

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
REGULAR MEETING MINUTES
December 16, 2020
7:00 PM**

The Regular Meeting of the Mansfield Township Committee was held on the above mentioned date with the following in attendance: **Mayor DiGiuseppe, Deputy Mayor Cain, Committeeman Higgins, Committeeman Magee, and Committeeman Ocello.** Also present is **Solicitor Timothy Prime, Engineer Johnson, Administrator Michael Fitzpatrick, CFO Grouser, Clerk Semus and Deputy Clerk Ashley Jolly.**

Clerk Semus called the meeting to order at 7:00 PM and made the following statement:

This meeting is being conducted during the current National Emergency with remote participation in accordance with guidance provided by the New Jersey Division of Local Government Services, Department of Community Affairs, as set forth in the Public Notice of this meeting.

Following the above statement **Clerk Semus** then read the following Open Public Meetings Statement to be followed by the Flag Salute:

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 2020-1-8, which was adopted by the Mansfield Township Committee on January 6, 2020. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, posted on the official website, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 10, 2020.

MAYORS STATEMENT:

The Mayor had no statement at this time.

ENGINEERS REPORT:

FY' 2021 CDBG Grant

Engineer Johnson explained that he had worked with the Clerk's office as well as, Public Works in submitting the FY 2021 CDBG Grant. The application was sent to the county through email and a hard copy is being overnighted.

FY 2020 CDBG Grant

Engineer Johnson stated he is working with G&G Landscaping in regards to the ADA walkways in the Community Park. He is anticipating they will be pouring concrete early next week.

Stormwater Outfall Mapping

The storm water outfall mapping that is required, will be submitted to the NJDEP by December 21st.

NJDOT Projects

Both resurfacing projects on White Pine Road and Railroad Avenue are substantially complete. A separate vendor will be performing pavement, coring and testing on the asphalt that is required.

Margolis Warehouse

Phase 2 may be looking to start construction sometime in January.

Mansfield Realty North

They will be starting stormwater and site work in the coming weeks.

Administrator Fitzpatrick added that he has been getting positive feedback for both Railroad Avenue and White Pine Road.

Engineer Johnson thanked the contractors for doing a good job on the roadways.

A motion to accept the Engineers Report was offered by **Deputy Mayor Cain** and seconded by **Committeeman Ocello**. All ayes. Motion carried.

FINANCE:

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
RESOLUTION 2020-12-1**

RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF MANSFIELD TOWNSHIP, BURLINGTON COUNTY, HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE 2019 ANNUAL AUDIT ENTITLED “GENERAL COMMENTS AND RECOMMENDATIONS”

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52-27BB-52 - "A local officer or member of a local governing body, who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

CFO Grouser explained that the resolution is certifying that the Township Committee has reviewed at a minimum the General Comments and Recommendations portion of the audit. The affidavit will be signed by the governing body and is forwarded to the DLGS.

A motion to adopt the above resolution was offered by **Committeeman Higgins** and seconded by **Committeeman Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Higgins, Magee, Ocello, Cain, DiGiuseppe
NAY: None ABSTAIN: None ABSENT: None

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
RESOLUTION 2020-12-2
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF
BURLINGTON, STATE OF NEW JERSEY, APPROVING A
CORRECTIVE ACTION PLAN FOR THE 2019 AUDIT**

WHEREAS, the Township of Mansfield, County of Burlington, State of New Jersey received its 2019 Audit, dated November 19, 2020, and submitted to the Township for review on December 16, 2020; and
WHEREAS, the Township will implement the 2019 Corrective Action Plan for the findings therein as follows:

**CORRECTIVE ACTION PLAN - 2019 AUDIT
TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

Recommendation Number 2019-001 - During the audit it was noted that the Township expended certain Trust Funds without an approved Dedication by Rider from the State of New Jersey, Division of Local Government Services. \$194,890.00 in Police Outside Employment Trust Funds were expended without a 2019 Budget Appropriation or approved Dedication by Rider.

Corrective Action: The Township submit a request for a Dedication by Rider for Police Outside Employment to the State of New Jersey, Division of Local Government Services. This finding has been resolved by adoption of Resolution 2020-11-2 with same having been forwarded to the State of New Jersey, Division of Local Government Services requesting permission for the Dedication by Rider for the Township of Mansfield Outside Employment of Off-Duty Municipal Police Officers Trust Fund Required by LFN 2000-14.

Recommendation Number 2019-002 – During the audit it was noted that the Township provided contributions to a duly incorporated Emergency Medical Service (EMS) Company but did not follow certain requirements of N.J.S.A. 40:5-2. During the calendar year 2019, the Township disbursed \$200,000.00 to the EMS Company; however, the Township did not perform the following requirements in connection with N.J.S.A. 40:5-2:

- a) Obtain a request from the EMS Company that additional funds are needed because it is experiencing extraordinary need directly related to the performance of the EMS Company's duties;
- b) Obtain an audit from the EMS Company resulting from contributions exceeding \$70,000.00;

- c) Control the disbursement of funds in excess of \$105,000.00 (\$70,000.00 + \$35,000.00) to determine that first aid, ambulance, rescue or other emergency vehicles, equipment, supplies and materials for use by this EMS Squad were placed in the Township's name and for these uses.

Corrective Action: The Township follow the requirements of N.J.S.A. 40:5-2 with respect to contributions to the Emergency Medical Service Company.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, implement the Corrective Action Plan as outlined above by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the Township Clerk of the Township of Mansfield, be directed to forward certified copies of this resolution to the New Jersey Division of Local Government Affairs, in compliance with State statute.

CFO Grouser explained that the above resolution identifies the recommendations referenced in the previous resolution. Recommendations are also called findings and findings are areas of noncompliance that were noted by the auditors. There were two findings in the audit. The first finding was that the Township had expended certain trust funds without an approved dedication by rider from the State of New Jersey. There are trust funds that are established for specific purposes and are required to be approved by the DLGS. It was found that the Township has a trust fund for police outside employment, which was never established with the DLGS. Therefore, a resolution was adopted during the November 18th meeting and same was forwarded to the DLGS, which shall satisfy that finding. The second finding was in 2019 the Township had appropriated and dispersed \$200,000 to the EMS and that was not in compliance with statute 40:5-2 which stipulates the Township can contribute \$70,000 however, anything above \$70,000 had additional criteria that was required. For the 2020 audit the Township as only appropriated and dispersed the allowable \$70,000 therefore, that finding is now satisfied.

A motion to approve the above resolution was offered by **Deputy Mayor Cain** and seconded by **Committeeman Ocello**. Motion carried on a roll call vote recorded as follows:

AYE: Cain, Ocello, Higgins, Magee, DiGiuseppe
NAY: None ABSTAIN: None ABSENT: None

GRANT:

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-12-3**

**RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION FOR THE PROGRAM YEAR
2021 BURLINGTON COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT AS ADMINISTERED
BY THE BURLINGTON COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT**

WHEREAS, Mansfield Township has prepared an application for the 2021 Burlington County Community Development Block Grant as a funding request for ADA compliant picnic tables and benches at the Mansfield Township Community Park Area, 24830 East Main Street, Columbus, NJ, to assist in ADA regulations; and

WHEREAS, this application must have Mayor and Township Committee approval; and

WHEREAS, it is understood that the scope of work stated above may exceed the program's funding amount. The amount listed in the project cost estimate represents the total project cost. The Township is prepared to supplement CDBG funding with other funding sources, if necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee for the Township of Mansfield, County of Burlington, New Jersey, fully supports and approves this grant funding request to the Burlington County Community Development Block Grant Program, which does not require any local matching funds.

BE IT FURTHER RESOLVED that the Mansfield Township Committee will conduct a hearing at its regular town meeting on December 16, 2020 at 7:00 PM for residents to comment during that public portion of the hearing.

Clerk Semus explained that the above resolution is memorializing the decisions made last month in regards to the 2021 CDBG Grant.

Clerk Semus asked the public to come forward if they have any questions or concerns on Resolution 2020-12-3 specifically.

Public Hearing:

Robert Tallon, 2454 Axe Factory Road – He asked for a quick explanation has to what the grant is for as well as the total.

Clerk Semus explained that the grant is through HUD and it is to cover any ADA requirements on Township property. For the most part, it is about \$75,000 or less depending on the type of grant. Some of the benches and tables at the parks are falling apart and are not handicapped accessible. All of those tables will be removed and replaced with all ADA complaint tables and benches for the Mansfield Community Park.

There were no further comments from the public.

A motion to approve the above resolution was offered by **Committeeman Magee** and seconded by **Committeeman Ocello**. Motion carried on a roll call vote recorded as follows:

AYE: Magee, Ocello, Higgins, Cain, DiGiuseppe
NAY: None ABSTAIN: None ABSENT: None

ORDINANCE:

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
ORDINANCE 2020-18**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY
AMENDING ORDINANCE 2019-19 AND 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:

Ordinance 2019-19 and Chapter 42 of the Code of the Township of Mansfield is hereby amended to revise the Salary Range for the Township Administrator (full time) and to establish Titles and Salary Ranges for positions created, and to delete Titles and Salary Ranges for positions eliminated, in the Township since the adoption of Ordinance 2019-19, as follows:

MUNICIPAL CLERK/ADMINISTRATOR OFFICE:

Township Administrator (full time)

\$80,000.00 – \$125,000.00

LAND USE OFFICE:

Land Use Secretary \$15,000.00 - \$ 25,000.00

PUBLIC WORKS:

Township Superintendent \$3,000 - \$10,000
Public Works Foreman \$55,000.00 - \$62,000.00
Public Works Assistant Foreman \$50,000.00 - \$57,000.00
Administrative Assistant to both Public Works Foreman
and Township Superintendent \$1,000.00 - \$5,000.00

SECTION 2:

The aforementioned Salary Ranges and Position Titles are effective immediately. 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.

SECTION 3:

The Mansfield Township Committee only repeals and replaces those sections of Ordinance 2019-19 expressly amended herein and the balance of Ordinance 2019-19 is expressly saved from repeal.

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.

Clerk Semus explained that the above ordinance is on for public hearing/final adoption. She asked if any members of the public wished to speak on same.

There were no comments from the public.

A motion to adopt the above Ordinance was offered by **Committeeman Ocello** and seconded by **Committeeman Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Ocello, Magee, Higgins, Cain, DiGiuseppe
NAY: None ABSTAIN: None ABSENT: None

CONSENT AGENDA:

Clerk Semus noted that Consent Agenda Items are considered to be routine and Expenditures are supported by certification of Availability of Funds. Any items requiring discussion will be removed from the Consent Agenda

RESOLUTION 2020-12-4
A RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET
PURSUANT TO NJSA 40A:4-87 (CHAPTER 159, PL 1948)

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

SECTION 1

NOW, THEREFORE BE IT RESOLVED on this 16th day of December, 2020, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$ 100,000.00 which item is now available as an additional revenue for Mansfield Township.

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 100,000.00 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Burlington County Municipal Park Development Program-\$ 100,000.00
(for Mansfield Community Park)

RESOLUTION 2020-12-5
A RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET
PURSUANT TO NJSA 40A:4-87 (CHAPTER 159, PL 1948)

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

SECTION 1

NOW, THEREFORE BE IT RESOLVED on this 16th day of December, 2020, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$ 185,000.00 which item is now available as an additional revenue for Mansfield Township.

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 185,000.00 be and the same is hereby appropriated under the caption of:

Section 1 (a)

NJDOT FY 2021 Municipal Aid Program-Resurfacing of Mansfield Road East-\$185,000.00

RESOLUTION 2020-12-6

RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that various equipment that is surplus 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 and to authorize such action by Resolution of the municipality; and

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

Dell Computer Tower:	Tag Number: 620 (Finance)
Dell Computer Tower:	Tag Number: 569 (Buildings & Grounds)
Dell Computer Tower:	Tag Number: 375 (Municipal Clerk)
Dell Computer Tower:	Tag Number: 395 (Finance)
Dell Computer Tower:	Tag Number: 364 (Municipal Clerk)
Dell Computer Tower:	Tag Number: 386 (Tax Collector)
Dell Computer Tower:	Tag Number: 378 (Township Committee & Administrator)
Dell Computer Tower:	Tag Number: 434 (Information Technologies/Administration)
Dell Computer Tower:	Tag Number: 422 (Municipal Clerk)
Dell Computer Tower:	Tag Number; 319 (Construction)
Dell Computer Tower:	Tag Number: 440 (Planning & Zoning)
Dell Computer Tower:	Tag Number: 443 (Public Works)
Dell Computer Tower:	Tag Number: 446 (Tax Assessor)
Dell Computer Monitor:	Tag Number: 447 (Tax Assessor)
HP Printer:	Tag Number: 318 (Construction)
HP Printer:	Serial Number: USBXS34514 (Construction)
Canon AP30011:	Serial Number: 000144 (Municipal Clerk)

RESOLUTION 2020-12-7

RESOLUTION MEMORIALIZING THE AUTHORIZATION OF AWARD OF A “REQUIRED DISCLOSURE” CONTRACT FOR CONSTRUCTION OF THE 2019 CDBG MANSFIELD COMMUNITY PARK ADA COMPLIANT WALKWAY

WHEREAS, the Township of Mansfield has the need for a contractor to perform the services of Construction of the 2019 CDBG Mansfield Community Park ADA Compliant Walkway; and

WHEREAS, as permitted by the New Jersey Local Public Contracts Law, N.J.S.A. 40A: 11-3. since the anticipated amount of the contract did not exceed the statutory maximum of \$44,000, the Township Purchasing Agent authorized the award of a contract for the construction of the 2019 CDBG Mansfield Community Park ADA Compliant Walkway to G & G Landscaping Construction Inc. (“Contractor”) as a “Required Disclosure” contract based on quotations pursuant to the aforesaid statutory provisions; and

WHEREAS, the total amount of the Contract will exceed the \$17,500 statutory maximum in the aggregate set forth in N.J.S.A. 19:44A-20.5, concerning eligibility for municipal contracts; and

WHEREAS, the anticipated term of this contract is one (1) year from December 8, 2020, but in no event shall the total amount of the contract amount exceed the bid threshold of \$44,000 pursuant to N.J.A.C. 5:34-8.1(b); and

WHEREAS, G & G Landscaping Construction Company Inc. has submitted a proposal dated December 4, 2020 indicating they will perform the services of construction of the 2019 CDBG Mansfield Community Park ADA Compliant Walkway for the proposed amount of \$24,825.50; and

WHEREAS, to satisfy the provisions of N.J.S.A. 19:44A-20.5, concerning eligibility for municipal contracts, Contractor has completed and submitted a Business Entity Disclosure Certification which certifies that G & G Landscaping Construction Inc. has not made any reportable contributions to a political or candidate committee in the Township of Mansfield to Mayor Janice A. DiGiuseppe, Deputy Mayor Frederick Cain, Committeeman Robert J. Higgins, Committeeman Michael H. Magee or Committeeman Rude Ocello in the previous one year, and that the contract will prohibit G&G Landscaping Construction Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has certified that sufficient funds are available to award said contract; and

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of the Township of Mansfield hereby memorializes, as of December 8, 2020, said award of contract for ADA Compliant walkway on the Township owned property in the Mansfield Community Park, for a sum not to exceed \$24,825.50, to G & G Landscaping Construction, Inc.; and

BE IT FURTHER RESOLVED that the Township Committee hereby authorizes the Purchasing Agent to enter into a contract with G & G Landscaping Construction Inc. as described herein; and,

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this Resolution, and,

BE IT FURTHER RESOLVED Notice of said action shall be published in the Burlington County Times and the Trenton Times as required by law.

RESOLUTION 2020-12-8

RESOLUTION MEMORIALIZING AN AWARD OF CONTRACT TO G & G LANDSCAPING CONSTRUCTION, INC., FOR LANDSCAPING THE AREA SURROUNDING THE ADA COMPLIANT WALKWAYS AT THE MANSFIELD MUNICIPAL COMMUNITY PARK

WHEREAS, Mansfield Township had applied for and received a grant from the Community Development Block Grant Program in the amount of \$75,000.00 for improvements ; and

WHEREAS, Mansfield Township has awarded a contract for the installation of ADA Compliant parking stalls and walkways at the Mansfield Township Community Park and is desirous of completing said project with the planting of trees and shrubs; and

WHEREAS, G & G Landscaping Construction, Inc. had submitted a proposal on December 4, 2020, in an amount not to exceed \$3,963.13 for landscaping the area surrounding the ADA Compliant walkway on the Township owned property known as the Mansfield Community Park; and.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey at their regular meeting held on December 16, 2020, at the Municipal Complex at 7:00 PM that:

1. Hereby memorializes, as of December 8, 2020, said award to G&G Landscaping, Inc. for landscaping the area surrounding the ADA Compliant walkway on the Township owned property known as the Mansfield Community Park, for a sum not to exceed \$3,963.13.
2. This award is made available through the following account:
02-286-54-000-291
3. 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.

RESOLUTION 2020-12-9

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain Public Works Department motor vehicles and equipment 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 Public Works motor vehicles and equipment are hereby declared to be surplus property and no longer needed for public use:

1999 ford F450 diesel miles 98,681 with plow	VIN 1fdxf47f8xea05714
2001 ford explorer gas miles 55,338	VIN 1fmzu72e71za69676
2002 ford explorer gas miles 184361	VIN 1fmzu72e42zb03008
1999 John Deere F1145 diesel hours 1695	VIN mo1145x161070
2002 John Deere F1445 diesel hours 2364	- No VIN
2001 John Deere 5410 diesel hours 13344 (With front bucket forks and old backhoe attachment)	VIN lv54105440387
Old stainless steel hot dog wagon	No Vin
3 point hitch PTO driven spreader	No Vin
Woods York Rake attachment	#LR 06600
Sweeper round sweeper 3 point hitch	No Vin
997 mower 2006	VIN TC1472X010925
997 mower 2008	VIN # TC997sc031223
V-Body salt spreader	Serial 20466
1998 Mack Trash Truck	VIN1M2K19SC4WM011769

2. The Public Works Foreman 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 2020-12-10

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 RESOLVED 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, 2021:

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

RESOLUTION 2020-12-11

RESOLUTION FOR THE REDEMPTION OF TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on June 26, 2019, a lien was sold to Michael Ducar on Block 17, Lot 2.02, also known as 28295 Schoolhouse Road for 2018 delinquent taxes; and,

WHEREAS, the West Jersey Title Agency may redeem Certificate #18-00003 on or before December 18, 2020. This resolution is contingent upon the receipt of West Jersey Title Agency’s payment.

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 Michael Ducar, upon receipt of funds for the redemption of said lien.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
Michael Ducar	18-00003	\$15,144.20

RESOLUTION 2020-12 -12

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENT

WHEREAS, Property Taxes for 3rd Qtr. 2018 were overpaid on the property listed below; and

WHEREAS, the overpayment was due to a wire transfer payment from 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 16, 2020 hereby authorizes the refunding of the following to Corelogic

<u>Block</u>	<u>Lot</u>	<u>Property Address</u>	<u>Amount</u>
30	5.02 QFarm	1170 Hedding Road	\$61.62

RESOLUTION 2020-12-13
RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS DUE TO
DEDUCTION ALLOWANCE

WHEREAS, Property Taxes for 2020 were overpaid on the property listed below due to the allowance of a Veteran Deduction; and

WHEREAS, the homeowner is due 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 16, 2020 hereby authorizes the refunding of the following by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Deduction</u>	<u>Property Owner</u>	<u>Amount</u>
23.07	43	Veteran	Nancy Durieux	\$250.00

RESOLUTION 2020-12 -14
RESOLUTION AUTHORIZATING SIGNATURE FOR PROOF OF CLAIM

WHEREAS, Property owner, George Schipske, Jr, residing in 2285 Old York Road, block 58 Lot 5 filed for bankruptcy, case # 20-23203-MBK on December 1, 2020; and

WHEREAS, a Proof of Claim Form (#410) must be filed in order to make a claim for payment in the bankruptcy case; and

WHEREAS, giving authorization for the Tax Collector to complete and sign the bankruptcy Proof of Claim form.

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 16, 2020 hereby authorizes the refunding of the following to Corelogic

RESOLUTION 2020-12-15
RESOLUTION FOR THE REFUND OF PAYMENT FOR 200 FOOT CERTIFIED LIST

WHEREAS, Lavery, Selvaggi, Abromitis & Cohen Law Offices paid for 200 foot certified list for block 19 lot 3, 4 ,4Q.

WHEREAS, the payment was meant to be sent to Mansfield Township Warren County;

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 16, 2020 hereby authorizes the refunding of \$30.00 to Lavery, Selvaggi, Abromitis & Cohen Law Offices

RESOLUTION 2020-12-16

AUTHORIZING EXECUTION OF AMENDMENT TO 2005 CENTEX SETTLEMENT AGREEMENT

WHEREAS, Centex Corporation (now Pulte), Mansfield Township and the Mansfield Township Planning Board are parties to a certain 2005 Settlement Agreement (the "Settlement Agreement"); and

WHEREAS, the Settlement Agreement resolved litigation between the parties concerning the development of property in the Township identified in the Settlement Agreement and known as Block 41, Lot 2.01 (the "Reed Property") and Block 42, Lot 1 ("the "Carty Property"); and

WHEREAS, the Settlement Agreement provided for dedication of the Reed Property to Mansfield Township, which has accomplished and completed; and

WHEREAS, the Settlement Agreement further provided for the payment of certain sums to the Township from the sale of each building lot by Centex to assist the Township in providing public sewer to certain areas of the Township; and

WHEREAS, the Settlement Agreement further provided for the development of the Carty Property for market rate age restricted homes, with a required set-aside for affordable housing; and

WHEREAS, the Township was subsequently named a Defendant in a builders remedy lawsuit requiring the Township to provide affordable housing in the Township; and

WHEREAS, as a result of said litigation, the Court established and ordered that the Township's constitutional obligation to provide for its regional share of affordable housing consisted of 379 units (114 units Second Round obligation, 255 units Third Round) and that the Township was entitled to a credit of 97 units of affordable housing already provided in the Villages of Mapleton; and

WHEREAS, as required by the builders remedy litigation, the Township prepared a Housing Element and Fair Share Plan (HE/FSP); and

WHEREAS, said HE/FSP provided, on page 52 that, the Carty Property was already recognized as "available, suitable, developable and approvable" under applicable COAH regulations, and thus was and is an appropriate affordable housing site; and

WHEREAS, the HE/FSP further provided, on page 53, that the Carty property would be developed for affordable housing as a necessary component of the Township's overall affordable housing obligation, and to accommodate said affordable housing, the Property would be rezoned for a density of four units per acre with a 20% set-aside for affordable housing, of which 13% would be available for very-low income housing; and

WHEREAS, the Township's HE/FSP was conditionally approved by Court Order dated February 19, 2020; and

WHEREAS, the Court Order further required the Township to satisfy all of the conditions of the Court Order, during the Court-ordered compliance phase, including an agreement with Pulte Homes as set forth in section 2(e) below:

"During the compliance phase, the Township shall provide to the Special Master, and to the Court, a Development Agreement between Mansfield Township and Pulte Homes and/or its successor-in-interest, as well as an inclusionary Zoning Ordinance to address the Pulte Homes component of the Township's overall HE/FSP. The percentage of the proposed affordable housing set-aside should be clarified and revised if necessary in the draft HE/FSP. The draft HE/FSP, the Development Agreement and Zoning Ordinance should specify the correct percentage of affordable units and identify applicable compliance parameters regarding income mix, bedroom mix, thirteen per cent (13%) very low income, affirmative marketing, 30 year income controls, consistent with HUAC Section 5:80 and any other relevant information and standards required to be met."; and

WHEREAS, The Township has negotiated an Amendment to the Settlement Agreement (the "Amendment"), said Amendment attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Amendment provides, *inter alia*, for the aforesaid rezoning of the Carty Property at a gross density of four units per acre with a 20% affordable housing set-aside, and further provides for development of the property in two phases. The first phase of the development will generate a portion of the required number of affordable units to satisfy the Township's current affordable housing obligation in Rounds Two and Three, based on the HE/FSP and the Court Order. The Amendment permits development of market housing in the second phase based on the Township's need to provide the required number of affordable units that the Township may be obligated to provide in the future, including Round Four, which is unknown at this time; and

WHEREAS, The Township Committee finds that the negotiation and execution of the Amendment to the Settlement Agreement is in the best interests of the residents and citizens of Mansfield Township for the following reasons:

1. As set forth in the Settlement Agreement, the Carty property was already approved for market rate housing at a density required to generate affordable housing on the site.

2. The Carty Property has already been recognized as “available, suitable, developable and approvable” under applicable COAH regulations, and thus was and is an appropriate affordable housing site.
3. The Carty property was already designated as an affordable housing site and a part of the Township’s Housing Element and Fair Share Plan (HE/FSP) approved by Court Order.
4. The density and affordable housing set-aside in the first phase of the development of the Carty Property is directly tied to the Township’s constitutional obligation to provide for its regional share of affordable housing in Rounds One and Two, as set forth in the HE/FSP and the Court Order approving same.
5. The density and affordable housing set-aside in the first phase of the development of the Carty Property further provides a "buffer" to protect the Township against non-compliance with the HE/FSP and the Court Order approving same, based on other components of the HE/FSP.
6. The density and affordable housing set-aside in the phase 2 of the development of the Carty Property is directly tied to the Township’s constitutional obligation to provide for its regional share of affordable housing in Round Four and in the future, which at present is unknown.
7. The provisions of the Amendment protect the Township against future builders remedy litigation and the need to identify other sites for affordable housing both now and in the future.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute and deliver on behalf of the Township the Amendment to 2005 Centex Settlement Agreement attached hereto and made a part hereof as Exhibit A.

RESOLUTION 2020-20-17

RESOLUTION AUTHORIZING SUPPORTING THE PROHIBITION OF LEFT HAND TURNS FROM THE UNSIGNALIZED DRIVEWAY ON TO ROUTE 206 FOR THE KAINER ROUTE 206 NORTH WAREHOUSE PROJECT

WHEREAS, the approved Kainer Route 206 warehouse project has applied to the New Jersey Department of Transportation (NJDOT) for approval for access to Route 206; and

WHEREAS, the NJDOT has reviewed the plans for the project; and

WHEREAS, the approved site plan for the project proposes the prohibition of the left turn movement from the unsignalized site driveway(s) onto Route 206; and

WHEREAS, by letter dated October 9, 2020, attached hereto as Exhibit “A”, NJDOT has requested the applicant to obtain a resolution, with raised seal, from Mansfield Township supporting the prohibition of the left hand turn movements on to Route 206.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that, as requested by the NJDOT, the Township Committee supports the prohibition of the left turn movement from the unsignalized site driveway(s) onto Route 206 for the Kainer Route 206 warehouse project. As requested by NJDOT, the Township Clerk shall provide a certified copy of this Resolution with raised seal to the New Jersey Department of Transportation (NJDOT).

RESOLUTION 2020-12-18

RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUNDS IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2020

BE IT RESOLVED on this 16th day of December, 2020 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2020 budget appropriations transfers be made as follows:

CURRENT FUND: Inside the CAP to Inside the CAP
OPERATING EXPENSES AND SALARIES & WAGES

<u>Title</u>		<u>Transfer</u>		<u>To</u>
		<u>From</u>		
<u>CURRENT FUND</u>				
Employer Group Insurance	OE	35,000.00		
Streets & Roads	OE	15,000.00		
Community Services Act	OE	16,000.00		
Environmental Health	SW	500.00		
Environmental Health	OE	1,500.00		
Electricity	OE	15,000.00		
Petroleum Products	OE	12,000.00		
Municipal Clerk	OE			6,000.00
Revenue Administration	OE			1,500.00
Legal Services	OE			40,000.00
Engineering Services	OE			5,000.00
Plan	OE			1,000.00
Other Code Fire	SW			3,000.00
Streets & Roads	SW			2,500.00
Recycling	SW			500.00
Recycling	OE			500.00
Vehicle Maintenance	OE			2,000.00
Landfill Solid Waste Costs	OE			23,500.00
Social Security (FICA)	OE			9,500.00
TOTALS:		\$95,000.00		\$95,000.00

RESOLUTION 2020-12-19

AUTHORIZING EXECUTION OF AMENDMENT TO EMPLOYMENT AGREEMENT FOR FULL-TIME TOWNSHIP ADMINISTRATOR

WHEREAS, the Code of Mansfield Township (“Code”), Section 2-1.1 provides for the appointment by the Township Committee of a Township Administrator to be responsible for the executive responsibilities of the Township, including but not limited to the daily management and oversight of all municipal departments and any other responsibilities delegated and assigned by the Township Committee; and

WHEREAS, Code Section 2-1.1 further provides that the Township Administrator shall serve at the pleasure of the governing body subject to the provisions of N.J.S.A. 40A: 9-137 and 40A: 9-138; and

WHEREAS, Michael Fitzpatrick (the “Administrator”) has served as the Township Administrator of Mansfield Township since July 28, 2014 and currently is employed pursuant to an Employment Agreement To Extend Full-Time Township Administrator, dated September 11, 2017 (the “Employment Agreement”); and

WHEREAS, the Township Committee has reviewed the compensation paid to other Administrators in other municipalities in Burlington County and, further, in recognition of the Administrator’s excellent performance in office, the Township Committee finds that it is in the best interest of the citizens of Mansfield Township to extend the term and further amend the provisions of the Administrator’s Employment Agreement, as Administrator, as set forth in the Amendment attached hereto as Exhibit A. The Amendment authorizes an annual salary of \$115,000, as

Township Administrator, payable on a bi-weekly basis, effective first pay of 2021, together with such regular raises that shall be provided to all Management/Supervisory personnel in the Township, as well as all benefits afforded to a full-time Township employee, including full health benefits, and vacation, sick time and personal time, all effective as of January 1, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Mayor and Clerk are hereby authorized to execute and deliver on behalf of the Township the Amendment to Employment Agreement for Full-Time Township Administrator attached hereto and made a part hereof as Exhibit A.

RESOLUTION 2020-12-20

A RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, *N.J.S.A. 40A: 11-11* authorizes contracting units to establish a Cooperative Pricing Agreements for its administration;

WHEREAS, the County of Burlington, hereinafter referred to as the “Lead Agency”, has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on December 16, 2020, the governing body of the Township of Mansfield, County of Burlington, State of New Jersey, duly considered participation in said Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE, BE IT RESOLVED as follows:

TITLE

This **RESOLUTION** shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Mansfield.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A: 11-11(5)*, the Mayor is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with provision of the Local Public Contracts Law (*N.J.S.A., 40A: 11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

I hereby certify that the foregoing is a true, full and correct copy of Resolution Number 2014-9-14 adopted by the Township Committee of Mansfield Township, at its meeting on September 10, 2014.

Clerk Semus asked for a motion to adopt resolutions 2020-12-4 – 2020-12-20 on the consent agenda.

A motion was offered by **Committeeman Higgins** and seconded by **Committeeman Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Higgins, Magee, Ocello, Cain, DiGiuseppe

NAY: None ABSTAIN: None ABSENT: None

BILL LIST:

A motion to approve the bill list regular and escrow was offered by **Deputy Mayor Cain** and seconded by **Committeeman Ocello**. Motion carried on a roll call vote recorded as follows:

AYE: Cain, Ocello, Higgins (except as noted below), Magee (except as noted below), DiGiuseppe

NAY: None ABSTAIN: Higgins & Magee from check # 11126 ABSENT: None

MINUTES: November 18, 2020

A motion to approve the above referenced minutes was offered by **Committeeman Magee** and seconded by **Deputy Mayor Cain**. All ayes. Motion carried.

PUBLIC COMMENT:

Robert Tallon, 2454 Axe Factory Road – He asked if Resolutions 2020-12-4 and 2020-12-5 could be explained.

CFO Grouser explained those resolutions were revenue items that were not expected. Resolution 2020-12-4 is monies received from the County for the Parks and Resolution 2020-12-5 is monies received from NJDOT for Mansfield Road East.

Mr. Tallon questioned Resolution 2020-12-18.

CFO Grouser explained that is money in the 2020 budget that is moving from one appropriation to another.

There were no further comments from the public.

MAYOR AND COMMITTEE UPDATES/COMMENTS:

Committeeman Higgins thanked everyone and wished everyone a nice holiday.

Committeeman Magee thanked the Mayor for here service over the years and wished everyone a happy holiday.

Committeeman Ocello thanked the Mayor and wished everyone a happy holiday.

Deputy Mayor Cain thanked the public and stated that he appreciated the opportunity to work with all of the employees who always go the extra mile. He has enjoyed his time on the Township Committee. He wished everyone a safe and happy holiday.

Mayor DiGiuseppe thanked the residents who supported her as well as all of the employees and professionals. She wished everyone a happy holiday.

Solicitor Prime noted that Reorganizational Meeting will take place on January 4, 2021 at 6:00PM.

MOTION FOR ADJOURNMENT:

A motion to adjourn the meeting was offered by **Deputy Mayor Cain** and seconded by **Committeeman Ocello**. All ayes. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Ashley Jolly, Deputy Clerk

Linda Semus, RMC, CMR