

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
DECEMBER 18, 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, 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.** Deputy Mayor Michael Magee was absent from tonight's meeting.

Mayor Gable called the meeting to order at 6:00PM.

The following opening statement read by **Municipal Clerk Semus**:

“Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given via Resolution 2019-10-16, which was adopted by the Mansfield Township Committee on October 16, 2019. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, posted on the official website, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of October 17, 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 **Committeewoman DiGiuseppe** to adopt Resolution 2019-12-10A and convene into Executive Session. Motion carried. Township Committee entered Executive Session at 6:02PM. **Township Solicitor Gillespie** did not attend tonight's Executive Session.

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 returned to the dais at 7:00PM.

Mayor Gable stated that the purpose of Executive Session was to discuss a shared service agreement, personnel matters, and reorganization appointments.

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

PROCLAMATION

A PROCLAMATION COMMEMORATING MANSFIELD TOWNSHIP'S SCHOOL CHOICE WEEK
WHEREAS, all children in Mansfield Township should have access to the highest-quality education possible; and,
WHEREAS, Mansfield Township recognizes the important role that an effective education plays in preparing all students in Mansfield Township to be successful adults; and,
WHEREAS quality education is critically important to the economic vitality of Mansfield Township and,
WHEREAS, Mansfield Township is home to a multitude of excellent education options from which parents can choose for their children; and,
WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS, our area has many high-quality teaching professionals who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

*NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey does hereby recognize January 26 – February 1, 2020 as **MANSFIELD TOWNSHIP'S SCHOOL CHOICE WEEK**, and We call this observance to the attention of all of our citizens.*

Municipal Clerk Semus stated that said proclamation recognizes the importance of education in preparing children for adulthood.

ENGINEER'S REPORT

Township Engineer Johnson stated that there have been no major updates to the Engineer's Report since the prior meeting. However, Mr. Johnson stated that his firm inspected 372 and 364 New York Avenue. Based on the field visit, it was determined that the structures are both safety hazards and unfit for occupancy. The foundation is worn, and there is visible mold. Mr. Johnson stated that there is also a strong potential for environmental damage and termites. Accordingly, it is the recommendation of the Township Engineer that the duplex be demolished. **Township Solicitor Gillespie** stated that if the Township Committee would like to move forward in demolishing same, the Construction Code Official must first declare the duplex inhabitable. Mr. Gillespie requested a copy of the engineer's investigation report in order to determine how to proceed. **Committeeman Cain** inquired if the township will be responsible for covering the costs of demolition. **Township Solicitor Gillespie** stated that the township would need to fund the demolition, but a lien can be placed on the property so the township is reimbursed at the sale of same.

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

ORDINANCE: SECOND READING/PUBLIC HEARING

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

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) (*salary based on current bargaining unit contract*) \$ 10.00 - \$ 35.00

RECREATION:

Recreation Coordinator And Secretary \$ 5,000.00 - \$13,753.00

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

EMS:

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

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.

Mayor Gable opened the floor to public comment on Ordinance 2019-19.

Rich Tarantino, 45 Augusta Drive, questioned the need for an EMS Administrator, and inquired as to why the job was not publicly posted. Township Administrator Fitzpatrick stated that the job legally does not have to be advertised. Mr. Tarantino stated that he feels the Township Committee has no respect for taxpayer money. Committeewoman DiGiuseppe stated that she never agreed with this EMS process, but the majority of the Township Committee has decided to take this route.

With no further comments, the public hearing was closed.

A motion was offered by Committeeman Cain and seconded by Committeeman Higgins to adopt Ordinance 2019-19. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTIONS

RESOLUTION 2019-12-10
RESOLUTION FOR EMERGENCY APPROPRIATIONS TO BE PROVIDED FOR IN THE 2020 BUDGET REGARDING COAH LITIGATION AND OTHER EXPENDITURES AS PER NJS 40A:4-48 (Under 3% limitation)

WHEREAS, an emergency has arisen with respect to **COAH Litigation and Other Expenditures related thereto**, and, no adequate provision was made in the 2019 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is **\$135,000.00** and three (3) percent of the total operating appropriations in the budget for 2019 is **\$173,264.08** and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2019,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for the following line items:
 - a. General Administration – Other Expenses \$24,000.00
 - b. Legal Services – Other Expenses \$108,800.00
 - c. Planning Board – Other Expenses \$2,200.00

Total \$135,000
2. That said emergency appropriation shall be provided for in full in the 2020 budget.
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

CFO Grouser stated that an emergency appropriation in the amount of \$135,000 is necessary to fund actual billing that has been paid to date for COAH expenditures. **Township Solicitor Gillespie** inquired if this relates to the COAH spending plan, and the township’s ability to reimburse its budget through the spending plan once approved by the court for all expenditures paid for by the municipal budget for COAH purposes. Ms. Grouser confirmed.

A motion was offered by Committeeman Cain and seconded by Committeeman Higgins to adopt Resolution 2019-12-10.

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

RESOLUTION 2019-12-11

RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUNDS IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2019

BE IT RESOLVED on this 18th day of December, 2019 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2019 budget appropriations transfers be made as follows:

<u>Title</u>		<u>Transfer From</u>	<u>Transfer To</u>
<u>CURRENT FUND</u>			
Legal Services	OE	30,000.00	
Administration	OE	23,000.00	
Financial Administration	SW	2,000.00	
Revenue Administration	SW	1,250.00	
Municipal Clerk	OE		2,000.00
Financial Administration	OE		500.00
Revenue Administration	OE		750.00
Land Use	OE		250.00
Police	OE		6,000.00
Streets and Roads	SW		10,000.00
Streets and Roads	OE		15,000.00
Recycling	OE		100.00
Vehicle Maintenance	OE		2,400.00
Electricity	OE		2,000.00
Telephone	OE		1,750.00
Petroleum	OE		2,000.00
Landfill Solid Waste	OE		12,000.00
Municipal Court	OE		1,500.00
TOTALS:		\$56,250.00	\$56,250.00

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-11. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION NO. 2019-12-12

RESOLUTION AMENDING RESOLUTION 2019-12-4 MEMORIALIZING AN AWARD OF CONTRACT FOR THE ACQUISITION OF A 2020 CHEVROLET TAHOE FOR THE MANSFIELD TOWNSHIP CONSTRUCTION DEPARTMENT

WHEREAS, the Township Committee of the Township of Mansfield adopted Resolution 2019-12-4 at its meeting of December 9, 2019, which authorized the purchase of a 2020 Chevrolet Tahoe for the Construction Department by way of State Contract; and

WHEREAS, said resolution contained the incorrect purchase price for said vehicle necessitating an amendment to correct the purchase price to **\$42,267.56**; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that sufficient funds are available through the Construction Rider to finance same; 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 amends Resolution 2019-12-4 to include a purchase price of **\$42,267.56** for a 2020 Chevrolet Tahoe for the Mansfield Township Construction Department.
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 and trailer are 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.

Committeeman Higgins stated that this vehicle is being funded through the Construction Trust, which is replenished by fees collected for construction permits.

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

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

RESOLUTION 2019-12-13

RESOLUTION RELEASING ESCROW MONIES FOR BLOCK 11, LOT 1.09

WHEREAS, Michael Robertson appeared before the Mansfield Township Zoning Board on September 3, 2019 for variance approval for property located at 59 Chesterfield Road, known as Block 11, Lot 1.09, and

WHEREAS, Michael Robertson received approval for his variance request, which was granted by the Zoning Board as per Resolution 2019-9-6, and

WHEREAS, was permitted to construct a detached pole barn garage on the property, and

WHEREAS, Mr. Robertson has received invoices from the Zoning Board Professionals which have been satisfied, and

WHEREAS, the Zoning Board Professionals have indicated that there are no outstanding invoices and there will be no future invoices in regard to this application, and

WHEREAS, Mr. Robertson has requested release of the remaining escrow money in the amount of \$862.54.

NOW THEREFORE BE IT RESOLVED that the outstanding escrow amount of \$862.54 is hereby refunded to Mr. Robertson.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-13. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2019-12-14

RESOLUTION RELEASING ESCROW MONIES FOR BLOCK 42.21, LOT 7

WHEREAS, Robert & Jean Ward appeared before the Mansfield Township Zoning Board on September 3, 2019 for variance approval for property located at 36 Settlers Lane, known as Block 42.21, Lot 7, and

WHEREAS, Robert & Jean Ward received approval for their variance request, which was granted by the Zoning Board as per Resolution 2019-9-5, and

WHEREAS, was permitted to construct a 3-season sunroom addition at the rear of the existing residential dwelling, and

WHEREAS, Mr. and Mrs. Ward have received invoices from the Zoning Board Professionals which have been satisfied, and

WHEREAS, the Zoning Board Professionals have indicated that there are no outstanding invoices and there will be no future invoices in regard to this application, and

WHEREAS, Mr. and Mrs. Ward have requested release of the remaining escrow money in the amount of \$1,471.54.

NOW THEREFORE BE IT RESOLVED that the outstanding escrow amount of \$1,471.54 is hereby refunded to Mr. and Mrs. Ward.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-14. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2019-12-15

RESOLUTION AUTHORIZING THE REFUND OF A SMOKE CERTIFICATE APPLICATION FEE FOR BLOCK 9.03, LOT 7.05

WHEREAS, a smoke certificate application was filed for Block 9.03, Lot 7.05, also known as 1 Kings Court; and

WHEREAS, the fee in the amount of \$125.00 was received from the real estate agent, Anjani Kumar, and deposited for said application; and

WHEREAS, the sale of said property has fallen through and no closing will take place at this time; and

WHEREAS, the amount owed for said application was \$125.00, and Ms. Kumar is now requesting a refund for same.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that a refund in the amount of \$125.00 to Anjani Kumar for the smoke certification applied for at 1 Kings Court, is hereby approved and authorized.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to adopt Resolution 2019-12-15. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2019-12-16

RESOLUTION FOR THE REDEMPTION OF TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on November 28, 2018, a lien was sold to US Bank, Cust for PC7 First Trust on Block 33.01, Lot 9.05, also known as 1218 Jacksonville Road for 2018 delinquent taxes; and,

WHEREAS, the property owner, has affected redemption of Certificate #17-00010. This lien was redeemed on August 14, 2019, and the \$15,000.00 Premium that was bid on the certificate was not included in the redemption amount that was paid to the lienholder.

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, authorizes that a check be issued to US Bank, Cust for PC7 First Trust, for the redemption of this lien.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
US Bank, Cust for PC7 First Trust	17-00010	\$15,000.00

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to adopt Resolution 2019-12-16. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION NO. 2019-12-17
RESOLUTION APPOINTING EMS ADMINISTRATOR

WHEREAS, the Township Committee of the Township of Mansfield had approved and amended Ordinance 21B (Ordinance 2019-18), wherein the position of EMS Administrator was established;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey shall appoint George Senf, as the Township’s EMS Administrator for the Township of Mansfield, commencing January 1, 2020;

BE IT FURTHER RESOLVED that the term of said position shall be for two (2) years, commencing on January 1, 2020 and shall run concurrent with the term of the service agreement between the Township of Mansfield and the Mansfield Township Ambulance Corp.

BE IT FURTHER RESOLVED that Mr. Senf shall be appointed, on a full-time basis, at an annual salary of Seventy Thousand Dollars (\$70,000.00) per annum with no medical, prescription or dental benefits.

BE IT FURTHER RESOLVED that Mr. Senf’s condition of employment shall be implemented as agreed upon within his employee agreement which is on file in the Township Clerk’s Office and within Mr. Senf’s personnel file.

A motion was offered by **Committeeman Higgins** and seconded by **Committeewoman DiGiuseppe** to amend the employment agreement for the EMS Administrator to change the allotted time off to reflect what is given within the Employee Handbook.

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

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to adopt Resolution 2019-12-17. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2019-12-18
RESOLUTION AUTHORIZING EXECUTION OF SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF CHESTERFIELD FOR INSURANCE COSTS

WHEREAS, pursuant to N.J.S.A. 40A:65-1 et seq., any municipality of the State may enter into a contract with any other municipality or municipalities for the joint provision within their several jurisdictions of any service which any party to the Agreement is empowered to render within its own jurisdiction; and

WHEREAS, Mansfield currently provides insurance coverage for Mansfield Township Ambulance Corps “MTAC”; and

WHEREAS, it was determined that the most economical method to provide insurance is for Chesterfield to provide an annual sum to Mansfield to pay for a portion of insurance premium costs associated with MTAC; and

WHEREAS, the parties have negotiated a Shared Services Agreement, a copy of which is attached hereto; and

WHEREAS, the parties desire to enter into this Shared Services Agreement to establish all obligations in connection with this insurance reimbursement, which will become effective following adoption of this Resolution, a corresponding Resolution by Chesterfield Township, and execution by both entities of the Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Mayor and Township Clerk be and are hereby authorized to execute a Shared Services Agreement with the Township of Chesterfield for the provision of insurance to MTAC for coverage of services performed for Chesterfield pursuant to a separate agreement between Chesterfield and MTAC; and

Committeewoman DiGiuseppe stated that she agrees with the way the agreement is written.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to adopt Resolution 2019-12-18. Motion carried on a Roll Call Vote, as follows:

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

Municipal Clerk Semus requested that Resolution 2019-12-19 be removed from the agenda. Township Committee removed same.

RESOLUTION 2019-12-20

**RESOLUTION AUTHORIZING THE AWARD OF TOWING CONTRACTS
IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, AND STATE OF NEW JERSEY**

WHEREAS, there is a need for the Township of Mansfield to have a list of towers to be utilized in the Township of Mansfield; and

WHEREAS, pursuant to Township Ordinance 2012-10, a maximum number of towers to be approved is seven (7), and should any of the first towing companies be disqualified for any reason or withdrawn by the applicant, the township will move down the list to maintain its total of seven (7) towers; and

WHEREAS, the Chief of Police has reviewed and submitted the names of the applicants that were deemed eligible and to be called on a rotating basis; and

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

The Mansfield Township Committee hereby awards contract with below listed applicants effective January 1, 2020:

Johnson Specialized Transportation, Inc.
Haines Towing
2001 Towing
Hamilton Auto Clinic
Bill's Auto Body
USA Towing
Flynn's Towing

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Cain** to adopt Resolution 2019-12-20. Motion carried.

RESOLUTION 2019-12-21

**RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT TO SETTLEMENT AGREEMENT
WITH TOWER GATE ASSOCIATES, AND APPROVING AMENDED FAIR SHARE PLAN**

WHEREAS, by Resolution 2019-10-20, the Township Committee of the Township of Mansfield authorized the execution of a Settlement Agreement with Tower Gate Associates, an entity which had filed suit in the Superior Court of New Jersey, Burlington County, Law Division, in an action entitled: Tower Gate Associates v. Township of Mansfield, et al, Docket No. BUR-L-001739-18, challenging the Township's satisfaction of its affordable housing obligations, and seeking to build an inclusionary development on the property; and

WHEREAS, following the execution of that Settlement Agreement, which Settlement Agreement was an integral component to the Township's overall proposed Fair Share Plan to satisfy its Third Round Affordable Housing Obligations, the Township filed its proposed Fair Share Plan; and

WHEREAS, following the filing of Notice with the Superior Court of New Jersey, of the Township's proposed Fair Share Plan, the Fair Share Housing Center, Inc., a Court-recognized interested party in all affordable housing lawsuits in the State of New Jersey, expressed its objection to the Plan as proposed, urging that it did not include a sufficient number of units to satisfy what it believed to be the Township's Third Round Obligation; and

WHEREAS, following discussions by and between the Township, Fair Share Housing Center, Inc., Tower Gate Associates, and the Court's Special Master, Fair Share Housing Center advised that it would not object to the Plan if it established the Township's Third Round Obligation at 265 units, to be satisfied as set forth below, and the parties to the Settlement Agreement reached agreement to modify the Settlement Agreement accordingly; and

WHEREAS, the Court has adjourned the "Fairness Hearing" from December 19, 2019, to **January 28, 2020** at 10:30 a.m., as a result of which the Township needs to provide a new "Notice" to the public regarding same; and

WHEREAS, the Township Committee deems it appropriate to both authorize the Amendment to the Settlement Agreement with Tower Gate Associates, approve the revised Fair Share Plan, and authorize the Notice of the Township's proposed Settlement & Fair Share Plan.

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 Mayor and Township Clerk be and are hereby authorized and directed to execute the attached Amendment to Settlement Agreement with Tower Gate Associates, which Amendment provides for an additional 72 units, of which 50 shall be market-rate, and 22 shall be "affordable housing" eligible units.
2. The Township Committee hereby approves the Fair Share Plan set forth in the chart below, and authorizes the Township Attorney to prepare the necessary Notices, to be sent and published at least thirty (30) days prior to the "Fairness Hearing", to revise the previously submitted proposed Fair Share Plan from 221 units, to 265 units, to be satisfied as follows:

Mansfield Affordable Housing numbers:

	Obligation	Max 25% rental bonus
Prior Round:	114	(28.5) 29
Third Round	265	(66.25) 66
Combined Prior and Third:	379	
Max. 25% rental bonus:	95	

Fair Share Plan / Units and Bonuses Addressing Prior and Third Round:

Project	3 rd Round 379	3 rd Round Bonus 95 (379x.25)
The Villages	97	N/A (family for-sale)
Pulte	48 (family rental apts)	48 (rental bonus)
Towergate (originally proposed)	74 (family rental apts)	47 (rental bonus)
	219	95 (max. bonus both rounds)
		314
Subtotal remaining:	65 (379 - 314 = 65)	No remaining bonus available
Belleweather	9 (existing group home)	
Market to affordable	22 (proposed, existing rental housing stock)	
Towergate additional family rental apts:	22	
Group homes	12 (veterans group or developmentally disabled)	
Remaining:	0	

Township Solicitor Gillespie stated that a revised draft ordinance for the Tower Gate development was prepared by the court’s special master with comments from the Fair Share Housing Center. The center will not object to the proposed plan. **Committeeman Higgins** questioned if the amendment to the settlement agreement pertains to the additional units that Mansfield has to provide. **Township Solicitor Gillespie** confirmed, and stated that 22 affordable housing units have been added to the Tower Gate development. In total, this will still be less than the number of units originally projected by Fair Share Housing. **Committeewoman DiGiuseppe** questioned the urgency of adopting the amended settlement agreement if the fairness hearing is postponed to February 5, 2020. Mr. Gillespie stated that the notice of the fairness hearing must be advertised for at least 30 days prior to same. **Committeewoman DiGiuseppe** questioned if this plan was submitted to the court by the special master. Mr. Gillespie stated that the special master did not prepare the plan, but is endorsing the same before the court.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to adopt Resolution 2019-12-21. Motion carried on a Roll Call Vote, as follows:

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

BILL LIST: Regular and Escrow

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

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

REGULAR AND EXECUTIVE MINUTES: December 9, 2019

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Higgins** to approve the regular and executive minutes of December 9, 2019. Motion carried.

DISCUSSION

A. Facilities Use Permits:

- i. Brian Kuser, Northern Burlington Lacrosse Club – 12-1-19 to 11-30-19
- ii. Mike Vasil, NBIAA, 12-22-19 to 3-12-20
- iii. John McAdams, Perfect Game, various dates throughout summer 2020.
- iv. Brian Sisz, Northern Burlington Gils Softball, 12-1-19 to 11-30-20.
 Brian Sisz, Jersey Outlaws Gold-DB, 1-1-2020 to 12-31-20
- v. Jamie Skelly, Jersey Outlaws Futures, 12-1-19 to 11-30-20
- vi. Mike Vasil, Central Jersey Rebels, 12-1-19 to 3-30-20
- vii. Curt VanMater, Northern Burlington LAX Booster, 12-1-19 to 12-17-20
 (replaces Northern Burlington Girls LAX)

Municipal Clerk Semus stated that all above listed permits have been approved by the Recreation Committee.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to approve the above listed permit applications. Motion carried.

B. Sale of Municipally Owned Properties: **Mayor Gable** stated that the Township Committee has previously discussed selling property owned by the township on Chesterfield Road and Columbus Road. Since both properties failed to sell to adjoining property owners, Mr. Gable inquired if the Township Committee would like to move forward in selling the same at public auction. **Township Administrator Fitzpatrick** stated that the property on Chesterfield Road is assessed at \$137,400. Discussion ensued on the health hazards of the property and whether the same should be demolished. **Township Solicitor Gillespie** stated that the property can be sold at auction in an “as in” manner with the condition that the structure be demolished within a certain amount of time after purchase.

A motion was offered by **Committeewoman DiGiuseppe** to place the Chesterfield Road property up for public auction for \$50,000. Mrs. DiGiuseppe rescinded her motion.

A motion was offered by **Committeewoman DiGiuseppe** and seconded by **Committeeman Cain** to place the Chesterfield Road property up for public auction at \$20,000. **Township Solicitor Gillespie** inquired if the motion will include demolition. Mr. Cain responded with yes, and Mrs. DiGiuseppe responded that she is not in favor of demolition. Accordingly, **Committeewoman DiGiuseppe** rescinded her motion.

Mayor Gable suggested that the Chesterfield Road property be sold with the condition that the health hazards must be abated immediately upon sale. **Committeewoman DiGiuseppe** was agreeable to same.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to sell the Chesterfield Road property via public auction at \$20,000 with the condition that the health hazards must be abated immediately upon sale. Motion carried on a Roll Call Vote, as follows:

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

Regarding the property on Columbus Road, **Township Administrator Fitzpatrick** stated that the value of the property is assessed at \$76,300.

A motion was offered by **Committeeman Cain** and seconded by **Committeewoman DiGiuseppe** to place the Columbus Road property for sale at public auction for \$15,000. Motion carried on a Roll Call Vote, as follows:

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

RESOLUTION 2019-12-22
RESOLUTION AUTHORIZING SALE OF MUNICIPALLY-OWNED REAL PROPERTY NO
LONGER NEEDED FOR PUBLIC USE

WHEREAS, the Township of Mansfield is the owner of certain property known as 23789 Columbus Rd., also known as Block 33.01, Lot 21, and 29 Chesterfield Rd., also known as Block 11, Lot 3, which properties were acquired by the Township through a foreclosure action, and the Township Committee has determined that said property is not needed for public use; and

WHEREAS, the New Jersey Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.* authorizes the sale of municipal property not needed for public use, at public auction subject to certain terms and conditions; and

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that the Township Administrator, Township Clerk and Township Solicitor are hereby authorized and directed to take such action as is necessary to place said property for sale, at public auction, in accordance with the provisions of N.J.S.A. 40A:12-13, said sale to be conducted by no later than **January 31, 2020**.

BE IT FURTHER RESOLVED that the following conditions shall apply to said sale:

1. Sales Price: for property 23789 Columbus Road: A minimum price of Fifteen Thousand Dollars (\$15,000.00) shall be required. A ten percent (10%) deposit shall be required at the time of the bid.
2. Sale Price: for property 29 Chesterfield Road: A minimum price of Twenty Thousand Dollars (\$20,000.00) shall be required. A ten percent (10%) deposit shall be required at the time of the bid.
3. The prospective Buyer shall be made aware, in the course of the notice to be published in the newspaper, that the adjoining Lot 6.06 is the site of a small commercial shopping center.
4. The property shall be used solely for residential purposes, said property have been recently re-zoned by the governing body to an R-1 zoning designation.
5. The Township Committee reserves the right to reject any and all bids for any reason that it deems appropriate and in the municipality's best interest.
6. The successful bidder will be required to enter into an Agreement of Sale, a copy of which shall be on file with the Township Clerk, at the time of the bid, if said bid is the highest bid; the Agreement of Sale will then be submitted to the governing body for its approval and/or rejection. If approved, Closing shall take place no later than thirty (30) days from the date of the governing body's approval by Resolution of the acceptance of the bid.
7. Said property shall be sold "as is, where is", and the governing body makes no warranties or representations regarding the condition of title. Title shall be conveyed by way of QuitClaim Deed.

C. Sale of Block 30, Lot 12: Township Solicitor Gillespie stated that the buyer is still reviewing the agreement of sale.

PUBLIC COMMENT:

Bob Tallon, 2454 Axe Factory Road, inquired if a resolution was adopted to amend the Tower Gate settlement agreement, and if so, inquired if the topic was discussed at the special meeting held on Monday, December 16th. **Township Solicitor Gillespie** stated that the matter was a topic discussed in Executive Session at said special meeting, and that the township is being required to increase the number of affordable housing units. Accordingly, the amended settlement agreement pertains to the increase in same. However, Mr. Gillespie noted that the increase in units does not require additional clearing of land. Mr. Tallon reemphasized the Burlington County Growth and Redevelopment Plan and the objectives in same that state that the properties surrounding Crystal Lake are to remain free of development. Mr. Tallon stated that he believed said plan to solve Mansfield's affordable housing requirements. **Mayor Gable** stated that the plan was conditioned upon a TDR program, for which Mansfield was never approved. Mr. Tallon reiterated his concerns for the environment, drainage issues, and tax burdens that he feels will be created by the Tower Gate development.

Deborah Smith, former resident, stated that she believes the Tower Gate development to be problematic in terms of tax increases, environmental impacts, and decrease in property values. Though she agrees with the need for affordable housing, Ms. Smith stated that she feels the Tower Gate development will have a negative impact on the community.

Leah DiFillipo, 2225A Old York Road and Chair of the Special Events Committee, invited the public to attend a community volunteer day at The Grange. **Mayor Gable** thanked Ms. DiFillipo for her dedication to special events.

Carl Schwartz, 40 Fitzgerald Lane, inquired about the emergency appropriation for COAH expenditures as it relates to the spending plan. **CFO Grouser** clarified. Mr. Schwartz questioned if the appointed EMS Administrator will receive medical benefits. **Committeewoman DiGiuseppe** stated that the employment agreement contains an annual salary of \$70,000, not including medical benefits. However, the township can offer the employee a \$1,500 stipend for waiving the benefits, though this aspect has not yet been negotiated. Mrs. DiGiuseppe stated that if the employee needs medical benefits, the matter will need to be brought before the Township Committee for consideration. Finally, Mrs. DiGiuseppe noted that the employment agreement is for a two year term. Mr. Schwartz questioned the approved shared services agreement with Chesterfield. **Mayor Gable** explained that Chesterfield will reimburse Mansfield for its insurance premiums. Furthermore, Mr. Gable explained that the EMS Administrator will primarily support operations in Mansfield, but should the employee need to put in hours in Chesterfield, a future shared service agreement may be needed. Finally, Mr. Schwartz asked if a financial impact statement has been completed for aspects such as roads, police and fire services, etc. relating to the impact of additional residents due to affordable housing. Mr. Gable stated that no such study has been completed.

Bob Tallon, 2454 Axe Factory Road, stated that the developers of the Tower Gate property will be giving a presentation before the Bordentown Township Sewage Authority.

Rich Tarantino, 45 Augusta Drive, questioned the amount of money in the COAH fund.

Brad Shelton, 334 New York Avenue, inquired if the affordable units at Tower Gate will be rentals, and the amount bedrooms in each apartment. **Township Solicitor Gillespie** stated that the affordable units will be rentals, and that the amount of bedrooms in each unit will be determined by the COAH distribution rules. Mr. Shelton inquired if the school district is capable of handling an increase in students. **Mayor Gable** stated that the township is unaware of the district's capacity at this time.

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

MAYOR AND COMMITTEE COMMENTS

Committeeman Higgins thanked **Mayor Gable** for his years of service to the community, and wished him the best of luck in his future endeavors.

Committeeman Cain thanked **Mayor Gable** for the time and effort he put forth in serving the community.

Committeewoman DiGiuseppe thanked the public for attending, and on behalf of **Deputy Mayor Magee**, wished the public happy holidays. Mrs. DiGiuseppe wished **Mayor Gable** good luck.

Township Solicitor Gillespie addressed comments made by members of the public. Regarding the Burlington County Growth and Development Plan referenced by Mr. Tallon, Mr. Gillespie noted that many objectives within the document never came to fruition. As the owner of the property, Tower Gate has rights as a developer. Developers tend to find towns that have not yet met COAH obligations, which allows them to successfully file builders remedy lawsuits. However, as COAH went unregulated for several years, the Township Committee would have been unable to address its obligations. Mr. Gillespie noted that the Township Committee has determined that Route 130 is the most appropriate area for affordable housing. Mr. Gillespie reiterated that the Tower Gate agreement settles the township's COAH obligations, and that the number of units to be approved within the agreement is significantly less than originally projected for the township, and many of the units are credits. Regarding the resolution adopted tonight for emergency appropriations, Mr. Gillespie noted that when it comes to COAH matters, attorneys, the special master, the planner, and the affordable housing administrator all have to be paid. Accordingly, the COAH fund does not have enough money to pay these fees since only a certain percentage of said fund can be used to pay for administrative costs. The township has already exceeded this percentage. In order to prevent further violation of that limitation, the township will have the ability to reimburse the municipal budget from the COAH spending plan once the COAH fund is replenished by developers, who are required to financially contribute to same. The Burlington County Growth and Development plan would not have solved Mansfield's COAH obligations, especially without access to sewer.

Mayor Gable thanked the public for attending, and noted that he has enjoyed working with Committee and staff throughout the years.

MOTION FOR ADJOURNMENT

A motion was offered by **Committeeman Cain** and duly seconded by **Committeeman Higgins** to adjourn the meeting. Motion carried. Meeting adjourned at 8:33PM.

RESPECTFULLY SUBMITTED BY:

Linda Semus, RMC, CMR
Municipal Clerk