

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
DECEMBER 9, 2019
Executive Session – 6:00PM
Regular Session – 7:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the above mentioned date with the following in attendance: **Mayor Sean Gable, Deputy Mayor Michael Magee, Committeeman Robert Higgins, Committeeman Frederick Cain, Committeewoman Janice DiGiuseppe, Township Administrator Michael Fitzpatrick, Township Engineer Doug Johnson, Township Solicitor John Gillespie, CFO Bonnie Grouser, Deputy Clerk Caitlin Midgette, and Municipal Clerk Linda Semus.**

Mayor Gable called the meeting to order at 6:01PM.

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. Adequate 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, Trenton Times and to the Clerk of the Township of Mansfield, posted on the official Bulletin Board of 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 mailings, posting, and filing having been accomplished as of March 21, 2019.”

EXECUTIVE SESSION

RESOLUTION 2019-12-1

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: Potential and Pending *Litigation; Personnel Matter; Contract; continued RFP Review*
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 **Committeeman Higgins** to adopt Resolution 2019-12-1 and convene into Executive Session. Motion carried. Township Committee entered Executive Session at 6:02PM. **Township Solicitor Gillespie** arrived shortly thereafter.

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. Motion carried. Township Committee and support staff returned to the dais at 7:05PM.

Township Solicitor Gillespie stated that the purpose of Executive Session was to discuss matters of pending litigation, a potential shared service agreement with another municipality, and the spending plan for COAH which was adopted at the previous meeting. Mr. Gillespie explained that the spending plan inadvertently was missing language which allows for money that has been spent from the regular budget for COAH purposes to be replenished by funds from the spending plan. Mr. Gillespie stated that a motion will be needed to ratify the spending plan with this added verbiage.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to ratify the COAH spending plan with the added aforementioned verbiage. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

Committeewoman DiGiuseppe asked **CFO Grouser** if she agreed with the added language in the spending plan. Ms. Grouser confirmed her agreement.

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

ENGINEER'S REPORT

Township Engineer Johnson briefly summarized the Engineer's Report by stating that paving has started at the Margolis Warehouse Project in preparation for the foundation.

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

ORDINANCE: SECOND READING/PUBLIC HEARING

ORDINANCE 2019-18

AN ORDINANCE TO AMEND CHAPTER 21B OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED "EMERGENCY MEDICAL SERVICES"

WHEREAS, the Township of Mansfield has engaged the services of the Mansfield Township Ambulance Corps ("MTAC") for at least the last fifteen (15) years to provide emergency medical services to the residents of the Township of Mansfield; and

WHEREAS, the Township Committee recently determined that, in lieu of entertaining Requests for Proposals in response to a competitive contracting process, that it preferred to employ the provisions of N.J.S.A. 40:5-2 to make contributions to the Mansfield Township Ambulance Corps in exchange for the MTAC agreeing to continue to provide emergency medical services to the residents of the Township; and

WHEREAS, N.J.S.A. 40:5-2 allows any municipality to "make a voluntary contribution of not more than Seventy Thousand Dollars (\$70,000.00) annually to any duly incorporated first aid and emergency or volunteer ambulance or rescue squad association...of any [the] municipality, rendering service generally throughout the municipality"; and in addition, if the association experiences extraordinary need, the municipality may contribute an additional amount of not more than Thirty Five Thousand Dollars (\$35,000.00) annually, so long as the need for such additional funds is established by the association and is directly related to the performance of said association's duties, and where the contribution exceeds Seventy Thousand Dollars (\$70,000.00), the Township's Chief Financial Officer must receive an audit performed by a certified public account or a registered municipal account of each the association's financial records for the current year; and

WHEREAS, N.J.S.A. 40:5-2 also allows the municipality to appropriate such additional sums as it may deem necessary for the purchase of first aid, ambulance, rescue or other emergency vehicles, equipment, supplies and materials for use by these associations, the title to which shall remain with the municipality, provided that the funds are controlled and disbursed by the municipality; and

WHEREAS, MTAC has been using, in addition to other equipment and vehicles, ambulances, vehicles and equipment purchased by and titled to the Township of Mansfield; and

WHEREAS, MTAC desires to continue to provide emergency medical ambulance/rescue squad services to the Township of Mansfield, on a 24-hour per day, 7-day per week schedule, to meet the health, safety and welfare needs of the Township's residents and citizens; and

WHEREAS, MTAC agrees to perform such services, as proposed, in compliance with N.J.A.C. 8:40-1-1, and any and all other federal, state, county and local rules, regulations or requirements; and

WHEREAS, MTAC is also the tenant, under a ninety-nine (99) year lease, which runs through the year 2101, and payment for which has been fully satisfied by MTAC with a payment of Seventy Two Thousand Five Hundred Dollars (\$72,500.00) beginning in the year 2002, of the Township-owned first aid/emergency services building, such that MTAC already has the exclusive right to use said building due to said lease; and

WHEREAS, the Township's insurance consultant, and the Municipal Joint Insurance Fund of which the Township is a constituent member, have advised the Township that it is most cost-effective to insure MTAC and its operations, through the municipality, which the Township's insurance consultant also indicated is a common practice among municipalities, which cover organizations such as this under their various Joint Insurance Fund insurance policies, and which policies include both general liability insurance and workers' compensation coverage; and the insurance consultant further advised the Township that maintaining MTAC on the Township's Joint Insurance Fund insurance coverage will also allow the Township to ensure safety compliance from the organization; and

WHEREAS, MTAC has advised the Township that it is able to undertake these services in exchange for the contributions contemplated under N.J.S.A. 40:5-2, if the Township were to also facilitate the employment of an emergency medical services administrator, who would be employed by the Township, but would work closely and on a day-to-day basis with MTAC; and

WHEREAS, the Township Committee deems it to be in the best interests of the residents and citizens of the Township of Mansfield to facilitate said employment.

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

ARTICLE I. AMENDED SECTIONS.

A. Section 21B-2 of the Code of the Township of Mansfield titled "Emergency Medical Services (EMS) Administrator" shall be repealed and replaced in its entirety with the following:

21B-2. Emergency Medical Services (EMS) Administrator.

"A. Creation; Purpose. The Emergency Medical Services Administrator shall be employed by the Township. This position supports organizational goals by providing efficient communication between the Township Committee and MTAC, along with operational and strategic support to MTAC, thereby demonstrating a commitment to partnership and cooperation, fiscal responsibility, and participation in performance improvement efforts, to ensure a high standard of emergency medical care and dispatch.

- “B. Appointment. The EMS Administrator shall be appointed by the Township Committee, giving due consideration to recommendation(s) for said position by MTAC.
- “C. Duties. The EMS Administrator shall serve as a liaison between the Township Committee and the Mansfield Township emergency medical services provider, reporting directly to the Township Committee, as a whole, and to the Township Administrator, but shall work daily, and directly, with MTAC on behalf of the Township to ensure the faithful performance of MTAC’s duties and responsibilities under this Agreement.
- “D. Powers and Responsibilities. The EMS Administrator shall, to the extent not prohibited by law:
 1. Manage and oversee the operational activities of MTAC on behalf of and in the interest of the Township, ensuring compliance with applicable New Jersey statutes and administrative rules and regulations, so that the Township financial and other contributions to MTAC are properly and satisfactorily supervised.
 2. Develop and maintain effective working relations between MTAC and the Township, facilitate information sharing/dissemination, provide conflict resolution, and ensure compliance with applicable regulations and policies.
 3. Prepare and recommend an annual budget, to be submitted to the Township Committee for purposes of ensuring that the Township’s subsidies to MTAC, under N.J.S.A. 40:5-2, allow it to continue as the Township’s emergency medical services provider.
 4. Oversee and document the repair and maintenance of EMS building and vehicles.
 5. Submit semi-annual financial statements to the Township Committee detailing expenditures and usage of funds received by the Township.
 6. Standardize policies and procedures to ensure that MTAC’s operations are compliant with federal and state requirements.
 7. Provide direction to MTAC personnel in the administration of the services provided to, and subsidized by, the Township.
 8. Manage licensure requirements and other related certifications and maintain records related to certifications to ensure compliance with applicable law.
 9. Participate in community outreach activities.
- “E. Compensation. The Emergency Service Administrator shall be compensated as an employee of the Township and in accordance with the Township’s Annual Salary Ordinance. For the balance of 2019 and all of 2020, said salary shall be Seventy Thousand Dollars (\$70,000.00) per annum with no medical benefits.

Section 21B-3, entitled “Emergency Medical Services Medical Director” is hereby repealed.

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.

Committeewoman DiGiuseppe stated that within the ordinance where the lease agreement with MTAC is discussed, she requested that the Township Clerk include the language of “attached hereto” to ensure that the lease is included with the ordinance.

Mayor Gable opened the public hearing on Ordinance 2019-18. There being no comments, the public hearing was closed.

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor Magee** to adopt Ordinance 2019-18. Motion carried on a Roll Call Vote, as follows:

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

ORDINANCE – FIRST READING/INTRODUCTION

ORDINANCE 2019-19
AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AMENDING THE CODE OF THE TOWNSHIP CHAPTER 42 – “SALARIES”

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

SECTION 1:

Chapter 42 of the Code of the Township of Mansfield is hereby amended to set Titles and Salary Ranges for various positions within the Township of Mansfield for the year 2020/2021:

TOWNSHIP COMMITTEE:

Mayor	\$ 3,000.00 - \$ 7,000.00
Township Committee Members	\$ 3,000.00 - \$ 6,500.00
Board of Health Members	\$ 180.00 - \$ 500.00

MUNICIPAL CLERK/ADMINISTRATOR OFFICE:

Municipal Clerk (Certified)	\$ 40,000.00 - \$ 80,000.00
Deputy Clerk	\$ 37,500.00 - \$ 55,000.00
Deputy Clerk (hourly)	\$ 14.00 - \$ 30.00
Township Office Assistant (hourly)	\$ 14.00 - \$ 30.00
Township Administrator (full-time)	\$ 40,000.00 - \$ 99,144.00
Township Administrator (part-time)	\$ 40,000.00 - \$ 55,000.00
Administrative Liaison To Township Committee	\$ 5,000.00 - \$ 10,000.00

FINANCE:

Chief Financial Officer (part-time)	\$30,000.00 - \$ 55,000.00
Chief Financial Officer (full-time)	\$30,000.00 - \$86,400.00
Deputy Treasurer/Payroll Benefits Coordinator	\$ 37,500.00 - \$ 62,000.00
Purchasing Assistant	\$ 7,000.00 - \$ 15,000.00
Tax Collector	\$ 30,000.00 - \$ 55,000.00
Assistant Tax Collector (hourly)	\$ 12.00 - \$ 25.00
Tax Assessor	\$ 30,000.00 - \$ 57,000.00
Part-Time Assessor	\$ 15,000.00 - \$ 40,000.00

CONSTRUCTION:

Construction Official	\$ 20,000.00 - \$ 45,000.00
Sub-Code Official: (Bldg., Elec., Fire, Plum.)	\$ 12,000.00 - \$ 75,000.00
Inspectors: (Bldg., Elec., Fire, Plum.) (hourly)	\$ 25.00 - \$ 40.00
Construction Manager	\$ 25,000.00 - \$ 50,000.00
Technical Asst. to Construction Official (hourly)	\$ 12.00 - \$ 27.00
Construction Office Assistant (hourly)	\$ 8.00 - \$ 17.00

UNIFORM FIRE CODE:

Fire Official (Unif. Fire Code) P/T	\$ 10,000.00 - \$ 16,704.00
Fire Prevention Inspectors P/T (hourly)	\$ 10.50 - \$ 25.00

PROPERTY MAINTENANCE/ZONING OFFICIAL

Part-Time Zoning Admin Officer/Official	\$ 3,000.00 - \$ 12,000.00
Property Maintenance Officer P/T	\$ 1,000.00 - \$ 9,500.00

LAND USE OFFICE:

Land Use Coordinator	\$32,000.00 - \$ 40,000.00
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PUBLIC WORKS:

Township Superintendent (hourly)	\$ 23.00 - \$ 35.00
Public Works Supervisor (annually) (working Supervisor)	\$ 1,600.00
Assist Public Works Supervisor (assistant working Supervisor) (annually)	\$2,000.00 - \$3,750.00
Building & Grounds Laborer (non-union)	\$20.00 - \$35.00
Buildings & Grounds Seasonal (hourly non-union)	\$ 10.00 - \$ 17.00
Administrative Assistant to Public Works Supervisor And Township Superintendent	\$1,000.00 - \$5,000.00
Buildings & Grounds Laborer (hourly) (<u>salary based on current bargaining unit contract</u>)	\$ 10.00 - \$ 35.00

RECREATION:

Recreation Coordinator And Secretary	\$ 5,000.00 - \$13,753.00
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HEALTH/ENVIRONMENTAL RELATED OFFICES:

Board of Health Secretary	\$ 1,200.00 - \$ 2,500.00
Recycling Coordinator	\$ 1,200.00 - \$ 2,000.00
Rabies Clinic Personnel (a day)	\$ 60.00 - \$ 75.00
Environmental Commission Secretary	\$ 1,200.00 - \$ 2,000.00
Clean Communities Coordinator	(5% of grant award)

SAFETY:

Director – Emergency Management Serv.	\$ 1,000.00 - \$ 3,500.00
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EMS:

Emergency Medical Services Administrator	\$ 70,000.00 - \$ 75,600.00
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POLICE DEPARTMENT:

Chief of Police	\$ 87,000.00 - \$ 117,000.00
Lieutenant	\$ 80,000.00 - \$ 108,000.00
Police Officer (P/T) (hourly)	\$ 10.00 - \$ 27.00
Senior Police Records Clerk (hourly)	\$ 10.00 - \$ 29.00
Police Records Clerk (hourly)	\$ 10.00 - \$ 20.00
Court Security Guard (hourly)	\$ 15.00 - \$ 25.00

Police Officer (salary based on current bargaining unit contract)

MUNICIPAL COURT:

Municipal Judge	\$ 15,000.00 - \$ 45,000.00
Municipal Judge Stipend for Springfield Twp.	\$ 13,500.00
Municipal Judge Stipend for Southampton Twp.	\$ 10,000.00
Court Administrator	\$ 25,000.00 - \$ 60,000.00
Court Administrator Stipend for Springfield Twp.	\$ 6,000.00
Court Administrator Stipend for Southampton Twp	\$ 6,000.00
Deputy Court Administrator (hourly)	\$ 11.00 - \$ 25.00
Dep Court Administrator Stipend Springfield Twp	\$ 4,000.00
Dep Court Administrator Stipend Southampton	\$ 4,000.00
Violations Clerk (hourly)	\$ 12.00 - \$ 25.00
Violations Clerk Stipend Springfield Twp	\$ 2,000.00
Violations Clerk Stipend Southampton Twp	\$ 2,000.00
Data Entry Clerk	\$ 8.00 - \$ 17.00

SECTION 2:

The aforementioned Salaries and Position Titles are effective January 1, 2020. The Township Committee reserves the right to pay a Salary to any new employee at any figure within the Salary Range, not necessarily the highest figure of said Salary Range.

The adoption of this Ordinance shall operate to provide increments only to those employees who have performed satisfactorily the duties of their positions.

This Ordinance shall take effect immediately after final passage according to law.

SECTION 3:

The Mansfield Township Committee hereby repeals all prior Salary Ordinances and declares that all Ordinances and parts of Ordinance inconsistent with this Ordinance are hereby repealed to the extent of said inconsistency.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

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

A motion was offered by **Committeeman Cain** and seconded by **Deputy Mayor Magee** to introduce Ordinance 2019-19. Motion carried.

RESOLUTIONS

RESOLUTION 2019-12-2

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S “ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964”

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c 183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Mansfield Township Committee of the Township of Mansfield, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c183, by certifying that the local unit’s hiring practice comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

CFO Grouser explained that the purpose of the above resolution is to satisfy compliance with a question on the best practices report. **Committeeman Higgins** questioned if the township is still able to inquire if a potential hire has been convicted of a crime. Ms. Grouser confirmed.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-2. Motion carried on a Roll Call Vote, as follows:

AYE: DIGIUSEPPE, CAIN, HIGGINS, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

**RESOLUTION 2019-12-3
RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER
FOR THE TOWNSHIP OF MANSFIELD ACCUMULATED ABSENCES
LIABILITY TRUST FUND REQUIRED BY N.J.A.C. 5:30-15**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the Township of Mansfield provides for receipt of funds for accumulated absences by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the dedicated revenues anticipated from the Accumulated Absences Liability Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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 Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Accumulated Absences Liability Trust Fund (N.J.A.C. 5:30-15).
2. The Municipal Clerk of the Township of Mansfield, County of Burlington is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

CFO Grouser explained that the above resolution is to satisfy a requirement on the best practices report. Ms. Grouser further explained that the purpose of the rider will be to pay out unused leave to retirees.

A motion was offered by **Committeeman Higgins** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-12-3. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, DIGIUSEPPE, CAIN, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

**RESOLUTION NO. 2019-12-4
RESOLUTION MEMORIALIZING AN AWARD OF CONTRACT FOR THE ACQUISITION OF A 2020
CHEVROLET TAHOE FOR THE MANSFIELD TOWNSHIP CONSTRUCTION DEPARTMENT**

WHEREAS, the Township of Mansfield is desirous to acquire a sports utility vehicle to be used by the Mansfield Township Construction Department; and

WHEREAS, said vehicle is being purchased through the Mansfield Township's Construction Rider; and

WHEREAS, said purchase is being made through State Contract; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that sufficient funds are available through the Rider to finance same; and

WHEREAS, the vehicle is to be titled to the Township of Mansfield.

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

1. The Township Committee hereby awards a Contract to Gentilini Chevrolet, LLC, 2703 Fire Road, Egg Harbor Township, NJ 08234 in accordance with the Mansfield Township's Construction Department's specification and their proposal in the amount of \$35,684.00.
2. The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, does hereby authorize the Mayor and Township Clerk to execute any and all documents necessary for said purchase.
3. The vehicle is to be titled to the Township of Mansfield.
4. This award is made available through the following account: **18 201 20 1099**

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

CFO Grouser explained that the construction trust fund has grown immensely due to the permit fees for the Margolis Warehouse Project, and that the purchase of this vehicle will be through said fund as it was not appropriated for in the municipal budget.

A motion was offered by **Committeeman Higgins** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-12-4. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, DIGIUSEPPE, CAIN, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

**RESOLUTION NO. 2019-12-5
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MANSFIELD AUTHORIZING AND DIRECTING THE PLANNING BOARD OF THE
TOWNSHIP OF MANSFIELD TO UNDERTAKE A PRELIMINARY INVESTIGATION
FOR DETERMINING "AREAS IN NEED" OF NON-CONDEMNATION
REDEVELOPMENT AS SET FORTH IN THE LOCAL REDEVELOPMENT AND
HOUSING LAW PURSUANT TO NJSA 40A:12A**

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of Non-Condensation Redevelopment in accordance with the Act, including Sections 3 and 5 thereof; and

WHEREAS, the Township has determined that the designation of Non-Condensation Redevelopment areas will foster the investment of private capital, the construction of projects that will benefit the Township, its residents and property owners; and

WHEREAS, the general boundary of the area which merit evaluation to see if such areas, and the parcels therein, would qualify as “Areas in Need of Non-Condensation Redevelopment” under the Act as set forth in Exhibit A (attached hereto); and

WHEREAS, the Township desires to direct the Planning Board to perform a preliminary investigation of the parcels set forth in Exhibit A to determine whether such parcels would qualify as an “Area in Need of Non-Condensation Redevelopment” under the Act; and

WHEREAS, said undertaking of a Preliminary Investigation is conditioned upon the receipt of escrow funds covering the full cost of preparation of said investigation by Edward Fox and Barbara Fegley of Environmental Resolutions, Inc.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mansfield as follows:

1. **PRELIMINARY INVESTIGATION OF STUDY AREA.** The Planning Board is hereby authorized and directed to conduct an investigation pursuant to *N.J.S.A. 40A:12A-6* to determine whether all or a portions of the parcels set forth in Exhibit A (together, the “Study Area”) satisfies the criteria set forth in the Act, including *N.J.S.A.40A:12A-5*, and *N.J.S.A.40A:12A-3*, to be designated as an “Area in Need of Non-Condensation Redevelopment”:
2. **MAP TO BE PREPARED.** As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the proposed Non-Condensation Redevelopment Areas and the location of the various parcels contained therein.
3. **PUBLIC HEARING REQUIRED.**
 - (a) The Planning Board shall conduct a public hearing. Said hearing date and time shall published in a newspaper of general circulation in the Municipality and a copy of the notice shall be mailed to the last owner, if any, or any persons who are interested in or would be affected by a determination that all, or a portion, of the study area is a Non-Condensation Redevelopment Area.
 - (b) At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that all or a portion of the Study Area is a Non-Condensation Redevelopment Area. All objections to a determination that all or a portion of the Study Area is an area in need of Non-Condensation Redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.
4. **PLANNING BOARD TO MAKE RECOMMENDATIONS.** After conducting its investigation, preparing a map of the proposed Non-Condensation Redevelopment Areas, and conducting a public hearing at which all objections to the designations are received and considered, the Planning Board shall make a recommendation to the Township as to whether the Township should designate all or part of the Study Area as an area in need of Non-Condensation Redevelopment.
5. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.
6. **AVAILABILITY OF THE RESOLUTION.** A copy of this Resolution shall be available for public inspection at the offices of the Municipal Clerk.
7. **EFFECTIVE DATE.** This Resolution shall take effect immediately.

Mayor Gable stated that the above resolution pertains to areas on Route 130, specifically what is known as the Jones Farm.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-5. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

RESOLUTION 2019-12-6

RESOLUTION ACCEPTING THE PROPOSAL IN AN ESTIMATED AMOUNT OF \$2,500.00 TO ENVIRONMENTAL RESOLUTIONS, INC. FOR THE PREPARATION OF A PRELIMINARY INVESTIGATION FOR DETERMINATION OF AN “AREA IN NEED” OF NON-CONDEMNATION REDEVELOPMENT, FOR BLOCK 59, LOTS 7.01, 7.02 IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, the Township of Mansfield has received a proposal from Environmental Resolutions, Inc., to provide a preliminary investigative services to the Township to determine if an area within the Township is in need of redevelopment; and

WHEREAS, Environmental Resolutions, Inc., has provided a proposal to provide the investigative services required in order to make a determination on redevelopment for block 59, Lots 7.01 and 7.02, in a letter dated December 2, 2019, which is attached hereto and made a part hereof, in an estimated amount of \$2,500.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available in that amount; and

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

1. The Township Committee hereby awards a Contract to Environmental Resolutions, Inc., in accordance with their proposal in an estimated amount of \$2,500.00; and
2. This award is made available through the following account:

The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award in a form substantially the same as that included in the specifications.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-6. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

RESOLUTION 2019-12-7

RESOLUTION AUTHORIZING THE PARTIAL REFUND OF A SMOKE CERTIFICATE APPLICATION FEE FOR BLOCK 42.19, LOT 6

WHEREAS, a smoke certificate application was filed for Block 42.19, Lot 6, also known as 247 Wagon Wheel Lane; and

WHEREAS, the fee in the amount of \$70.00 was received and deposited for the application; and

WHEREAS, the amount owed for said application was \$35.00, and the homeowner is now requesting a refund for same; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that a refund in the amount of \$35.00 to Elfriede Beeson of 247 Wagon Wheel Lane is hereby approved and authorized.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-12-7. Motion carried on a Roll Call Vote, as follows:

AYE: HIGGINS, CAIN, DIGIUSEPPE, MAGEE, GABLE

NAY: ABSENT: ABSTAIN

RESOLUTION 2019-12-8

REFUND OF TAX OVERPAYMENT

WHEREAS, Property Taxes were overpaid on the property listed below; and

WHEREAS, these overpayment was due to a payment by Corelogic, and they are requesting a refund;

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 December 9, 2019, hereby authorizes the refunding of the following to **Corelogic** by the Tax Collector.

Block	Lot	Property Owner	Amount
42.31	77	Timothy & Jacqueline Goodwillie	\$9,590.70

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to adopt Resolution 2019-12-8. Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, HIGGINS, DIGIUSEPPE, MAGEE, GABLE

NAY: ABSENT: ABSTAIN

BILL LIST: Regular and Escrow

A motion was offered by **Committeeman Cain** and second by **Deputy Mayor Magee** to approve the bill lists for payment. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, MAGEE, CAIN, HIGGINS, GABLE

**NAY: ABSENT: ABSTAIN: HIGGINS (9844, 3111)
MAGEE (9844)**

REGULAR MINUTES: November 26, 2019

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Cain** to approve the minutes of the November 26, 2019 meeting. Motion carried.

EXECUTIVE SESSION MINUTES: November 26, 2019

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Higgins** to approve the above listed Executive Session minutes. Motion carried on a Roll Call Vote, as follows:

AYE: DIGIUSEPPE, HIGGINS, CAIN, MAGEE

NAY: ABSENT: ABSTAIN: GABLE

DISCUSSION

A. Abandoned Property on New York Avenue: **Township Solicitor Gillespie** stated that the township can either take title to the property, or fund the remediation of the property to prepare same for resale. If the Township Committee chooses to remedy the property, the township will have to inform the owner and mortgagee, budget the amount of money need for the scope of services to secure the property, and finally place a lien on same so the township can be reimbursed for its expended funds at the property's sale. **Mayor Gable** suggested that a township official should examine the property to determine if it is a serious safety hazard, and perhaps have the Township Engineer draft a scope of services to secure the property. **Township Administrator Fitzpatrick** inquired if there is a buyer for either side of the duplex. Mr. Gillespie stated that there is a prospective buyer for one side, but since it has yet to go to closing, the township should inspect the property as a whole. **Township Engineer Johnson** stated that his firm would be willing to provide a scope of services, but his firm would need a letter from Mr. Gillespie's office authorizing the firm to enter the property. **Mayor Gable** stated that once RVE and Jef Jones, Superintendent, review the property and make a determination about the safety of same, the Township Committee will then decide whether or not to take title of the property, or expend funds to secure the property until resale.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Higgins** to proceed with the above process. Motion carried on a Roll Call Vote, as follows:

AYE: DIGIUSEPPE, HIGGINS, CAIN, MAGEE, GABLE

NAY: ABSENT: ABSTAIN:

B. Township Owned Property on Columbus Road and Chesterfield Road: **Mayor Gable** stated that the township owns property on Columbus Road that the Committee tried to offer to Habitat for Humanity, as well as an additional property on Chesterfield Road that the Committee attempted to sell via ordinance to adjoining property owners. As neither property was ultimately sold, **Mayor Gable** inquired if the Township Committee would be interested in selling the properties via public auction. **Committeeman Higgins** suggested that the property on Chesterfield Road be inspected to determine its condition. **Township Administrator Fitzpatrick** stated that the house is not habitable and should be demolished, and the foundation for the property on Columbus Road should be filled in as it's a safety hazard. Mr. Fitzpatrick was instructed to get cost proposals to secure each property. **Committeeman Cain** suggested that the Township Committee sell the properties in the "as is" fashion. **Mayor Gable** stated that a price will need to be established in order to hold a public auction in the "as is" fashion. **Committeeman Higgins** stated that the township needs to determine what needs to be done to each property before a value can be determined. **Mayor Gable** stated that if the house on Chesterfield Road needs to be demolished, the township should base the value of the property the land value. Additionally, Mr. Gable suggested that the value of the property on Columbus Road be determined based on what was negotiated with Habitat for Humanity. **Township Administrator Fitzpatrick** was instructed to make determination on property values.

PUBLIC COMMENT:

Tom Flanagan, 50 Barbary Lane, regarding Resolution 2019-12-4, stated that a new police car should be purchased instead, and a retired police vehicle should be given to the Construction Department. **Mayor Gable** stated that the vehicle was purchased via the Construction Trust Fund, not the municipal budget. Additionally, the Police Department is in need of new vehicles as well as the older vehicles are well beyond their life expectancies. Mr. Flanagan stated that the demands for a construction vehicle is not the same as police vehicles. **Township Administrator Fitzpatrick** reiterated that the construction vehicle is being purchased through the Construction Trust Fund, which can be used solely for construction purposes.

Carl Schwartz, 40 Fitzgerald Lane, questioned the status of the boiler for the Municipal Complex. **Township Engineer Johnson** stated that his firm is updating their proposal for same to be submitted to the township for consideration. Mr. Schwartz then asked for clarification on the trust fund established via Resolution 2019-12-3, and questioned how many trust funds the township has in total. **CFO Grouser** clarified same. Finally, Mr. Schwartz inquired about the resolution pertaining to redevelopment for the Jones Farm. **Mayor Gable** stated that a study will be performed on the area to see if it qualifies for non-condemnation redevelopment.

Bob Tallon, 2454 Axe Factory Road, regarding the Tower Gate settlement, stated that the same does not address the sewer and bypass issues as laid out in the Burlington County Growth and Development Plan. **Mayor Gable** stated that both are still planned for the future, but at this point funding is an issue. Mr. Tallon stated that he believed the aforementioned plan was endorsed by the NJDEP and was still a valid plan for affordable housing. Mr. Gable responded that said plan involves a TDR program, which the township did not receive approval for. Mr. Tallon stated that the builder's remedy lawsuit will increase taxes for current residents as the school budget will increase due to an increase in students living at the Tower Gate development. **Committeeman Higgins** stated that the bypass as discussed in the past will never come to fruition unless the developers that own that property decide to build it. The proposed TDR plan was based on a sewage treatment plant that was supposed to be funded primarily by the Pulte development on Petticoat Bridge Road that was never constructed. Without a sewer plant, houses cannot be built on smaller lots, which voids the potential of a TDR plan. Mr. Tallon stated that a part of the Burlington County Growth and Development Plan was to change environmentally sensitive areas to PA-5 to protect the land and wildlife. **Committeeman Higgins** stated that it's more than likely the NJDEP will be involved regardless of the settlement agreement, and that the developers who own the land have rights to build upon same.

Colleen Herbert, 2 Millennium Drive, inquired if the township is able to ask for funding for certain programs from developers that have permission to build in Mansfield. **Township Solicitor Gillespie** stated that developers can voluntarily provide donations. **Deputy Mayor Magee** stated that independent committees, such as the Recreation Committee, are allowed to ask for donations from developers. Regarding the settlement agreement, Ms. Herbert inquired if the Tower Gate settlement has the ability to be changed or negotiated and why the township seemed to have "gave away the store" in the agreement. **Township Solicitor Gillespie** stated that he rejects the idea that the township "gave away the store," and that it's unfair to assume that the Planning Board blindly approved the settlement agreement without review. **Mayor Gable** stated that the negotiations were explained at the previous Township Committee meeting, and that under this agreement, the number of affordable housing units required to be built in Mansfield will be significantly less than originally projected. Ms. Herbert questioned if the developers will have to have various studies completed to determine the impact of the development. Mr. Gable stated that the developers still have to go before the NJDEP and the local Planning Board for approvals. **Committeewoman DiGiuseppe** stated that the objective of the Planning Board is to research these documents and make their own decisions as an autonomous agency.

MAYOR AND COMMITTEE COMMENTS

Committeewoman DiGiuseppe stated that **CFO Grouser** has been doing an excellent job in her role.

Township Committee thanked the public for attending and for their input.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to hold a Special Meeting on Monday, December 16, 2019 at 4:30PM to hold an Executive Session. Motion carried.

MOTION FOR ADJOURNMENT

A motion was offered by **Deputy Mayor Magee** and duly second by **Committeeman Cain** to adjourn the meeting. Motion carried. Meeting adjourned at 7:59PM.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Caitlin Midgette, RMC, CMR
Deputy Municipal Clerk

Linda Semus, RMC, CMR
Municipal Clerk

Approved: December 18, 2019