

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
February 4, 2019
Executive Session – 6:00PM
Regular Session – 7:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the aforementioned date with the following in attendance: **Mayor Sean Gable, Committeeman Robert Higgins, Committeeman Frederick Cain, Committeewoman Janice DiGiuseppe, Township Administrator Michael Fitzpatrick, Township Solicitor John Gillespie, Chief Financial Officer Joseph Monzo, Township Engineers John Pyne and Sam Agresta, Deputy Clerk Caitlin Midgette, and Municipal Clerk Linda Semus.** Deputy Mayor Magee was absent from tonight's meeting.

Mayor Gable called the meeting to order at 6:11PM, 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 via Resolution 2019-3-14, which was adopted by the Mansfield Township Committee on March 20, 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 March 21, 2019.

EXECUTIVE SESSION

**RESOLUTION 2019-4-1
RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 213, P.L. 1975 [NJSA 10:4-12(B)] permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exists;

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

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows:
Personnel, Contract Negotiations, Potential Litigation
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 **Committeewoman DiGiuseppe** to adopt Resolution 2019-4-1 and convene into Executive Session. Motion carried. Township Committee entered same at 6:12PM.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to exit Executive Session and return to the public portion of the meeting. Township Committee returned to the dais at 7:04PM.

Mayor Gable explained that the purpose of Executive Session was to discuss personnel matters regarding the municipal court shared service agreement with Southampton and possible contract negotiations with Chesterfield for EMS services.

Township Solicitor Gillespie included that contract negotiations with a certain developer were discussed, as well as a matter involving payments to a certain vendor that falls within attorney-client privilege.

The regular meeting was called to order by **Mayor Gable** followed by the flag salute and a moment of silence.

ENGINEER’S REPORT

A. Digital Tax Maps: Township Engineer Pyne stated that the township’s tax maps need to be updated, and it will soon be a requirement of the State to have all tax maps exclusively digitized. Mr. Pyne continued by stating that there are approximately 1,400 tax maps in need of review and edits in order to be in compliance with State regulations. Additionally, updating the tax maps will also aid in a tax assessment reevaluation should one occur in the near future. Mr. Pyne stated that the proposal for the aforementioned services is in the amount of approximately \$80,000. **Mayor Gable** stated that the expenditure of said funds will have to be discussed after the adoption of the budget. **CFO Monzo** explained that the State allows municipalities to adopt emergency appropriations specifically for the update of tax maps that can be paid over the course of five years. Additionally, it was estimated that a total reevaluation will cost approximately \$400,000, which includes the cost of the tax maps.

B. Mt. Pleasant and Chesterfield-Georgetown Road Proposal: Township Engineer Pyne explained that a design proposal was submitted for the aforementioned roadways, and it is anticipated to complete the bidding and construction of said projects this year. The cost of the same is estimated to be approximately \$34,775. **Mayor Gable** inquired if there was enough funds in the current budget to move forward in authorizing the aforementioned amount. **CFO Monzo** replied that there is not enough funds and the project cannot be authorized until the 2019 budget is adopted. **Township Engineer Pyne** stressed that the State is prepared to pull grant funds if they are not utilized in the first 18 months of receipt. Slight discussion ensued.

C. DOT Grant Award – Railroad Ave & White Pine Road Repairs: Township Engineer Pyne stated that the township received \$250,000 in State aid for repairs on Railroad Avenue and White Pine Road. However, the original estimate for the project was \$400,000. Accordingly, Mr. Pyne recommended that the grant proposal be amended to only include repairs to White Pine Road. Township Committee agreed with this recommendation.

D. Park Grants: Township Administrator Fitzpatrick explained that that an inspection was conducted on the newly installed pavilion at Georgetown Park, and that there are some minor punch list repairs that must be addressed by the contractor.

FINANCE

**RESOLUTION 2019-4-2
RESOLUTION OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, NEW JERSEY,
AMENDING THE 2019 TEMPORARY BUDGET**

WHEREAS, Section 40A-4-19 provides that temporary appropriations may be made to provide for the period between the beginning of the budget year and the date of adoption of the budget; and,

WHEREAS, the temporary budget was adopted on January 15, 2019 and amended on March 7, 2019; and

WHEREAS, the 2019 Municipal Budget of the Township of Mansfield has not been fully adopted;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at a meeting held April 4, 2019 that the following additional temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer after adoption.

Current Fund

<u>Department</u>	<u>Amount</u>
ENG: Miscellaneous	\$25,000.00
SWASTE: Miscellaneous	\$44,000.00
ELEC: Miscellaneous	\$16,000.00
WATER: Miscellaneous	\$8,000.00
PETRO: Gasoline	\$7,500.00
Landfill: Miscellaneous	\$40,000.00
Community Services Act: Condo Reimburse	\$10,500.00
ROAD: Salary & Wage	\$30,500.00
RECYCLING: Salary & Wage	\$2,500.00

PARK MAINTENANCE: Miscellaneous	\$13,500.00
INTERLOCAL SPRINGFIELD COURT: S & W	\$8,500.00
TAX A: Salary & Wage	[\$4,800.00]
PLAN: Miscellaneous	[\$6,000.00]
LAND USE: Miscellaneous	[\$5,050.00]
LIABINS: Liability Insurance	[\$12,500.00]
EMGMT: Miscellaneous	[\$500.00]
B & G: Salary & Wage	[\$40,000.00]
PHEALTH: Miscellaneous	[\$3,000.00]
EHEALTH: Miscellaneous	[\$650.00]
CONSS: Contribution Social Services	[\$2,100.00]
RECREATION: Miscellaneous	[\$32,500.00]
SHADE: Miscellaneous	[\$4,700.00]
General Operations	\$94,200.00
Utility Fund	
Operating Expenses	\$7,500.00

CFO Monzo explained that the above resolution must be adopted to fund expenses through the adoption of the budget which is set to be on May 2nd.

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

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

RESOLUTION 2019-4-3
MUNICIPAL BUDGET OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, FOR THE FISCAL YEAR 2019

Township Of Mansfield [Code 0318], Burlington County - 2019 Budget
MUNICIPAL BUDGET NOTICE

Section 1.

Municipal Budget of the Township of Mansfield, County of Burlington for the Fiscal Year 2019.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year;

Be It Further Resolved that said Budget be published in the Burlington County Times In the issue of April 7, 2019

The Governing Body of the Township of Mansfield does hereby approve the following as the Budget for the year 2019: Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Mansfield, County of Burlington, on April 4th, 2019. A Hearing on the Budget and Tax Resolution will be held at Township Municipal Building, on May 2nd, 2019 at 7:00 o'clock (P.M.) at which time and place objections to said Budget and Tax Resolution for the year may be presented by taxpayers or other interested persons.

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)

1. Appropriations within "CAPS"	
(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S. 40A:4-45.2)}	\$ 5,653,969.34
2. Appropriations excluded from "CAPS"	
(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S. 40A:4-45.3 as amended)}	\$ 2,010,386.10
(b) Local School District Purposes in Municipal Budget (Item K, Sheet 29)	0.00
Total General Appropriations excluded from "CAPS" (Item O, Sheet 29)	\$ 2,010,386.10
3. Reserve for Uncollected Taxes (Item M, Sheet 29) –	
Based on Estimated 97.8 % Percent of Tax Collections	\$ 724,228.86
4. Total General Appropriations-	\$ 8,338,584.30
5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)	
(i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)-	\$ 3,340,635.00
6. Difference: Amounts to be Raised by Taxes for Support of Municipal Budget (as follows)	
(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	\$ 5,047,949.30
(b) Addition to Local District School Tax (Item 6(b), Sheet 11)	0.00
(c) Minimum Library Tax	0.00

CFO Monzo explained that the proposed budget is within the spending and levy CAP, and comes with local purpose tax increase of 2.36 cents, which is approximately a \$58.00 increase for the average residential home. This year, the township's budget process is under State exam. Additionally, the budget can be amended before final adoption at the Township Committee's request. Mr. Monzo continued to explain that the budget does not include the sale of the former municipal complex or property on White Pine Road as formal closings have yet to take place, though the State will accept a contract of sale to satisfy proof that the funds from same will be received this year. **Mayor Gable** stated that the property on White Pine Road will not sell before the adoption of the budget on May 2nd, but a tentative closing date for the former municipal complex has been set for April 25th.

Committeeman Cain inquired about the amount to be raised by taxation. **CFO Monzo** replied that the amount to be raised by taxation is \$5,047,949.30. Mr. Cain then noted that said number is a reduction from the preliminary budget, and inquired as to where the reduction in funds occurred. Mr. Monzo responded that \$30,000 was used from surplus in order to decrease the budget to fit within the levy CAP.

Committeeman Cain stated that he examined the budget, and found approximately \$46,000 in several appropriations that he believes can be saved. **CFO Monzo** reiterated that Committee can choose to review the budget and make amendments before the adoption, but noted that depending on the size of the amendment, readvertisement and delay of adoption may be possible as required by law. Slight discussion ensued. Mr. Monzo stated that will review Mr. Cain's recommendations and report his findings to Committee before May 2nd.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-4-3. Motion carried on a Roll Call Vote, as follows:

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

BILL LIST

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

AYE: CAIN, DIGIUSEPPE, HIGGINS, GABLE
NAY: ABSTAIN: GABLE (8946) ABSENT: MAGEE

MINUTES – March 20, 2019

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to approve the aforementioned minutes. Motion carried.

ORDINANCES – SECOND READING

**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 re-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.

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

Mayor Gable explained that the aforementioned ordinance will amend the administrative fees for closing costs of affordable housing units in that the seller of the property will now be responsible for covering said costs. In previous years, the township was covering the costs of same.

Mayor Gable opened the public hearing on Ordinance 2019-6. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Ordinance 2019-6. Motion carried on a Roll Call Vote, as follows:

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

Committeewoman DiGiuseppe stated that though she is in favor of Ordinance 2019-6, she hesitantly voted in favor because closing costs have not applied to sellers in the past.

ORDINANCE 2019-7
AN ORDINANCE TO AMEND ORDINANCES 2019-1 AND 2018-8, WHICH AMENDED
ORDINANCE 2017-9, "AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD ADOPTING A
REDEVELOPMENT PLAN FOR PARCELS WITHIN THE 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 located in the "Columbus Village/former Municipal Complex" area, which Ordinance established certain permitted uses for properties within that area, and specifically Block 28, Lots, 5, 6 & 38; and

WHEREAS, said Ordinance was subsequently amended by Ordinance 2019-1 and 2018-8; and

WHEREAS, Saylor's Pond, LLC, the Redeveloper designated by the Township Committee has requested permission to allow for the conversion of the former building on Block 28, Lot 6 into a single-family residential dwelling, which is a use not currently permitted in the Redevelopment Plan; and

WHEREAS, the Township Committee deems it appropriate to allow said building to be used for a single-family residential dwelling, subject, however, to the requirement that the Redeveloper close title on this property and actually purchase same within thirty (30) days of the date of the adoption of the Ordinance; and

WHEREAS, in order to achieve same, it is appropriate to amend the Redevelopment Plan to facilitate same, and to establish other provisions to further facilitate the prompt sale of the property to the Redeveloper and closing of title on same.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the aforementioned "Columbus Village/former Municipal Complex Redevelopment Plan" is hereby amended at Article III, and the various "Land Use Policy Objectives" contained therein, to reflect that notwithstanding previous determinations about residential uses in this Redevelopment Area, the use of Lot 6 for a single-family dwelling is appropriate and does not defeat the underlying policy objectives of the Redevelopment Plan; and

BE IT FURTHER ORDAINED that Article III, subparagraph B, "Permitted Uses" is hereby amended to add a new subparagraph (24) on page 14 of the Plan to read as follows:

“(24) Single-Family Residential Use on Lot 6 only.”

BE IT FURTHER ORDAINED that Article III, “Other Regulations” beginning on page 16 of the Plan is hereby amended to add a new paragraph J:

“J. Commencement and Completion of Project. In accordance with the provisions of N.J.S.A. 40:12A-9, the Redeveloper shall commence reconstruction and/or rehabilitation of at least the building on Lot 6 within ninety (90) days of closing of title on the property, and shall complete the Redevelopment of the complete Project within two (2) years of the date of said closing.”

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; however, in the event that title to the property does not close within thirty (30) days of the date of adoption of this Ordinance by the Township Committee, the provisions set forth above regarding residential usage of Lot 6 shall automatically expire and be of no further force and effect; however, the balance of the Ordinance regarding time for commencement of construction and completion of the Project shall remain in full force and effect.

Mayor Gable explained that the aforementioned ordinance allows for a certain building in the redevelopment plan to be used as a single family residential area. The ordinance was approved by the Planning Board.

Mayor Gable opened the public hearing on Ordinance 2019-7. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adopt Ordinance 2019-7. Motion carried on a Roll Call Vote, as follows:

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

ORDINANCES – FIRST READING

ORDINANCE 2019-8

AN ORDINANCE TO REPEAL ORDINANCE 2017-16 WHICH AMENDED CHAPTER 65, ENTITLED “ZONING”, IN AND FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, by Ordinance 2017-16, the Township Committee of the Township of Mansfield rescinded Ordinance 2017-13, and reintroduced said Ordinance in its entirety, as a result of which reintroduction, and subsequent adoption, the Township re-zoned certain properties from the LI, Light Industrial District, and made them part of the R-1 District of the Township, which properties included the following:

- Block 59, Lots 7.01 and 7.02
- Block 60, Lot 6
- Block 800.07, Lot 1 (part of)
- Block 800.08, Lot 1; and

WHEREAS, the Township of Mansfield adopted this Ordinance based upon a request from a neighboring municipality seeking to reduce the impact of potential additional truck traffic along the Route 130 corridor if the above-mentioned properties remained zoned for Light Industrial purposes; and

WHEREAS, the Township of Mansfield was also given certain representations that sewer capacity would be made available to this area of Route 130 in the event that the zoning was changed from LI, Light Industrial to R-1 Residential; but since the adoption of the Ordinance, not only has sewer not been made available, but the Township’s efforts to have sewer brought to the sites has been flatly rejected and thus the ability to develop housing on the area as permitted under the R-1 zoning district, is hampered by the inability to provide sewer to the area; and

WHEREAS, the governing body therefore believes that the Ordinance re-zoning said properties from Light Industrial to R-1 should be repealed, and the zoning should return to its previously LI, Light Industrial classification; and

WHEREAS, at the time of the adoption of Ordinance 2017-16, the Township Committee had received a recommendation from the Planning Board that notwithstanding the inconsistency of said re-zoning to R-1 with the Township’s Master Plan, the Planning Board felt that re-zoning was acceptable; and

WHEREAS, pursuant to N.J.S.A. 40:55D-62, the Township Committee was required to adopt a separate Resolution at the time of the adoption of Ordinance 2017-16, setting forth its specific reasons as to

why it was adopting said Ordinance despite the fact that same was not consistent with the Township's Master Plan, but the Township did not adopt that Resolution, and thus, the requirements of the Municipal Land Use Law regarding the adoption of an Ordinance re-zoning certain property, which re-zoning is not fully consistent with the Township's Master Plan, were not followed; and

WHEREAS, therefore, the Township Committee of the Township of Mansfield deems it appropriate to repeal Ordinance 2017-16 for that reason as well.

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. ORDINANCE REPEALED.

Ordinance 2017-16, which purported to re-zone certain properties listed below from Light Industrial, to R-1 Residential, is hereby repealed. Those Blocks and Lots which were attempted to be re-zoned, and which are hereby restored to their original LI, Light Industrial zoning classification, are as follows:

Block 59, Lots 7.01 and 7.02

Block 60, Lot 6

Block 800.07, Lot 1 (part of)

Block 800.08, Lot 1

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 Gable explained that the purpose of Ordinance 2019-8 is to rezone a property of Route 130 back to light industrial. It was previously rezoned as residential in anticipation of receiving sewer in order to help meet COAH requirements, but said plan did not come to fruition. Accordingly, redesignating the area as light industrial would be better for the community at this time.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to introduce Ordinance 2019-8. Motion carried.

Township Solicitor Gillespie stated that the ordinance will go before the Planning Board for approval before final adoption by the Township Committee.

RESOLUTIONS

RESOLUTION 2019-4-4

**RESOLUTION AUTHORIZING THE REFUND OF SOLAR PANEL PERMIT
FOR BLOCK 42.11, LOT 18 (106 LAKEVIEW COURT)**

WHEREAS, construction permit #18-047 was issued on February 2, 2018 for the purpose of installing solar panels on Block 42.11, Lot 18, also known as 106 Lakeview Court; and

WHEREAS, fees in the amount of \$486.00 were received for said permit; and

WHEREAS, the applicant, Vivint Solar Developer LLC, did not utilize the aforementioned permit and is now requesting a refund for same; and

WHEREAS, the Construction Official, by way of correspondence dated March 13, 2019, has recommended a refund to the applicant in the amount of \$413.00, as certain fees that total \$73.00 are deemed nonrefundable by Ordinance 2009-12; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that a refund in the amount of \$413.00 to Vivint Solar Developer LLC is hereby approved and authorized.

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

AYE: DIGIUSEPPE, HIGGINS, CAIN, GABME

NAY: ABSENT: MAGEE ABSTAIN:

RESOLUTION 2019-4-5
A RESOLUTION AUTHORIZING MANSFIELD TOWNSHIP TO EXECUTE AN AGREEMENT WITH BURLINGTON COUNTY FOR COOPERATIVE PARTICIPATION IN THE COMMUNITY DEVELOPMENT ACT OF 1974

BE IT RESOLVED AND ENACTED, by the Township Committee of Mansfield Township, County of Burlington and State of New Jersey to authorize an Agreement with Burlington County for cooperative participation in the Community Development Act of 1974.

- SECTION I.** Certain federal funds are available to Burlington County under Title I of the Housing and Community Development Act of 1987. Public Law 93-383, as amended; and
- SECTION II.** It is necessary to establish a legal basis for the County and its people to benefit from this Program; and
- SECTION III.** An Agreement has been proposed under which Mansfield Township and the County of Burlington in cooperation with the other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq., and
- SECTION IV.** It is in the best interest of Mansfield Township that the Agreement entitled "Agreement between the County of Burlington and certain municipalities located therein for the establishment of a cooperative means of conducting certain community development activities", a copy of which is on file at the Municipal Clerk's Office.
- SECTION V.** The Township of Mansfield shall enter into the agreement with the County of Burlington mentioned with all supplements and agreements thereto. The Mayor and Clerk are hereby authorized and directed to execute the Agreement on behalf of the Township of Mansfield and affix thereunto the Official Seal.
- SECTION VI.** All resolutions or parts of resolutions which are inconsistent herewith are hereby repealed in the extent of their inconsistency.
- SECTION VII.** This Resolution shall take effect immediately after passage and publication as provided by law.

Mayor Gable explained that adoption of the above resolution will allow the township to apply for grants through Burlington County. **Municipal Clerk Semus** added that this resolution will also allow residents to apply for HUD assistance if needed.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-4-5. Motion carried on a Roll Call Vote, as follows:

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

DISCUSSION

A. Route 206 Zoning Issue: Mayor Gable recused himself from the dais for the following discussion. **Committeewoman DiGiuseppe** stated that she received a complaint about parking and zoning violations on certain property on Route 206 known as the Ad-Dawah Center. After review of the same, **Committeewoman DiGiuseppe** stated that it is her opinion that the complaint is invalid and the property owners are not in violation of any ordinances pertaining to residential zones noted in the complaint, as said property is zoned commercial.

B. Recreation – Request for Proposal: Committeeman Higgins stated that the Recreation Committee would like to send out a RFP for operation of the concession stands. **CFO Monzo** stated that he will prepare a RFP for Committee consideration next meeting.

Memorializing Approval of Hamilton Northern Burlington Babe Ruth – 3-22-19 through 12-31-19 – Indoor Facility: A motion was offered by **Committeeman Higgins** and second by **Committeewoman DiGiuseppe** to memorialize the approval of the above listed permit. Motion carried.

C. Township Facilities Use Application – 6/8/19 – Firehouse: Committeewoman DiGiuseppe stated that she is not in favor of approving this application, as the event is not for a volunteer fireman and does not relate to the Fire Company. Mrs. DiGiuseppe expressed her opinion that approval of said application will set a precedence for any resident to hold a private party on municipal property. Additionally, there is no fee to rent the firehouse, and taxpayers will have to cover the costs of utilities, trash removal, etc. **Committeeman Cain** suggested that the length of time of the event should be decreased to save on utilities, or Committee should considered establishing a charge to rent municipal property for private events. **Township Solicitor Gillespie** stated that it needs to be

determined if said application is consistent with the facilities use policy. Township Committee tabled approval of the application for a future meeting.

D. Special Events – Fee for Food Vendors: Township Administrator Fitzpatrick explained that the Special Events Committee would like permission to charge food vendors a fee of \$50.00 in order to sell products at the annual Field Day Event. Currently, the Special Events Committee only asks for donations. **Committeeman Cain** inquired about the amount of donations that are generally received by food vendors. Leah DiFillipo, Chair of the Special Events Committee, stated that some vendors donate, while others don't donate at all even though they make a large profit at the event. If the fee is implemented, the money will be used for future community events.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to allow the Special Events Committee to charge food vendors a fee of \$50.00 to participate in the annual Field Day Event. Motion carried.

E. Block 24, Lot 37.01 Public Road: Township Administrator Fitzpatrick stated that the township owns approximately 1.63 acres on Block 24, Lot 37.01, and that the neighboring property owner would like to purchase the property from the township in order to construct a driveway. **Committeeman Higgins** inquired about the process in which the township can sell the property. **Township Solicitor Gillespie** stated that the township can advertise for public bids, or offer the land to neighboring properties via a private sale in which a minimum price must be set. Additionally, in order to set a minimum price, the Tax Assessor needs to evaluate the area to determine a proper assessment, as the records appear to reflect an incorrect number of \$100.00. **Mayor Gable** stated that since the land does not appear buildable, he agrees with authorizing a private sale for same.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to move forward with a private sale of Block 24, Lot 37.01. Motion carried on a Roll Call Vote, as follows:

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

F. Tax Assessor Information: Tax Assessor Jeff Burd provided an update on the possible joint reevaluation with surrounding municipalities. Mr. Burd gave an overview of the potential timeline of the same, and stated that if Township Committee moves forward with a total reevaluation, the new assessments will take place in 2021. The approximate cost of the reevaluation is \$400,000 if the project is combined with other municipalities. This is an approximate savings of 10% per line item.

Committeeman Higgins inquired about the regional school district, and how a reevaluation would affect the tax payers if a few of the sending districts did not participate in the reevaluation. Mr. Burd stated that he will look into the matter. **Committeewoman DiGiuseppe** stated that she was not in favor of the previous compliance plan, and wishes that a reevaluation occurred during that time instead. **Township Solicitor Gillespie** stated that it may be worthwhile to look into a shared service agreement with surrounding municipalities that will then function under one contract with one vendor. Township Committee agreed to consider a shared service agreement with interested municipalities for a reevaluation.

G. EMS RFP/Township Department: Mayor Gable stated that the EMS contract is expiring at the end of this year, and the Committee needs to determine how to move forward for the year 2020 and beyond. Mr. Gable noted the options of advertising a Request for Proposal, or officially acquiring the current EMS Squad as a municipal department. **Committeeman Cain** stated that he believes a RFP would be the best option. **CFO Monzo** agreed with Mr. Cain's statement, and stated that he can draft a RFP for review at the next meeting. Township Committee agreed.

PUBLIC COMMENT

Tony Quinto, 27 Waverly Drive, inquired as to why the township would need a reevaluation. **Mayor Gable** explained that the purpose of a reevaluation is to make the

assessment ratio equal throughout the township instead of doing another compliance plan. Additionally, engaging in a shared service will lessen the expense for the same. Mr. Quinto questioned how the township will ensure a near 100% ratio, when the previous compliance plan only brought the ratio to about 80%. **Tax Assessor Jeff Burd** responded that the last full reevaluation in the township was in 1987, and since then only local reassessments and a compliance plan was completed. For the latter processes, only the Tax Assessor was involved, while a reevaluation will include the guidance of external organizations.

Ramalinga Reddy, 7 Pheasant Court, inquired if Committee will still move forward with a reevaluation if other municipalities decline to do so. **Mayor Gable** stated that Committee needs to explore all avenues before making a final decision.

Alan Abramowitz, 73 Chamber Lane, expressed his opinion that compliance plans are discriminatory against senior citizen communities.

Kim Clark, 3193 Route 206, addressed her concerns with a property on Route 206 currently known as the Ad-Dawah Center. Mrs. Clark stressed that she believes the property to be in violation of multiple ordinances and believes the property to be a health and safety concern. **Township Administrator Fitzpatrick** stated that the property owners have abided by all stipulations placed on them by the Planning Board, and that any perceived health violations should be reported to the Burlington County Board of Health. Discussed ensued on the matter. **Township Solicitor Gillespie** stated that the property owners were given a variance from certain ordinances by the Planning Board, and that the property owners have received final site plan approval. Additionally, Mr. Gillespie stressed that the Township Committee has no jurisdiction over Planning Board decisions, and stated that if she feels the Planning Board has misapplied ordinances to said property, the relief is to file a complaint with the Superior Court.

Lori Marchetti, 30 Longwood Lane, stated that she is the coach for the Northern Burlington Soccer Club and has concerns that the club has been denied use of recreation fields. **Mayor Gable** stated that at the follow meeting, similar concerns were raised by other residents. **Committeeman Higgins** stated that he felt this issue to now be the responsibility of the Township Committee to rectify. Discussed ensued. **Committeewoman DiGiuseppe** invited Ms. Marchetti to the next Recreation Committee meeting, as she feels this situation is not going to be settled in the current forum.

Colleen Herbert, 2 Millennium Drive, spoke as the President of the Recreation Committee. Mrs. Herbert stated that the recreation organization has grown tremendously, and the fields have taken considerable abuse as they have been used freely without an application process. Accordingly, the fields need to be rested as there are limited resources to maintain them to meet the current recreational needs. Mrs. Herbert noted that this is not a permanent situation, and that a long-term solution for maintenance of the fields needs to be established.

Julian Langley, 1 Summerhill Court, stated that the issue with the recreation fields has been an ongoing issue. Mr. Langley suggested that the fields have alternating periods of rest, rather than resting all fields at once, especially because different sports are played in different seasons. **Mayor Gable** stated that the recreation fields are prioritized for municipal programs, and that the township must figure out a new direction in which to proceed when it comes to protecting the recreation facilities.

Boris Vilic, 30 Waverly Drive, stated that other municipalities have more efficient fields. Additionally, Mr. Vilic stated that the notion of resting all fields at once is not feasible when sports are played all year round. Mr. Vilic noted that he does not feel recreation programs to be priority to the township.

Ramalinga Reddy, 7 Pheasant Court, stated that a resolution needs to be made about the recreation fields, because the priority of the matter are the children.

Leah DiFillipo, 2225A Old York Road, spoke as the Chair of the Special Events Committee. Ms. DiFillipo briefly discussed the monetary needs of the Special Events Committee. **Mayor Gable** thanked Ms. DiFillipo for her service.

Rich Ongaro, 1 Lauren Court, suggested that the Committee consider installing turf fields with potential grant funds, as turf fields do not suffer from wear and tear.

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

MAYOR AND COMMITTEE COMMENTS

Committeeman Cain thanked the public for attending.

Committeeman Higgins stated that he respects the Recreation Committee, but feels that other available land can be utilized for sports practice instead of fields in order for the latter to be rested.

Committeewoman DiGiuseppe thanked Colleen Herbert for her service to the Recreation Committee, and stated that she has had to cancel two consecutive meetings due to lack of quorum. Accordingly, Mrs. DiGiuseppe requested volunteers to join the Recreation Committee. Moreover, Mrs. DiGiuseppe stated that the Easter Egg Hunt is to be held on April 14th at 12:00PM at the Municipal Park. She thanked the public for their comments.

Mayor Gable thanked the public for attending, and appreciates all comments and concerns brought forth by the residents. Mr. Gable invited the public to the upcoming Field Day event sponsored by the Special Events Committee.

ADJOURNMENT

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to adjourn the meeting. Motion carried. Meeting adjourned at 9:00PM.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Caitlin Midgette, Deputy Clerk

Linda Semus, Municipal Clerk

APPROVED: APRIL 17, 2019