

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
REGULAR MEETING MINUTES
April 19, 2023
7:00 PM
Via Hybrid**

OPENING PUBLIC MEETING STATEMENT:

Clerk Semus, read the following Open Public Meetings Statement:

Public notice of this meeting pursuant to the Open Public Meetings Act has been satisfied. Notice of this meeting was properly given via Resolution 2023-1-10, which was adopted by the Mansfield Township Committee on January 4, 2023. 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, all of the posting, and filing having been accomplished as of January 8, 2023.

ROLL CALL:

Municipal Clerk Semus called for a Roll Call. The following Township Committee Members were in attendance: **Committeeman Boyd, Deputy Mayor Sisz, Mayor Mojena, Solicitor Prime, Engineer Johnson, CFO Grouser, Administrator Fitzpatrick, Deputy Clerk Jolly and Clerk Semus.**

Absent: Committeeman Tallon and Committeeman Golenda.

The Flag Salute was held followed by a brief moment of silence in honor of Bill Taharik

PROCLAMATION: In Memory of William Taharik was read in by Clerk Semus.

DEPARTMENT/BOARD REPORTS:

Police Report:

Chief Campbell, reported for the month of March: 1,301 incidents to include 3 arrests, 21 motor vehicle crashes and 1 domestic violence incident. There were numerous acts of vandalism committed in the area of the Villages where there were multiple vehicles and a building damaged and graffitied. An arrest for this was made on April 5th. There was an attempted car theft on Jacksonville Road and another scam where the victim was contacted by what appeared to be Bank of America and advised the resident there was a hold on their account, asked them to submit codes to a banking App. where routing numbers were entered and the scammers withdrew a substantial amount of money. This type of scam is happening often so please be mindful as to what you do. If you are unsure, we are available to answer any questions or concerns.

PSE&G Road construction project is continuing on Mill Lane for the next several weeks. Operating hours are Monday, Wednesday and Fridays from 8:00am to 2:00pm and Tuesdays and Thursdays from 8:00am to 5:00pm during these times the road is open to local traffic only and all other traffic is being detoured down Columbus Road to Jacksonville Road.

Trainings: Tactical Training which is designed for the officers to refine their handling, shooting, walking, formations skills and enhance their communications while working in groups has been completed for the year. An officer has been sent to Resource Officer Training which provides a better understanding of the role to successfully work in a school setting and a few officers were sent to the Concealed Carry class which provided up to date information regarding the new laws.

Hiring: We have completed the final stages of hiring and our applicant will be attending Ocean County Police Academy starting Friday, May 5th.

Community Policing Event: N.B.R.H.S will be hosting an American Cancer Society's Relay for Life Event on May 20th at 6:00pm through Sunday morning at 6:00am. Surrounding residents may hear the activities throughout the evening and if there is an issue, please reach out to the police department so we can advise the school staff. We will have some staff volunteering in support of the Cancer Society and those battling cancer.

EMS Report:

George Senf, EMS Director, reported for March: 209 Calls - 158 Patient Contacts, 121 Transports. Training- 4 staff took the CPR Instructor Course giving us a total of 10 Instructors. In the past three weeks, 6 public classes and a Stop the Bleed class were held for residents. These classes are always available so please reach out to get scheduled. The April 27th CPR class is full, and the May 25th class still has some seats available. On, April 21st we will be at the Civic Center for opening day recreation baseball.

Engineer's Report:

Doug Johnson reported on submitting for the DOT Trust Fund for the resurfacing of Aaronson Rd., the resurfacing and striping of the Municipal parking lot and grant applications and notifications movement this past week. Unfortunately, we were not successful in the 2023 local recreation improvement grant or the Fiscal Year 2024 Congressional Community Grant, however, we were successful with helping the township obtain grant funds in over \$3,000,000.00 towards improvements to Mansfield Rd. West, along with a DEP grant assistance program for \$25,000.00 towards mapping the stormwater system. Land Use project updates: Segme, is regrading and removing excess soil from the site and working to finalize the site, Vanco is actively prepping the roadways for paving and the Mansfield Realty North site appears to be focusing on their building at this time with no changes at this time to the smaller Land Use projects.

Mayor Mojena and Doug Johnson spoke of receiving the funds for Mansfield Rd. West and that the Grant is very specific and tied to traffic counts for truck traffic and a certain threshold needs to be met or the road does not qualify. It is not very amenable necessarily to transferring the money and would need to have extenuating circumstances as to why you could not use it for the specified project. Also, we were not awarded the grant for Country Walk Park and will be funding it as a Capital Project in the next Fiscal Year with hopes of receiving a funding from the other grant.

DPW Report:

Superintendent Fitzpatrick acknowledged our DPW workers and Jef Jones in our construction department in working closely with the Burlington County Health Department and the DEP in cleaning up an investigated fuel pump in the storm system on Georgetown-Chesterfield Rd.. Our guys were able to spot it and able to help in the clean up and follow-up with checking the creek for pollutants. This had potential to be a pretty big disaster.

REM completed their sink hole fix on Legends Lane, Barrett paved a section of Georgetown-Chesterfield Rd., fixed erosion issues at Mansfield Rd. East and Holly Drive, Petticoat Bridge Rd., Axe Factory Rd, moved and re-did the sinking asphalt patch at 4 Sherwood Lane, reinstalled Public Rd sign at Rt. 206, trimmed a large tree on Public Rd., cleaned sections of the ditch along Petticoat Bridge Rd., picked up liter throughout township roads, cut up and removed fallen trees on Second Street, filled potholes on all township roads, reinstalled stop sign on Georgetown Rd., reinstalled a median sign in Four Seasons on Ambrose, cut out deterioration and re-patched road at 112 Maple Ave., cleared brush from the outfall on Petticoat Bridge Rd., removed playground equipment, railroad ties and mulch at Columbus Park with the new equipment coming in to be installed in May. Cut dead trees at Georgetown Park, cleaned up large limbs and ground stumps from all park areas for the mowing season, removed graffiti from the Hedding Playground, cleaned up the vandalism at the Civic Club Recreation building bathrooms, dismantled and removed the old recreation shed from Columbus Park, re-zip tied the baseball fence, topsoil and seeded bare spots, removal of shed and the pitcher's box, installed door guards on the Columbus Rec building, turned on the water at Georgetown Rec building, added Blend to Georgetown Park and the Babe Ruth field, moved the pitchers mound for the Rec department, mowing of Hedding, Civic Club, White Pine Rd. triangles as well as Mapleton regularly keeping up with the emptying the trash with in the parks. took delivery of and registered two International single axle dump trucks that are to be used for snow, cleaned and removed the salters from the mason dumps and moved them to the police station, hung and filled binders for right to know throughout the complex with the annual mandatory right to know inspection has been completed, RTK Hazcom classes have been completed, fire extinguishers, emergency lighting, panic buttons and generators were all tested and working fine, filters were changed for all HVAC units, a dumpster cover was built and installed as per new MS4 regulations, cleaned and chipped all limbs from the storm on March 14th, cleaned the detention pond and swells for proper drainage, removed blockage in the Creek at the complex, installed new trash racks on the detention ponds after painting, removed uprooted trees from Greenbrook detention basin, change 2 broken storm drains and curb heads on Waverly Dr., repaired broken curb head and framed at 3 Longwood Lane, no dumping signs were installed at the Fairmont detention basin, ongoing curbside metal pick up and mowed and cleaned all the detention basins.

Mayor Mojena added gratitude and thanks for our DPW team. They do an excellent job together every day and are the people that keep the town going and we are very thankful for them.

Fire Department Report:

Chief DuBell reported for the month of March: 1 gas leak, 5 motor vehicle accidents, 5 building fires, 4 residential alarm systems, 2 tender task force, 3 brush fires, 1 special assignment, 1 vehicle fire and 2 MBA's with rescue, 2 assist the EMS, 1 landing zone and 1 wireless call for a total 28. April 3rd our new Engine 3311 was placed in service, out on numerous runs with no issues and seems to be serving the town very well. The tentative date for a housing and open house is June 24th. Once confirmed we will get it sent out to all the residents.

Mayor Mojena thanked the Fire Department and is very happy to hear the 3311 is on the road and fully operational. It has been a long time waiting to have it built.

Fire Prevention/OEM Report:

Administrator Fitzpatrick read the following email from Coordinator Doug Borgstrom in his absence: Mike, would you please present the attached report at the committee meeting. Alex and I are out of town at the New Jersey Emergency Preparedness Summit. We will report on the summit at the May meeting and very happy to be able to attend, thank you. The information and networking opportunities here are outstanding, the residents and visitors of Mansfield will reap the benefits of our time spent at this outing. Reporting for the month of March: 20 resale inspections, 2 rental inspection, 17 uniform fire code inspections through fire prevention. OEM reviewed regional school emergency plans, requested Mansfield school's emergency plan, and there is a meeting pending scheduling, PEOSHA followed up on inspections, 0 deficiencies are outstanding so we did well with PEOSHA. Completed the right to know inventory with JA Montgomery which is insurance company and submitted their surveys to the NJDOH. Worked on administration and court hazard safety plans and they're actively working on an evaluation exercise for our existing building emergency plan.

Mayor Mojena made a brief mention: This Saturday evening he and his wife were honored to attend and participate in the Franklin Township Volunteer Awards. There was a feeling of family environment with our Police and EMS Chief's in attendance honoring their own multiple generations of father's and son's volunteering and giving freely, serving our community without compensation. He would like to recognize and thank them as he was humbled and honored to be there.

Recreation-Special Events-Social Media:

Sabrina Petrella reported: Recreation: baseball season's Opening Day is Friday the 21st at the Civic field. T-Ball games will be held at 5:00, 6:00 and 7:00pm. A fun night is planned to include an appearance from Groomer, the Trenton Thunder Mascot, Kona Ice Truck, our EMS, all of our teams will be introduced before the game. Our National Anthem will be sung by local students, opening remarks will be made by our Recreation Committee Chair Colleen Herbert and Mayor Mojena will throw out our ceremonial 1st pitch. All of our team sponsors have been invited to attend and sent their team's schedule. As mentioned, construction on the Community Park playground is expected to begin in May and should take approximately 4 to 6 weeks to complete. To honor our residents that have served and are still serving, the Historical Society is working to resurrect the Walk of Honor program at the Veterans Memorial in the Community Park. Grave bricks can be purchased now through May 31st to be installed into the pathway leading to the gazebo. The order form is available on the township website with proceeds going to the Historical Society. The township Memorial Day ceremony is planned for Wednesday May 24th at 6:00pm at the Veterans Memorial and gazebo and all are welcome to attend.

Special Events Committee: is continuing to work on their upcoming events including Touch A Truck with the Fire Department on May 27th, the annual parade and field day on June 10th and the first Farmers Market is scheduled for June 29th. Information for these events is available on the Township webpage.

Website Update: The fire and police departments are migrated over to the Township webpage and the process has begun for the recreation department.

Mayor Mojena added that for the Memorial Day celebration, it is strongly recommended for all to make every effort to attend. Last year we had representatives from the Joint Base, Color Guard and their Commanding Officer that gave a very moving speech. It doesn't take a lot of time but it will be worth your time to participate and honor those that have given their ultimate sacrifice for us. Please be there if you can.

SWEARING IN OF POLICE OFFICERS: Jonathan T. Costello, Daniel Boyle, Ryan DeGroot, Michael G. Mahan and Kevin O'Malley.

ORDINANCE: (FIRST READING/INTRODUCTIONS):

ORDINANCE 2023 – 4

AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR THE TOWER GATE AREA IN NEED OF REDEVELOPMENT, BLOCK 70, LOTS 6.01 AND 6.02, SOUTHEAST CORNER OF ROUTE 130 AND KINKORA ROAD, AND EXPRESSLY SAVING ORDINANCE 2020-6 FROM REPEAL.

WHEREAS, on March 15, 2023, by adoption of Resolution 2023-3-2, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized the Township of Mansfield Planning Board, sitting as a Joint Land Use Board to undertake a preliminary investigation to determine whether the Tower Gate Study Area, Block 70, Lots 6.01 and 6.02 at the Southeast Corner of Route 130 and Kinkora Road, qualified as a “Non-Condensation Area In Need of Redevelopment (“AINR”) according to the criteria set forth in N.J.S.A. 40A:12A-1 et seq. of the Local Redevelopment and Housing Law (“LRHL”).

WHEREAS, after due notice and public hearing, on April 17, 2023, the Mansfield Planning Board conducted the investigation and adopted Resolution 2023-4-8, which recommended that the Township Committee designate the Tower Gate Study Areas an AINR; and

WHEREAS, by adoption of Resolution 2023-4-14 on April 19, 2023, the Township Council designated the Tower Gate Study Area, Block 70, Lots 6.01 and 6.02 as a “Non-Condensation Area in Need of Redevelopment, designated the Redeveloper of the Area, and authorized the preparation of a Redevelopment Plan for the Study Area, Block 70, Lots 6.01 and 6.02; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan for an “area in need of redevelopment”; and

WHEREAS, as authorized by Township Committee Resolution 2023-4-14, the Township Planner has prepared the Redevelopment Plan for the designated Tower Gate Area In Need of Redevelopment, Block 70, Lots 6.01 and 6.02, Southeast Corner of Route 130 and Kinkora Road, dated April 12, 2023 (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Township for purposes of improving conditions within the Township and to allow for the implementation of the Township’s Housing Plan and Land Use Plan; and

WHEREAS, the Township Committee has determined that it is in the best interest of the Township and its residents to adopt the Redevelopment Plan for the Tower Gate AINR, Block 70, Lots 6.01 and 6.02, to include the area in the Township’s court approved Housing Element and Fair Share Plan, and to provide for a mixed use inclusionary affordable housing development with non-residential industrial development in lieu of market residential units, to help satisfy the Township’s constitutional obligation to provide a realistic opportunity for the Township’s regional share of affordable housing development; and

WHEREAS, by adoption of Planning Board Resolution 2023-5-9 on May 8, 2023, the Planning Board reviewed the Redevelopment Plan and determined that the Plan was consistent with the provisions of the Mansfield Township Master Plan, and recommended adoption of the Redevelopment Plan by the Township Committee, which shall be considered the report of the Planning Board to the Township Council as required by N.J.S.A. 40A:12A-7(e).

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Medford as follows:

Section 1. The Township hereby adopts the Redevelopment Plan for the designated Tower Gate Area In Need of Redevelopment, Block 70, Lots 6.01 and 6.02, Southeast Corner of Route 130 and Kinkora Road, dated April 12, 2023 (the “Redevelopment Plan”); and said Redevelopment Plan is incorporated herein and made a part of this Ordinance by reference; and

Section 2. The Township Committee finds, declares and determines that the Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the development and rehabilitation of the Township and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

Section 3. The governing body of the Township of Mansfield shall have, be entitled to, and is hereby vested with all power and authority granted by the aforementioned statutory provisions to implement and effectuate the Redevelopment Plan.

Section 4. The Redevelopment Plan shall supersede any other local development regulation to the extent set forth in the Redevelopment Plan, and the Township of Mansfield Zoning Map is hereby amended to conform to the provisions of the Redevelopment Plan.

Section 5. Ordinance 2020-6 is expressly saved from repeal and shall remain in full force and effect and not be revoked until the Developer has obtained all non-appealable local, County and State development approvals and permits required for the development of the Tower Gate Area In Need of Redevelopment pursuant to the Redevelopment Plan adopted by this

Ordinance are granted, and all conditions for the development are satisfied, at which time an ordinance repealing Ordinance 2020-6 will be adopted by the Mansfield Township Committee.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

Clerk Semus: A Second Reading, Public Hearing, Adoption is scheduled for May 15, 2023 at 7:00 PM.

Solicitor Prime explained this is part of the amended settlement agreement for the Tower Gate property that provided for a part of Mansfield's affordable housing obligation to have a total of 540 homes of which 96 are for affordable housing. This Ordinance adopts a re-development plan allowing an overlay zone and an option for the development of non-residential uses to subsidize the 96 units instead of market rate homes.

A motion to introduce the above ordinance 2023-3 was offered by **Deputy Mayor Sisiz** and seconded by **Committeeman Boyd**.

Discussion: None

The above motion was carried on a roll call vote recorded as follows:

AYE: SISZ, BOYD, MOJENA **NAY:** NONE **ABSENT:** TALLON, GOLEND

ORDINANCE: (SECOND READING/PUBLIC HEARING/FINAL ADOPTION)

ORDINANCE 2023-3

AN ORDINANCE AMENDING THE CODE OF MANSFIELD TOWNSHIP, CHAPTER 38A "PROPERTIES, ABANDONED AND VACANT"

WHEREAS, the Township Committee of the Township of Mansfield declares and finds that the current Township Ordinances governing properties, abandoned and vacant, are in need of revisions.

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

SECTION ONE: Section 38A-1. "Definitions", is hereby amended to add the following definition at the end of said Section:

"CREDITOR – Any State-chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the "New Jersey Residential Mortgage Lending Act," sections 1 through 39 of N.J.S.A. 17:11C-51 through N.J.S.A. 17:11C-89, and any entity acting on behalf of the creditor named in the debt obligation including, but not limited to servicers. For purposes of this section, a creditor shall not include the State, a political subdivision of the State, or a State, county or local government entity, or their agent or assignee, such as the servicer."

SECTION TWO: Section 38A-3. "Duties and powers of public officer," is hereby amended to add two subsections E (1) and F, at the end of the said Section, and the two subsections will state as follows:

E. The public officer shall issue a notice to a creditor filing the summons and complaint in an action to foreclose if the creditor has violated any section of this Chapter.

(1) If the creditor has failed to provide care, maintenance, security, and upkeep of the exterior of the abandoned property, such notice shall require the creditor to correct the violation within 30 days of receipt of the notice, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

F. If an owner of a commercial property abandons any property on which a foreclosure proceeding has been initiated and the exterior of the property is found to be a nuisance or found to be in violation of the Township, local, or State building codes, the public officer shall notify the creditor who shall have the responsibility to abate the nuisance or correct the violation. The Township shall provide a description of the conditions that gave rise to the nuisance or violation and shall provide a period of not less than 30 days from the creditor's receipt of the notice to remedy the nuisance or correct the violation. If the creditor fails to remedy the nuisance or abate the violation within that time period, the Township may impose penalties.

SECTION THREE: Section 38A-8. "Additional powers available to municipality", is hereby amended to add a paragraph at the end of said Section as follows:

If the Township expends public funds to abate a nuisance or abate a violation on a commercial property in situations which the creditor was given notice pursuant to this Chapter, but failed to abate the nuisance or violation, the Township shall have recourse against the creditor for reimbursement of those funds, pursuant to N.J.S.A. § 55:19-100.

SECTION FOUR: Section 38A-10. "Registration requirements", is hereby amended to delete the following paragraph:

A creditor serving a summons and complaint in an action to foreclose on a mortgage on residential property in the Township shall, within 10 days of serving the summons and complaint, notify the Township Clerk that an action has been filed on a property and contain the contact information and submit to the registration requirements detailed herein.

SECTION FIVE: Section 38A-10. “Registration requirements”, subsection F, is hereby amended to delete the phrase, “The owner shall notify the Clerk within 15 calendar days...”, and replace it with the phrase, “The owner shall notify the Clerk within 10 calendar days...”

SECTION SIX: Chapter 38A is hereby amended, with the addition of a new numbered Section, entitled “38A-11. Notice requirements for creditor foreclosing on commercial Property”, and said Section will state the following:

§ 38A-11. Notice requirements for creditor foreclosing on commercial property.

A creditor filing a summons and complaint in an action to foreclose on a mortgage on a commercial property in the Township shall, within 10 days of serving the summons and complaint, notify the municipal clerk and public officer. The notice shall contain the following:

- A. Street address, lot, and block number of the property.
- B. Full name, address, and telephone number for the representative of the creditor who is responsible for receiving complaints of property maintenance and code violations.
- C. Full name and contact information for any person or entity retained by the creditor or a representative of the creditor to be responsible for any care, maintenance, security or upkeep of the property.

Notice may contain information about more than one property.

If there is any change in the above referenced information submitted to the municipal clerk and public officer, the creditor shall provide such change to the municipal clerk and public officer within 10 days of the change of that information.

SECTION SEVEN: Chapter 38A is hereby amended, with the addition of a new numbered Section, entitled “38A-12. Registration requirements for creditor foreclosing on commercial or residential property,” and said Section will state the following:

§ 38A-12. Registration requirements for creditor foreclosing on commercial or residential property.

In addition to the notice requirements outlined above, the creditor filing a summons and complaint in an action to foreclose shall register the residential or commercial property as a property in foreclosure and shall provide the information required in §38A-11, as well as the following:

- A. Identify the date, the summons, and complaint in an action to foreclose on a mortgage which was filed against the property;
- B. The court in which it was filed;
- C. The docket number of the filing;
- D. Identify whether the property is vacant and abandoned.

If there is any change in the information required for the notice or registration pursuant to this Chapter, the creditor shall update the information within 10 days of the change of that information.

If the property becomes vacant and abandoned after the property is registered with the Township, then the creditor shall update the registration with the Township.

SECTION EIGHT: Chapter 38A is hereby amended, with the addition of a new numbered Section, entitled “38A-13. Criteria for the determination of vacant and abandoned,” and said Section will state the following:

§38A-13. Criteria for the determination of vacant and abandoned.

A property shall be considered vacant and abandoned if it is not legally occupied by a mortgagor or tenant, which is under such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

- a. overgrown or neglected vegetation;
- b. the accumulation of newspapers, circulars, flyers, or mail on the property;
- c. disconnected gas, electric, or water utility services to the property;
- d. the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
- e. the accumulation of junk, litter, trash, or debris on the property;
- f. the absence of window treatments such as blinds, curtains, or shutters;
- g. the absence of furnishings and personal items;

- h. statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
- i. windows or entrances to the property that are boarded up or closed off, or multiple window panes that are damaged, broken, and unrepaired;
- j. doors to the property that are smashed through, broken off, unhinged, or continuously unlocked;
- k. a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
- l. an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
- m. the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
- n. a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property;
or
- o. any other reasonable indication of abandonment.

SECTION NINE: Section 38A-11. “Fee schedule”, is hereby amended to be re-numbered as, Section 38A-14.

SECTION TEN: Section 38A-12. “Access to vacant properties”, is hereby amended to be re-numbered as Section 38A-15.

SECTION ELEVEN: Section 38A-13. “Requirements of owners of vacant property”, is hereby amended to be re-numbered as Section 38A-16.

SECTION TWELVE: Section 38A-14. “Violations and Penalties”, is hereby amended to be re- numbered as Section 38A-17.

SECTION THIRTEEN: Section 38A-14. “Fee Schedule”, is hereby amended to add the following subsection C, and such subsection will state as follows:

C. Registration fee schedule for creditor of residential or commercial properties.

- (1) Initial Registration: \$500 per property that is required to be registered because a summons and complaint in an action to foreclose was filed.
- (2) An additional \$2,000 per property if the property is vacant and abandoned when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned at any time thereafter.

SECTION FOURTEEN: Section 38A-16. “Requirements of owners of vacant property”, is hereby amended to add subsection F (1),(2), and (3), and such subsection will state as follows:

F. Responsibilities for creditor filing a summons and complaint in an action to foreclose on a commercial or residential property.

- (1) Creditor shall be responsible for the care, maintenance, security, and upkeep of the exterior of an abandoned property registered with the Township.
- (2) Creditor located out-of-State shall be responsible for appointing an in-State representative or agent to act for them.
- (3) Creditor shall secure the property against any unauthorized entry, by posting a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the creditor, or acquire and otherwise maintain liability insurance with the Township

SECTION FIFTEEN: Section 38A-17. “Violations and penalties”, is hereby amended to include a new subsection G, and such subsection will state as follows:

G. A creditor found to have violated this Chapter, shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this Chapter shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

SECTION SIXTEEN: Chapter 38A is hereby amended, with the addition of a new numbered Section, entitled “38A-18. Private entity to assist with administration of the property registration program,” and such Section will state as follows:

§ 38A-18. Private entity to assist with administration of the property registration program.

The Township may contract with and set the compensation of a private entity, pursuant to N.J.S.A 40A:11-1 et seq., to assist the Township in the implementation and administration of the property registration program established in this Chapter. The Township may delegate to such private entity any duties under this Chapter including, without limitation, identifying properties located within the municipality that are subject to the registration requirements of this Chapter, maintaining and updating the property registrations for the Township, communicating with the creditor of vacant and abandoned properties, invoicing and collecting payment for the creditors for fees authorized by this Chapter and monitoring compliance with this Chapter. An entity may conduct property registration services on behalf of the

Township pursuant to a shared services agreement subject to N.J.S.A 40A:65-1 et seq. Property registration fees imposed pursuant to this Chapter shall be considered a municipal charge pursuant N.J.S.A. 54:5-1 et seq.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

A motion to adopt the above Ordinance was offered by **Committeeman Boyd** and seconded by **Deputy Mayor Sisiz**.

Public Hearing for Ordinance 2023-3: There were no comments from the public.

The above motion carried on a roll call vote recorded as follows:

AYE: BOYD, SISZ, MOJENA NAY: None ABSENT: TALLON, GOLEND

RESOLUTIONS: (Non-Consent)

**RESOLUTION NO. 2023-4-1
RESOLUTION FOR THE APPOINTMENT OF CONFLICT ATTORNEY**

WHEREAS, there is a need in the Township for a conflict attorney to represent Mansfield Township, the Mansfield Township Committee and individual Township Committee members (the "Township Defendants") in litigation filed as Golenda v. Mansfield, et al, Docket NO. BUR-L-318-23 ("Golenda litigation"); and

WHEREAS, Summit Risk Services, a third-party administrator partnered with Lexington Insurance Company, has confirmed insurance coverage for the Township Defendants under the Township's "Public Officials and Employment Practices" including cost of defense, subject to a \$20,000 deductible, and has appointed counsel for the Township Defendants, Dermot J. Doyle, of the law firm Huntington Bailey; and

WHEREAS, in addition to the formal representation in the litigation by Dermot J. Doyle, Esq. of Huntington Bailey, the Township Committee finds that there is a need for an additional conflict attorney to address non-litigation issues that have arisen and may further arise within the scope of Plaintiff Golenda's position as a Mansfield Township Committee person in the context of overall Township Committee business in which the Township attorney, Timothy M. Prime Esq., may have a conflict of interest, in addition to the conflict of interest preventing the Township Attorney from representing the Township Defendants in the Golenda litigation; and

WHEREAS, the Township issued a Request For Qualifications for a conflict attorney to represent the Township Defendants in the Golenda litigation; and matters related thereto; and

WHEREAS, two responses to the RFQ were received.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that Dermot J. Doyle, Esq. of the firm Huntington Bailey is hereby acknowledged and accepted as counsel of record for the Township Defendants in filed litigation Golenda v. Mansfield, et al.

BE IT RESOLVED that William R. Burns, Esq. of the firm Kalavruzos Mumola Hartman Lento & Duff Attorneys at Law (KMHL&D) is hereby appointed as conflict attorney to represent the Township concerning matters supplemental to the litigation in which the Township Attorney may have a conflict of interest and to generally assist primary counsel Dermot J. Doyle, Esquire in said litigation, at a rate of \$185.00 per hour for legal services rendered.

Solicitor Prime explained the above Resolution.

A motion to approve the Non-Consent Resolution 2023-4-1 was offered by **Deputy Mayor Sisiz** and seconded by **Mayor Mojena**.

Discussion: None

Motion carried unanimously on a roll call vote recorded as follows:

AYE: SISZ, BOYD, MOJENA NAY: NONE ABSENT: TALLON, GOLEND

CONSENT AGENDA: Note to the Public – Robert's Rules for Parliamentary Procedure provide for a consent agenda listing several items for approval by the Committee via a single motion. Any item requiring expenditure is supported by a Certification of Availability of Funds. Any item requiring discussion will be removed from the Consent Agenda.

**RESOLUTION 2023-4-2
RESOLUTION TO AMEND RESOLUTION 2023-1-24 "RESOLUTION
OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON,
NEW JERSEY, SETTING THE 2023 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 date of this resolution is within the first thirty days of the 2023 budget year; and
WHEREAS, the total of the following temporary appropriations does not exceed 26.25% of the total amount of the appropriations made for all purposes in the 2022 budget (exclusive of Debt Service, Capital Improvement Fund and Public Assistance).
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 February 1, 2023 that the following 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>
A&E: Salary and Wages	65,000.00
A&E: Miscellaneous	9,000.00
M&C: Salary & Wage	20,000.00
CLERK: Salary & Wage	86,000.00
CLERK: Miscellaneous	21,000.00
FIN: Salary & Wage	84,000.00
FIN: Miscellaneous	11,500.00
AUDIT: Miscellaneous	25,000.00
TAX C: Salary & Wage	32,000.00
TAX C: Miscellaneous	6,500.00
TAX A: Salary & Wage	24,000.00
TAX A: Miscellaneous	6,000.00
LEGAL: Miscellaneous	44,500.00
ENG: Miscellaneous	56,250.00
PLAN: Miscellaneous	6,000.00
LAND USE: Salary & Wage	7,500.00
LAND USE: Miscellaneous	1,350.00
OCE: PM: Salary & Wage	5,500.00
OCE: PM: Miscellaneous	125.00
ZONING OFFICER: Salary & Wage	7,000.00
ZONING OFFICER: Miscellaneous	500.00
LIABINS: Liability Insurance	78,000.00
WCOMP: Workers Compensation	75,000.00
EMPLOYER GROUP Health Insurance	260,000.00
POLICE: Salary & Wages	780,000.00
POLICE: Miscellaneous	40,000.00
EMGMT: Salary & Wage	7,000.00
EMGMT: Miscellaneous	8,000.00
AID TO FIRE COMPANIES: Miscellaneous	30,000.00
AID TO AMBULANCE: Miscellaneous	55,000.00
EMS: Salary & Wage	46,000.00
EMS: Miscellaneous	13,000.00
OCE: FIRE: Salary & Wage	18,000.00
OCE: FIRE: Miscellaneous	4,500.00
PROS: Other Professional	10,500.00
ROAD: Salary & Wage	104,000.00
ROAD: Miscellaneous	42,500.00
SWASTE: Miscellaneous	65,000.00
RECYCLING: Salary & Wage	2,000.00
B&G: Miscellaneous	37,000.00
VMAINT: Miscellaneous	23,000.00
COMMUNITY SERVICES: Miscellaneous	16,000.00
PHEALTH: Salary & Wage	850.00
PHEALTH: Miscellaneous	900.00
RECREATION: Salary & Wage	7,500.00
RECREATION: Miscellaneous	19,800.00
PARKS: Miscellaneous	10,000.00
CPEVNT: Miscellaneous	10,650.00
ELEC: Miscellaneous	31,000.00
SLIGHT: Miscellaneous	40,500.00
TELE: Miscellaneous	15,000.00

WATER: Miscellaneous	24,000.00
PETRO: Gasoline	32,000.00
LANDFILL: Miscellaneous	81,000.00
FICA: Employer Liability	97,500.00
DCRP: Miscellaneous	2,000.00
COURT: Salary & Wage	105,000.00
COURT: Miscellaneous	6,000.00
INTERLOCAL: SW Springfield Court	18,900.00
INTERLOCAL: SW Southampton Court	34,350.00
INTERLOCAL: Miscellaneous	6,125.00
PUBD: Other Professional	4,000.00
CAPITAL IMPROVEMENT FUND	10,000.00
JIF Safety: Miscellaneous	1,500.00
ENVIRONMENTAL HEALTH: Misc	750.00
STORMWATER MANAGEMENT	5,625.00
COMMUNITY ENGAGEMENT: S&W	15,000.00
COMMUNITY ENGAGEMENT: O&E	10,000.00
TOTAL	\$2,823,175.00

Utility Fund	
Operating Expenses	\$ 22,000.00

RESOLUTION 2023-4-3
RESOLUTION AWARDING AN AWARD OF CONTRACT TO CAMPBELL FOUNDRY COMPANY FOR THE ACQUISITION OF RETRO ECO FRIENDLY ERS FACEPLATES FOR STORMWATER COMPLIANCE

WHEREAS, the Township of Mansfield is desirous to acquire Retro Eco Friendly ERS Faceplates for Stormwater Compliance; and

WHEREAS, the State of New Jersey Division of Purchase and Property, Cooperative Purchase Program, has authorized vendors that can provide these services, materials, supplies or equipment under a “state contract” for eligible items pursuant to N.J.S.A. 40A: 11-12; and

WHEREAS, said purchase is authorized through State Contract Number #19-FLEET-00979; and

WHEREAS, Campbell Foundry Company has submitted a proposal dated April 18th, 2023 indicating they will provide the Retro Eco Friendly ERS Faceplates for the proposed amount of \$62,450.52; and

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

1. The Township Committee hereby awards a contract for the purchase of Retro Eco Friendly ERS Faceplates in accordance with the specifications described in the proposal, by and between Mansfield Township, Burlington County and Campbell Foundry Company, 800 Bergen Street, Harrison, New Jersey 07029, pursuant to the terms and conditions of the State Contract Number #19-FLEET-00979, be and is hereby approved and authorized.
2. Funds for this purchase have been authorized against Capital Ordinance 2022-10, as approved by the Township Committee at the Regular Meeting that was held on August 17th, 2022, in the amount of \$3,382,774.00.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2023-4-4
RESOLUTION AUTHORIZING SHORT-TERM SERVICES TO ASSIST THE TAX ASSESSMENT DATA FOR MANSFIELD TOWNSHIP

WHEREAS, the Township Administrator has advised the Township Committee that there is a need to provide short-term services to assist the Tax Assessment data for Mansfield Township; and

WHEREAS, the services to be performed will include; 2023 County Tax Appeals, General Record Maintenance, including 2023 added/omitted Assessments, Farmland Applications and field inspection as needed; and

WHEREAS, the Tax Assessor has stated that J.H. Services whose address is 520 Stokes Road, Suite d-2, Medford, NJ 08055 are qualified to perform the services outlined; and

WHEREAS, the Administrator in consultation with the Tax Assessor is recommending that the short-term services be awarded to J.H. Services, Inc. for the reasons stated herein.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township Of Mansfield, County of Burlington, State of New Jersey, that the short-term services be awarded to J.H. Services in an amount not to exceed \$9,000.00 for the year 2023.

RESOLUTION 2023-4-5
A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY INCREASING SALARY OF PART-TIME HHS FIRE SUB-CODE OFFICIAL/INSPECTOR GREGORY J. HUBER

WHEREAS, the Township’s Fire Sub-Code Official/Inspector’s workload has become increasingly taxed; and

WHEREAS, a request and recommendation was made by Jeffrey K. Jones, the Township’s Construction Code Official, seeking an increase in compensation for Gregory J. Huber the Township’s Fire Sub-Code Official/Inspector.

WHEREAS, Mr. Huber has been employed by the Township for 2 years as a part-time Sub-Code Official/Inspector and has demonstrated exceptional work ethics and skills.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield at their Regular Meeting held on April 5, 2023 that the compensation for Mr. Huber is hereby increased \$5,000.00 annually, and is hereby effective retroactively to April 1, 2023.

RESOLUTION 2023-4-6
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain motor vehicles and are no longer needed for public use by the township, and

WHEREAS, the Township Committee believes that it would be advantageous to dispose of its surplus property, and

WHEREAS, N.J.S.A. 40A:12-13 and 40A:12-13.1 permit the Township to dispose of surplus property no longer needed for public use by auction and to authorize such action by Resolution of the municipality;

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

1. The following motor vehicle is hereby declared to be surplus property and no longer needed for public use:

2006 Chevrolet HHR

VIN: 3GNDA23D36S654802
2. The Chief Of Police and Township Clerk are directed to arrange for the public auction of the vehicle through GovDeals, a service used by various government agencies, allowing them to sell surplus and confiscated items via the internet.

The Township Clerk shall assure that proper public notice of the auction is made, as required by law.

RESOLUTION 2023-4-7
RESOLUTION FOR AMENDMENTS/CORRECTIONS TO RESOLUTION 2023-1-6, “APPOINTMENT OF MUNICIPAL POSITIONS/BOARDS/EMPLOYEES”

BE IT HEREBY RESOLVED that the following individual was recommended to the Mansfield Township Committee to fill a vacancy on the Recreation Committee for the year 2023; and

WHEREAS, Resolution 2023-1-6, which was adopted by the Mansfield Township Committee at their Reorganization Meeting of January 4, 2023, be and is hereby amended as follows:

Recreation Committee Member:
Christopher Romano

RESOLUTION 2023-4-8
RESOLUTION FOR THE REFUND TO CORELOGIC FOR TAX DUE TO VETERAN EXEMPTION

WHEREAS, the homeowners listed were declared to be a Disabled Veteran effective 03/09/23; and,

WHEREAS, the homeowners, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

WHEREAS, Corelogic paid the Taxes for 1st quarter 2023.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on April 5, 2023 hereby authorizes the Tax Collector to refund taxes paid to Corelogic on the behalf of the following

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>	
2.19	Brentley Simpson	\$748.26		13.01

RESOLUTION 2023-4-9
RESOLUTION FOR THE CANCELLATION OF TAXES DUE TO VETERAN EXEMPTION

WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and

WHEREAS, the properties listed below are owned by a 100% Disabled Veterans.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following taxes for 2023:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
13.01	2.19	Brentley Simpson	\$3,676.25

(Effective 03/09/23)

**RESOLUTION 2023-4-10
RESOLUTION APPOINTING POLICE OFFICER THOMAS P. KIMBALL, III**

WHEREAS, a vacancy exists in the rank of patrolman within the Mansfield Township Police Department; and

WHEREAS, a selection process was conducted to find the most qualified person to hire in this capacity and **Thomas P. Kimball, III** has met all the qualification for said position;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Mansfield Township, County of Burlington, State of New Jersey at their Regular Meeting held on March 15, 2023 that **Thomas P. Kimball, III**, is so hired, at the recommendation of Chief of Police, Eric Campbell at Probation Step 1 in the amount of \$49,058.00, with benefits, and with certification of funds by the Mansfield Township CFO/Treasurer. Appointment to said position is hereby effective as of May 5, 2023.

**RESOLUTION 2023-4-11
RESOLUTION GRANTING FINAL APPROVAL OF SUPPORT FOR PRESERVATION OF A PORTION OF
BLACK WALNUT FARM, MANSFIELD TOWNSHIP**

WHEREAS, the Township of Committee of Mansfield Township is committed to preserving, to the extent possible, farmland within the Township for the benefit of the citizens of Mansfield Township as well as for the County of Burlington and for the State of New Jersey; and

WHEREAS, the Burlington County Agriculture Development Board is proceeding with the preservation of Black Walnut Farm, Block 28, Lot 47.01 through the Farmland Preservation Easement Purchase Program; and

WHEREAS, the County requests that the Township of Mansfield provide the necessary 15% municipal cost share, estimated to be Eighty Thousand Nine Hundred Sixty Three Dollars (\$80,963); and

WHEREAS, the preservation excludes a small portion (approximately three acres +/-) of the farm that is being purchased by Burlington County for regional trail development. This portion of the farm is being purchased outright by the County and is not subject to the 15% municipal cost share; and

WHEREAS, it is in the best interests of the citizens of the Township of Mansfield to give final approval on the County's acquisition of development easements for Black Walnut Farm, Block 28, Lot 47.01 through the Farmland Preservation Easement Purchase Program; and

WHEREAS, the Township Committee finds that Black Walnut Farm is adjacent to Mansfield Park located on Block 28, Lot 35 that is already deed restricted and preserved.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Township Committee does hereby grant final approval for the acquisition of development easements on Black Walnut Farm, Block 28, Lot 47.01 through the Farmland Preservation Easement Purchase Program; and

BE IT FURTHER RESOLVED that the Township of Mansfield shall provide the required municipal cost share, estimated to be Eighty Thousand Nine Hundred Sixty Three Dollars (\$80,963), representing fifteen per cent (15%) of the total cost to acquire the development easements on Black Walnut Farm, Block 28, Lot 47.01 aforesaid; and

BE IT FURTHER RESOLVED that the Township Chief Financial Officer has confirmed that funds are available to pay the municipal cost share authorized by this Resolution.

**RESOLUTION 2023-4-12
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.

RESOLUTION 2023-4-13

RESOLUTION DESIGNATING BLOCK 4, LOTS 3.01 AND 3.02 IN MANSFIELD TOWNSHIP AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND INCLUDING BLOCK 4, LOTS 3.01 AND 3.02 IN THE PREVIOUSLY DESIGNATED U.S. ROUTE 206 NORTH REDEVELOPMENT PLAN

WHEREAS, On March 15, 2023, by adoption of Resolution 2023-3-2, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized and directed the Township of Mansfield Planning Board (sitting as a Joint Land Use Board) to undertake a preliminary investigation to determine whether properties in Mansfield Township, being Block 4, Lots 3.01 and 3.02 qualify as “Non-Condensation Area In Need of Redevelopment” as defined in N.J.S. 40A:12A-3 and according to the criteria set forth in N.J.S. 40A:12A-5, of the Local Redevelopment and Housing Law (LRHL) N.J.S. 40A:12A-1 et. seq., and

WHEREAS, as mandated by the Township Committee, the Planning Board prepared a written report dated March 29, 2023, corrected April 7, 2023, on the Investigation for Determination of the Designation of Block 4, Lots 3.01 and 3.02 as a Non-Condensation Area In Need of Redevelopment and Amendment to the U.S. Route 206 North Redevelopment Plan. The report contained a map showing the boundaries of the potential Redevelopment Area and the location of the properties included therein and provided statements and findings setting forth the basis for the investigation; and

WHEREAS, as required by the LRHL, N.J.S.40A:12A-6, after the required public notice, the Planning Board conducted a public hearing on April 17, 2023, prior to making its determination on whether Block 4, Lots 3.01 and 3.02 should be designated as a “Non-Condensation Redevelopment Area”; and

WHEREAS, at the conclusion of the public hearing, after due consideration of all public comments and further based on the testimony of the Township Planner, the Planning Board voted to accept the written report on the Investigation for Determination of Block 4, Lots 3.01 and 3.02 as a Non-Condensation Area In Need of Redevelopment, dated March 29, 2023, corrected April 7, 2023 and to recommend to the Mansfield Township Committee that said Study Area be designated as a Non-Condensation Area In Need of Redevelopment and included in the previously designated U.S. Route 206 North Redevelopment Area.

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

A. Pursuant to the authority of the LRHL, N.J.S 40A:12A-6.b.(5), the written report on the Investigation for Determination of the Block 4, Lots 3.01 and 3.02 Study Area as a Non-Condensation Area In Need of Redevelopment Area, dated March 29, 2023, corrected April 7, 2023, attached hereto and made a part hereof as Exhibit A, is adopted and Block 4, Lots 3.01 and 3.02, as recommended and referred by the Planning Board to the Township Committee by adoption of Planning Board Resolution 2023-4-7, after the duly noticed and conducted public hearing, is hereby designated as a Non-Condensation Area in Need of Redevelopment. and Block 4, Lots 3.01 and 3.02 are hereby included in the previously designated U.S. Route 206 North Redevelopment Plan.

B. Pursuant to N.J. S. 40A: 12A-6(c), the Township Clerk is hereby directed to transmit a copy of this Resolution and the investigation report with the Planning Board resolution to the New Jersey Commissioner of the Department of Community Affairs for review and approval.

C. Within 10 days of the date of the adoption of this Resolution, the Township Clerk is hereby directed to serve notice of the adoption of this Resolution on the record owner of the property located within the designated Non-Condensation Redevelopment Area, any persons listed on the tax assessor's records and upon each person who filed a written objection to same.

RESOLUTION 2023-4-14

DESIGNATING THE TOWER GATE STUDY AREA PROPERTY IN MANSFIELD TOWNSHIP, BLOCK 70, LOTS 6.01 AND 6.02, AS A NON-CONDEMNATION REDEVELOPMENT AREA AND DESIGNATING AATGMN PROPERTY AS REDEVELOPER

WHEREAS, On March 15, 2023, by adoption of Resolution 2023-3-2, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized and directed the Township of Mansfield Planning Board (sitting as a Joint Land Use Board) to undertake a preliminary investigation to determine whether the Tower Gate Study Area, Block 70, Lots 6/01 & 6.02, (the “Tower Gate Study Area”) qualify as “Non-Condensation Area In Need of Redevelopment” as defined in N.J.S. 40A:12A-3 and according to the criteria set forth in N.J.S. 40A:12A-5, of the Local Redevelopment and Housing Law (LRHL) N.J.S. 40A:12A-1 et. seq., and

WHEREAS, in particular, the Township Committee determined that it is in the best interest of the Township for the Planning Board to conduct such an investigation for the Tower Gate Study Area, Block 70, Lots 6.01 and 6.02, and for said Area to be included in Mansfield Township’s Fair Share Housing Plan to satisfy the Township’s constitutional obligation to provide a realistic opportunity for the Township’s regional share of affordable housing development within the Township, and

WHEREAS, as mandated by the Township Committee, the Planning Board prepared a written report dated March 29, 2023, corrected April 7, 2023, on the Investigation for Determination of the Tower Gate Study Area as a Non-Condensation Area In Need of Redevelopment Area, The report contained a map showing the boundaries of the potential Redevelopment Area and the location of the properties included therein and provided statements and findings setting forth the basis for the investigation; and

WHEREAS, as required by the LRHL, N.J.S.40A:12A-6, after the required public notice, the Planning Board conducted a public hearing on April 17, 2023, prior to making its determination on whether the Tower Gate Study Area should be designated as a “Non-Condensation Redevelopment Area”; and

WHEREAS, at the conclusion of the public hearing, after due consideration of all public comments and further based on the testimony of the Township Planner, the Planning Board voted to accept the written report on the Investigation for Determination of the Tower Gate Study Area as a Non-Condensation Area In Need of Redevelopment, dated March 29, 2023, corrected April 7, 2023 and to recommend to the Mansfield Township Committee that said Study Area be designated as a Non-Condensation Area In Need of Redevelopment.

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

- A. Pursuant to the authority of the LRHL, N.J.S 40A:12A-6.b.(5), the written report on the Investigation for Determination of the Tower Gate Study Area as a Non-Condensation Area In Need of Redevelopment Area, dated March 29, 2023, corrected April 7, 2023, attached hereto and made a part hereof as Exhibit A, is adopted and the Tower Gate Study Area, Block 70, Lots 6.01 & 6.02, as recommended and referred by the Planning Board to the Township Committee by adoption of Planning Board Resolution 2023-4-8, after the duly noticed and conducted public hearing, is hereby designated as a Non-Condensation Area in Need of Redevelopment.
- B. Pursuant to N.J. S. 40A: 12A-6(c), the Township Clerk is hereby directed to transmit a copy of this Resolution and the investigation report with the planning board resolution to the New Jersey Commissioner of the Department of Community Affairs for review and approval.
- C. Within 10 days of the date of the adoption of this Resolution, the Township Clerk is hereby directed to serve notice of the adoption of this Resolution on the record owner of the property located within the designated Non-Condensation Redevelopment Area, any persons listed on the tax assessor's records and upon each person who filed a written objection to same.

AND BE IT FURTHER RESOLVED that AATGMN Property LLC, the contract purchaser, is hereby designated as the Redeveloper of the Tower Gate Property, Block 70, Lots 6.01 and 6.02, designated as Non-Condensation Area In Need of Redevelopment by this Resolution.

Discussion:

Solicitor Prime spoke on the Resolutions 2022-4-13 and 2022-4-14 being designated areas of the township that are in need of re-development and that both properties will be eligible for a Pilot Agreement if the Township Committee so decides.

Mayor Mojena added that these areas of re-development are specific to these sites only and do not extend anywhere else in Mansfield specifically with the litigation on both of these sites and the settlements of both.

A motion to approve the Consent Agenda was offered by **Committeeman Boyd** and seconded by **Deputy Mayor Siz**.

Motion carried on a roll call vote recorded as follows:

AYE: BOYD, SISZ, MOJENA NAY: NONE ABSENT: TALLON, GOLEND

BILL LIST: Regular and Escrow

A motion to approve the bill list both regular and escrow was offered by **Deputy Mayor Siz** and seconded by **Committeeman Boyd**.

DISCUSSION: There were no comments from the Township Committee.

Motion carried on a roll call vote recorded as follows:

AYE: SISZ, BOYD, MOJENA NAY: NONE ABSENT: TALLON, GOLEND

MINUTES: March 15, 2023

A motion to approve the minutes from the above shown date was offered by **Committeeman Boyd** and seconded by **Deputy Mayor Siz**.

DISCUSSION: None

Motion carried on a roll call vote recorded as follows:

AYE: BOYD, SISZ, MOJENA NAY: NONE ABSENT: TALLON, GOLEND

DISCUSSION ITEMS/PUBLIC HEARINGS/PRESENTATIONS TO COMMITTEE: None

NEW BUSINESS: Mayor's Comments/Updates:

Mayor Mojena added that our Budget Workshop is scheduled for May 3rd and shortly after we will have our final budget adoption. Also, our first meeting of the Master Plan Steering Committee was mainly an orientation and it went very well. Our Planner covered the theory and history behind the Master Plan along with goals and what we will be doing on this long term project. It was encouraging to see the participation of the diverse group of members, some of which have spent their entire lives here with others from different places and business. Our next meeting is scheduled for May 16th and all are encouraged to attend, participate and contribute. The minimum requirement is once every 10 years and it sets the trend and plan for what our township will look short term and for the next generation. We are all in this together and I hope to see more people in attendance.

Solicitor Prime wanted to take the time to congratulate the Committee stating that one of our Consent Resolution Agendas 2023-4-11 approved acquisition of farm through the Burlington County Preservation Program. The Lippincott Farm will result in 53 more acres being preserved for Farm Land Preservation and the settlement we entered into with Turnpike Junction will also result in additional open space being dedicated to the township.

Mayor Mojena added that the Black Walnut Farm is roughly 53 acres and located next to Mansfield Community Park and will be preserved forever. It is the first farmland that's been preserved here in Mansfield in at least a decade and has been a long time coming.

PUBLIC COMMENT:

John Goslin, 4 Hickory Drive- wanted to introduce the topic of amending zoning law 65-95 for the keeping of livestock and is mainly interested in allowing smaller residential properties to have backyard chickens as other municipalities have adopted

more loose laws regarding them. He listed the numerous benefits, and addressed what could be noise or sanitary issues, setbacks for a coup and administrative expenses to the township. Annual permit system like pet licensing could be used to support the township services associated with this.

Solicitor Prime would like the opportunity to research the existing regulations and noted that the preferred way to handling these are through a Use Variance where it is site specific and that you may qualify for if your neighbors agree.

John Goslin, 4 Hickory Drive- replied he was advised of the variance route for which he is open to, he also had conversations with his neighbors where there is a growing interest in having them. He asked if having a signed petition would generate movement.

Solicitor Prime added that petitions are not accepted for Zoning applications before the Land Use Board since we have no way of verifying the petitioners feeling and or their signature. A public hearing would be held and an opportunity for residents to speak in support of the proposition if in fact the Committee decided to move forward with an Ordinance amendment.

Administrator Fitzpatrick acknowledged his conversation with Mr. Goslin and reminded that this would be site specific where you would appear for your piece of property before the Joint Land Use Board asking for a variance to allow on your property. The JLUB would not change the entire Ordinance.

Mayor Mojena stated that we will look into it.

Joseph VanMater, 26954 Mt. Pleasant Rd.- asked for a synopsis of Solicitor Primes description of the conflict attorney since it was difficult to hear through the microphone for the public and what is the scope of the attorney and if it is case by case and is the conflict attorney paid by the Township utilizing Township funds to represent and individual. Solicitor Prime stated he provided a letter to the Township Committee along with the Resolution fully explaining the conflict attorney and that he would specifically represent the Township Committee. Mayor Mojena gave a brief description and it is on a case by case basis.

ADJOURNMENT:

A motion to adjourn the meeting was offered by **Deputy Mayor Sisiz** and seconded by **Committeeman Boyd**.

Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

CANDIS MELIN
Administrative Assistant

LINDA SEMUS, RMC, CMR
Municipal Clerk