recommended that the Township Planner be consulted to give an opinion on the predominant use of the property. **Township Solicitor Gillespie** noted that it would be difficult to build residential units without the ability to connect to sewer, which effectively renders the property unbuildable as a residential zone. **Committeewoman DiGiuseppe** expressed that the property owner should hire their own planner to research the property. Discussion ensued on the matter. **Mayor Gable** stated that the property was rezoned as R1 with the anticipation of acquiring sewer, and since the same is no longer available, the property should be reevaluated to meet current conditions.

A motion was offered by **Committeeman Higgins** and seconded by **Committeewoman DiGiuseppe** to amend the agenda to discuss the usage of recreational fields. Motion carried.

**D. Recreation Field Use:** **Committeewoman DiGiuseppe** explained that the Recreation Committee has discussed the use of Mansfield's recreation fields as it pertains to external organizations. Colleen Herbert, Chair of the Recreation Committee, stated that the committee has considered controlled use of fields, a permitting process for external organizations, and the legalities of removing unpermitted organizations from the fields. Discussion ensued. **Township Solicitor Gillespie** stated that if organizations are using regulated municipal property without permission, then the unscheduled individuals can be removed from the fields. Additionally, Mr. Gillespie explained that recreation permits can be denied depending on the reason, and the

Recreation Committee must establish an objective and limited basis of denial. **Township Administrator Fitzpatrick** suggested that the Recreation Committee examine reasons for denial, and submit the same to Township Committee in writing for consideration. **Mayor Gable** recommended that external organizations be required to groom recreation fields themselves to save the time and cost of utilizing Public Works employees.

#### **PUBLIC COMMENTS**

Carl Schwartz, 40 Fitzgerald Lane, questioned if the COLA funds ever had to be utilized in the past. **CFO Monzo** confirmed same, and stated that COLA funds will need to be used for this year's budget. Mr. Monzo explained that every year, the State makes cost of living adjustments and allows municipalities to increase spending by that percentage. If a municipality does not use the extra funds, the same may be rolled over for two consecutive years.

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

#### **MAYOR AND COMMITTEE COMMENTS**

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

#### **EXECUTIVE SESSION**

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor Magee** to reconvene into Executive Session. Motion carried.

**Township Solicitor Gillespie** explained that the purpose of reentering Executive Session is to discuss matters of attorney-client privilege, and that no formal action will be taken upon the conclusion of same. Township Committee reentered Executive Session at 7:51PM.

A motion was offered by **Deputy Mayor Magee** and seconded by **Committeeman Cain** to exit Executive Session and return to the public portion of the meeting. Township Committee returned to the dais at 8:20PM.

#### **ADJOURNMENT**

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adjourn the meeting. Motion carried. Meeting adjourned at 8:20PM.

**Prepared by:**

**Respectfully submitted by:**

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**Caitlin Midgette, Deputy Clerk**

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**Linda Semus, Municipal Clerk**

**APPROVED: March 7, 2019**