

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
REGULAR MEETING MINUTES
December 7, 2022
7:00 PM
Via Hybrid**

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Marcial Mojena, Committeeman Robert Tallon, Committeeman Brian Sisz, Deputy Mayor Rudy Ocello, Township Solicitor Tim Prime, Engineer Doug Johnson, CFO Bonnie Grouser, Administrator Michael Fitzpatrick, Clerk Linda Semus and Deputy Clerk Ashley Jolly.** Absent: **Committeeman Daniel Golenda**

Clerk Semus read the following opening statement.

“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 2022-1-11 which was adopted by the Mansfield Township Committee on January 3, 2022 said Resolution was transmitted to the Burlington County Times, 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 charges fixed for such service. All of the mailing, posting and filing having been accomplished as of January 7, 2022.

The Flag Salute was held with a brief moment of silence.

DEPARTMENT/BOARD REPORTS:

A. Police Report: Lieutenant Campbell, Acting Chief of Police reported we have received and installed our new in-car camera system and thanked the committee for approving the purchase of the much needed improvement and upgrade to our existing in-car camera system.

Trainings: Tactical handgun and rifle trains the officer techniques to improve their skills. Field Training provides knowledge needed to successfully train a new officer. All officers have completed their yearly mandatory training requirements on Search and Seizure, Criminal Code, Domestic Violence, Right to Know, Hazardous Materials, Use of Force and Police Pursuit.

Community Outreach: A presentation on internet safety and self-defense was given to the Girl Scouts on November 18th.

The Department is participating in the U.S. Marine Corps Reserves Toys for Tots. Donations are being accepted in the foyer of the Police Station. Donations are to be in the drop box no later than Tuesday December 13, 2022. Toys are to be unused and unwrapped.

Hiring Update- We have extended a conditional offer of employment to one of our residents sending him through the Police Academy to begin on Monday February 27, 2023. Background investigations on other applicants are continuing and we hope to extend a conditional offer to another candidate soon.

B. EMS Report: Chief Senf reported that the Squad responded to: 189 Total Calls, 136 Patient Contacts, 97 Transports.

Inspection of the new ambulance ordered in July of 2021 will have its final walk around at VCI Emergency Vehicles tomorrow 12/8. If all goes well we should have delivery next week. Delivery has been made of body armor plates and ballistic helmets to replace existing equipment that is expiring.

Thank you to Chief Borgstrom and OEM for the purchase of this equipment. We utilize this for our Rescue Task Force team.

C. Engineers Report: Engineer Johnson reported on:

FY 2023 NJDOT Trust Fund Municipal Aid Grant application being submitted and the Township will be receiving \$181,070.00 towards the project.

NJDOT Local Freight Impact Fund Grant is accepting applications which are due December 13, 2022 along with the application to make improvements to Mansfield Rd. West, in anticipation of increased truck traffic due to warehouse construction. Traffic counters are currently in place on the roadway.

2023 Burlington County CDBG Grant. The County is now accepting applications and are due on or before December 16, 2022. Our office is assisting the Township submittal for playground improvements at Country Walk Park.

FY 2023 Local Recreation Improvement Grant. The DCA is accepting applications which are due on or before January 20, 2023. Our office is assisting the Township submit for playground improvements at Country Walk Park.

FY 2022 NJDOT Trust Fund Municipal Resurfacing of Island Road has been completed.

Margolis Warehouse (Phase 2) As-built survey has been provided and our office is coordinating with the Township for bond release and acceptance of maintenance bonds.

2020 Industrial at Mansfield (Segme Mansfield 130, LLC) Site work is on-going.

PSE&G Mansfield Substation (2242 Old York Road). A portion of Old York Road will be closed the week of 12/12 to 12/16 for work within the roadway. A detour will be posted and the contractor is coordinating with the Police Department, as needed.

VANCO Site Construction is on-going.

Mansfield Realty North, LLC (Warehousing) (West Tract) Contractor is working on underground infrastructure.

Mayor Mojena asks if the DOT completed the work on Rt. 68 as to which Engineer Johnson stated, yes. And Deputy Mayor Ocello asked if the inspection being done on west Mansfield Rd. is part of the warehouse and Engineer Johnson stated no, it is for a grant application.

D. DWP: Administrator Fitzpatrick reported on the continued cleaning of the storm water basins, red stone was spread at Babe Ruth, removal of dead trees in the township parks specifically Columbus and Civic, trimming of trees in the parking lot of the Municipal building and removal of the trees by the gazebo. The first leaf pick-up was completed on 11/16/22 and the next pick-up is on 12/14/22. Bulbs were changed out on the snowflakes and then installed on the poles, built a chipper box on the dump truck to be used with the new chipper, maintenance and inspection of the plows for the upcoming snow season, several falling trees on township roads including Axe Factory, Dickens and Mill Lane, water has been shut off at Mapleton Park for the winter, a loft was built inside the EMS shed, completed the last mowing of the parks and building, the lights on the Columbus Park and building, lights on the Columbus Park Christmas tree, cleaned up remaining pallet wood and ash pile from the bonfire at the tree lighting ceremony, Tozer Trane took care of two leaking heat valves here within the building, pulled out one section of Columbus Park playground that was deemed unsafe and it will be replaced in the spring time as discussed in previous meetings. Thanks are given to Mr. Grouser who takes care of the park tree and clock tower at 206 and Main Street. It looks really good.

E. Fire Department: Chief Dubell reported on: 18 calls: 2 vehicle fires, 5 motor vehicle accidents, 2 carbon monoxide incidents, 2 assist police, 1 cover assignment, 6 residential alarm systems. Our year to date is 340 calls.

Training continues on the new engine delivered, equipment is being mounted and are waiting to have it lettered and radios installed before it is put in service.

Santa's Tour will be the week of December 19th – 22nd and will begin each night at 6pm.

Fiscal Year End has been completed showing what our volunteers have done in the last year.

4 members volunteered over 450 hours each, 3 members volunteered 350 hours each, and 3 members volunteered 250 hours each. The total hours from all of our members committed to the town is 5,462 hours. Thank you to all our members for all the time they put in to protect the town and keep our residents safe.

F. Fire Prevention/OEM: Chief Borgstrom reported on: the EMAA grant award and the resolution that is in the consent agenda to accept. This is a no strings attached, \$10,000.00 Grant that results from the diligent work of Deputy Coordinator Belonzi and myself to get our emergency management program up to higher than minimum standards.

LEMC meeting to plan outreach in community.

198 Fire Inspections, 130 violations of the Code, 29 permits issued, \$5,500.00 penalties issued (5244 route 130, high ridge farms) 1500 of those were waived, sometimes penalties bring compliance, and we can adjust them accordingly

Home resale inspections pending.

Fire Department Cancer Reduction Plan- Doing all we can to make the risk lower by having a program in place after a firefighter is subject to products of combustion.

Special Events: Linda Semus reporting: Mrs. Konopka was unable to attend this evening and asked that a short note be read into the record. Although we had to postpone the tree lighting to Sunday, it was still a great night and we were able to put a majority of activities on for the kids, be able to raise funds towards Field Day and are incredibly thankful of everyone who came to make the night successful.

Mayor Mojena gave congratulations on the two new hires of Mansfield Township residents, thanked Chief Borgstrom for the impressive tour of the new fire engine and conveyed his gratitude to all the volunteers and our special events team that spent a lot of time and effort planning our events. We are looking forward to a great year next year.

FINANCE: CFO Grouser- Reported on the summary of the Townships Bond Sale. November 10, 2022 the Township sold \$5,350,000.00 through the parity on-line bidding platform. Fidelity Capital Markets was the low bidder for the bonds, purchasing the bonds at a rate of 3.74% and defeating 5 other underwriting firms who also submitted proposals to purchase the township's bonds. All six proposals were all very competitive with the 2nd place bidder less than 2000th's of a percentage point behind the winner. The Township's very strong "AA" bond rating was affirmed by Standard & Poor's ahead of the sale which helped the Township to secure a strong, competitive interest rate on the bonds.

ORDINANCE: (FIRST READINGS/INTRODUCTIONS) Nothing at this time.

ORDINANCE: (SECOND READING/PUBLIC HEARING/FINAL ADOPTION) Nothing at this time.

RESOLUTIONS: (Non-Consent)

RESOLUTION NO. 2022-12-2

RESOLUTION AUTHORIZING AND DIRECTING COMPLETION OF NEGOTIATIONS ON AN AMENDED SETTLEMENT AGREEMENT FOR THE TOWER GATE INDUSTRIAL ALTERNATE AFFORDABLE HOUSING DEVELOPMENT

WHEREAS, Tower Gate Associates ("Owner") is the fee simple owner of certain real property consisting of approximately 118.53 acres located in the Township at the intersection of U.S. Route 130 and Kinkora Road and designated as Block 70, Lot 6.02 on the official tax map of the Township; and

WHEREAS, Developer is the contract purchaser of the Owner Parcels and Developer's affiliated entity is the contract purchaser of Block 70, Lot 6.01 on the official tax map of the Township (together with Owner Parcels, the "Property"); and

WHEREAS, Owner filed a lawsuit in the New Jersey Superior Court, Burlington County, against Mansfield Township and the Mansfield Township Planning Board (the "Litigation"), challenging the Township's satisfaction of its constitutional affordable housing obligation and seeking to construct an inclusionary development on the Property as part of a builder's remedy; and

WHEREAS, Owner and the Township entered into a November 18, 2019, Settlement Agreement, as amended by the First Amendment dated December 19, 2019, to resolve the Litigation (as amended, the "Original Settlement Agreement"); and

WHEREAS, the Original Settlement Agreement anticipated the development of an inclusionary development on the Property (the "Original Project") to satisfy, in part, Mansfield's Mount Laurel constitutional affordable housing obligation for the Third Round (1999-2025); and

WHEREAS, the Original Project was included in Mansfield's court approved Housing Element and Fair Share Plan ("HEFSP"); and

WHEREAS, the Original Settlement Agreement and the Original Project proposed an inclusionary affordable housing development consisting of five hundred and sixty (560) residential dwelling units, such that a maximum of ninety six (96) "affordable" housing units and four hundred and sixty four (464) "market" housing units were proposed for the Property, along with up to forty thousand five hundred (40,500) square feet of retail space; and

WHEREAS, upon acquiring title ownership of the Property, Developer has proposed to construct the maximum ninety six (96) "affordable" housing units contemplated in the Original Settlement Agreement and Original Project, but further proposes to construct an industrial development on the Property, rather than the market-rate multi-family apartments, townhomes, and retail space contemplated in the Original Settlement Agreement (the "Tower Gate Industrial Alternate Affordable Housing Development"); and

WHEREAS, Developer, with the Owner's consent, has proposed to amend the Original Settlement Agreement with an Amended Settlement Agreement allowing the Developer to proceed with the Tower Gate Industrial Alternate Affordable Housing Development, to develop the Property for an industrial use and to construct the maximum number of 96 affordable housing units upon which the Township and the Owner previously agreed in the Original Settlement Agreement; and

WHEREAS, it is anticipated that the Amended Settlement Agreement for the Tower Gate Industrial Alternate Affordable Housing Development will consist of the following terms:

1. Authorizing the development of industrial uses on the property not to exceed 1,100,000 s.f. of total building space, including a minimum building setback between the property and Crystal Lake Park of 100 feet with a 30 feet landscape buffer.
2. The industrial uses will replace all of the 464 market homes and the retail development previously proposed to subsidize the development of the 96 affordable housing units on the property that are required by Mansfield's court approved HEFSP.
3. The 96 affordable housing units will be constructed and will be subject to all COAH regulations, including phasing regulations requiring the affordable housing to be built prior to the completion of the industrial development.
4. The developer will deed restrict other properties in the Township, subject to approval by the Township Committee, preventing future development on said properties by way of either farmland preservation or open space deed restriction.
5. The Township Committee will refer the Property to the planning board for confirmation that the site qualifies as an area in need of redevelopment, under "smart growth planning principals adopted pursuant to law or regulation" as set forth in the New Jersey Redevelopment and Housing Law, N.J.S.A. 40A:12A-5(h), as an affordable housing development necessary for the Township to meet its Supreme Court mandated constitutional obligation to provide for its regional share of affordable housing. The developer and the Township will then enter into a financial agreement providing for an annual service charge in lieu of regular property taxes on the industrial improvements and the 96 affordable housing units. The amount of the Annual first 10 years of the pilot agreement Annual Service Charge will be pre-paid by the redeveloper.
6. Any proposed plan submitted to the Joint Land Use Board for approval will be subject to a condition that the developer construct a private road configuration to insure that Kinkora Road will not be used for truck traffic to and from the project, although it may be used for other traffic to and from the project as well as local traffic.

WHEREAS, the Township Attorney has recommended approval of the Amended Settlement Agreement based on the Township Committee's finding that replacing 464 residential dwellings and eliminating the concurrent municipal budget impacts and demand on municipal services benefits the residents of Mansfield Township and the Township as a whole. In addition, the deed restriction of additional open space/farmland preservation parcels, the 10 year pre-paid pilot annual service charge in lieu of regular property taxes, and the private road eliminating truck traffic on Kinkora Road represent significant and important additional benefits to the municipality.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey that the Township Attorney is hereby authorized and directed to complete negotiations on an Amended Settlement Agreement for the Tower Gate Alternate Industrial Affordable Housing Development, and, upon completion of said negotiations, to provide said Settlement Agreement to the Township Committee and the Joint Land Use Board for final approval and execution; and

BE IT FURTHER RESOLVED that the adoption of this Resolution shall not be interpreted or considered to be an approval of any Amended Settlement Agreement by Mansfield Township, unless and until a final form of agreement is authorized to be executed by adoption of a resolution of the Mansfield Township Committee and, where required, the Joint Land Use Board of Mansfield Township; and

Solicitor Prime spoke of the extensive negotiations conducted by our office with the advice and consent of the Township Committee and in an effort to be transparent it has been asked that a Resolution be prepared for both items, providing information to the public before the actual agreements are presented to the Township Committee

for signature. This Resolution relates to the Towergate Affordable Housing Development, and its constitutional obligation to provide its fair share of the regional obligation which resulted in a prior agreement with the owners of the Towergate property and the re-zoning of the Towergate property for 560 residential homes, 96 for low and moderate income and 464 homes being Market Price homes to subsidize the affordable housing. The township has been presented with an alternative agreement to include an industrial development, warehouses and logistics uses instead of the 464 homes. The industrial development will subsidize the 96 affordable houses which will still be built that are required.

The parameters have been discussed with the Committee, the owner of the Towergate Project as well as the proposed developer of the industrial development. We have a tentative outline of an agreement.

Mayor Mojena presented a pictorial and spoke of Kinkora Rd. and the intersection of Rt. 130 South being an extremely dangerous intersection. The plan is to close the left turn from either Kinkora Rd. onto Rt. 130 South or Rt.130 South onto Kinkora Rd. At this intersection, an Access roadway on Kinkora Rd. will be built that will lead to a new traffic signal. Additionally all truck traffic to and from the logistics area will be coming to and through the light at Rt. 130 and none will be on Kinkora Rd. Hopefully this will resolve the problem. This is subject to approval and that Rt. 130 is a State Highway, Kinkora Rd. is a County road and we fully expect that they will approve but work is yet to be done.

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

DISCUSSION: None

Motion carried on a roll call vote recorded as follows:

AYE: OCELLO, SISZ, MOJENA NAY: NONE ABSTAIN/RECUSE: TALLON ABSENT: GOLEND

RESOLUTION NO. 2022-12-3

RESOLUITON AUTHORIZING AND DIRECTING COMPLETION OF NEGOTIATIONS ON SETTLEMENT AGREEMENT TO RESOLVE LITIGATION FILED BY TURNPIKE JUNCTION AGAINST THE TOWNSHIP OF MANSFIELD AND PLANNING BOARD

WHEREAS after preparation and adoption by the Joint Land Use Board of Resolution 2022-04-07 approving the reexamination of the Mansfield Township Master Plan by the Mansfield Township Joint Land-Use Board, the Township Committee adopted Ordinance 2022-6, prohibiting warehouse and logistic uses in Mansfield Township; and

WHEREAS, after serving notice to all of the property owners of 161 properties in the Township affected by Ordinance 2022-6 prohibiting said warehouse and logistic uses, and after adoption by the Joint Land Use Board of Resolution 2022-08-12 confirming that the Ordinance was consistent with the Township Master Plan, after reexamination, the Township Committee adopted Ordinance 2022-13 re-adopting Ordinance 2022-6; and

WHEREAS, Ordinance 2022-13 was adopted by a split vote of the Township Committee, with three members voting for adoption of the Ordinance and two members voting against; and

WHEREAS, both Ordinances exempted previously approved warehouse projects including five projects approved pursuant to a redevelopment plan prohibiting zoning changes on said properties, as well as two projects that had received approvals prior to adoption of the Ordinances from the Joint Land Use Board; and

WHEREAS, litigation has been filed by Turnpike Junction Inc. ("Turnpike Junction") against the Township and the Joint Land Use Board challenging Ordinance 2022-6, and the warehouse ban generally (the "litigation"); and

WHEREAS, Turnpike Junction owns Block 4, Lot 5, with frontage on Route 206. ("Route 206 Property"). The 206 Property is in the same geographic area of the Manheim auto auction property as well as the warehouse projects already approved and under construction on Route 206; and

WHEREAS, the Route 206 Property is also included in the 2017 Mansfield US Route 206 Northern Area Redevelopment Plan, the same Redevelopment Plan that includes the other warehouses on Route 206; and

WHEREAS, since the Route 206 property is already in the Redevelopment Area, if a warehouse can be developed on the Route 206 property, the Township and Turnpike Junction would already be entitled to enter in to a pilot agreement for payment of an Annual Service Charge instead of regular property taxes, resulting in additional funds to the Township that are ultimately going to be very important given that, with the warehouse ban now being permanent, there will be little or no for future non-residential development in Mansfield; and

WHEREAS, the Township Attorney has recommended a settlement of the Turnpike Junction litigation to finalize the adoption of Ordinances 2022-6 and 2022-13, eliminating years of delays during which time other property owners could challenge the validity of the Ordinances, and to eliminate any challenge as a result of the split vote of the Mansfield Township Committee on Ordinance 2022-13; and

WHEREAS, the Township Attorney has further recommended a settlement to avoid the anticipated hundreds of thousands of dollars of legal, planning and other professional fees required to defend said Ordinances in the litigation; and

WHEREAS, the Township Attorney has further recommended a settlement that would allow the Route 206 Property to be developed for a warehouse, but without any guaranteed minimum square footage or any other guarantee. The development would be for whatever development density and square footage area that the Planning Board, DEP and DOT ultimately approve, in the same manner as the other warehouses on 206; and

WHEREAS, the other Turnpike Junction properties are located on East Sharp Road (Block 48, Lots 1 and 2, Block 49, Lot 1, assessed with Block 49, Lot 3) and Jacksonville Road (Block 56, Lot 1) collectively, the ("Jacksonville Road Properties"); and

WHEREAS, the Jacksonville Road Properties are in an area of other preserved properties, including the “County Rails to Trails” easements and the preservation of the Jacksonville Road Properties would be a significant and important addition to the Township's open space and/or farmland preserved inventory; and

WHEREAS, the Township Attorney has recommended that any settlement of the Turnpike Junction litigation must require that the Jacksonville Road Properties be permanently restricted against from any further development and either deed restricted for farmland preservation or conveyed as deed restricted open space to the Township or County; and

WHEREAS, the Township Attorney has further recommended the settlement to also prevent further litigation in the event that the Township Committee decides to proceed with the Tower Gate Industrial Alternate Development.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey that the Township Attorney is hereby authorized and directed to complete negotiations on a Settlement Agreement to resolve the litigation aforesaid, and, upon completion of said negotiations, to provide said Settlement Agreement to the Township Committee and the Joint Land Use Board for final approval and execution, and

BE IT FURTHER RESOLVED that the adoption of this Resolution shall not be interpreted or considered to be an approval of the Turnpike Junction Settlement Agreement by Mansfield Township, unless and until a final form of agreement is authorized to be executed by adoption of a resolution of the Mansfield Township Committee and, where required, the Joint Land Use Board of Mansfield Township; and

BE IT FURTHER RESOLVED that any real estate development or project proposed as a result of the execution of any settlement agreement with Mansfield Township is subject to all required outside agency approvals, including, but not limited to, the New Jersey Department of Environmental Protection (NJDEP), the New Jersey Department of Transportation (NJDOT), Burlington County and subdivision/site plan approval by the Mansfield Joint Land Use Board.

Solicitor Prime gave a brief explanation of the reasoning behind the above resolution He explained that the warehouse ban ordinance provoked the lawsuit filed by Turnpike Junction with one property on Route 206 and the other on Jacksonville Road. Based on the review of the litigation and given the fact that Ordinance 2022-13 was adopted by split vote of the Committee as well as an analysis of the Turnpike Junction property said property is within the same redevelopment area that the other warehouses on the north side of Route 206 are located. He is recommending that the Township Committee settle the litigation with Turnpike Junction, which will allow for a warehouse on Route 206. The Jacksonville Road properties will be deed restricted.

A motion to adopt the above resolution was offered by **Committeeman Sisz** and seconded by **Deputy Mayor Ocello**

DISCUSSION: None

Motion carried on a roll call vote recorded as follows:

AYE: SISZ, OCELLO, TALLON, MOJENA NAY: NONE ABSTAIN/RECUSE: NONE ABSENT: GOLEND

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

RESOLUTION 2022-12-4

RESOLUTION APPROVING THE INSTALLATION OF A SEMI-ACTUATED TRAFFIC CONTROL SIGNAL WITH PEDESTRIAN PUSH BUTTONS AND AREAS OF PRESENCE DETECTION ON ROUTE 206 AND DRIVEWAYS FOR SAFE AND EFFICIENT MOVEMENT OF PEDESTRIAN AND VEHICULAR TRAFFIC AND EXECUTE THE AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION, BUREAU OF TRAFFIC ENGINEERING, TRAFFIC SIGNAL AGREEMENT

WHEREAS, a traffic condition exists at the intersection of Route 206 and Driveways, in the Township of Mansfield, in the County of Burlington, which requires the installation and operation of a semi-actuated traffic control signal with pedestrian push buttons and areas of presence in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, the State of New Jersey has indicated its willingness to install a traffic control signal at said intersection; and

WHEREAS, THE State of New Jersey has proposed a form of agreement pertaining to maintenance of said traffic signal.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Clerk of the Township of Mansfield, be and are hereby authorized to enter into an Agreement with the State of New Jersey, acting through its Commissioner of Transportation, for the purpose aforesaid, a copy of said Agreement being attached hereto and made a part hereof.

BE IT FURTHER RESOLVED, that the Mayor and Clerk of the Township of Mansfield, be and hereby are authorized to execute said Agreement.

RESOLUTION 2022-12-5

RESOLUTION ACCEPTING MAINTENANCE GUARANTEE

**NEW JERSEY AMERICAN WATER COMPANY, INC.
BLOCK 3, LOTS 5.01 & 10.01 AND BLOCK 4, LOTS 6.01 & 7 – ROUTE 206**

WHEREAS, New Jersey American Water Company, Inc. has performed upgrades to the Mansfield Farms Sewer System associated with the warehousing development on Route 206; and

WHEREAS, per Resolution 2022-9-19 and Remington & Vernick Engineers letter dated September 2, 2022, a 2-year Maintenance Bond in the amount of \$69,625.19 is required; and

WHEREAS, New Jersey American Water Company, Inc. has submitted the Maintenance Bond No. 107712494 in the amount of \$69,625.19

WHEREAS, the Township Solicitor, Timothy Prime, Esq. has received, reviewed and approved the Maintenance Bond, as to form.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey that Bond No. 107712494 is hereby accepted as the **Maintenance Guarantee** for New Jersey American Water Company, Inc. Sewer System Upgrades., located at Block 3, Lots 5.01 & 10.01 and Block 4, Lots 6.01 & 7 – Route 206

BE IT FURTHER RESOLVED, by the Township Committee, as aforesaid, that this acceptance is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspection and report concerning the improvements covered by said maintenance guarantee; and if there be a sufficient sum held in escrow by the township for the purpose of paying for said inspections and reports, said escrow may be utilized for the purpose and in the absence of a sufficient escrow said fees shall be paid by the obligor directly, pursuant to N.J.S.A. 40:55D-53(2)h.

RESOLUTION 2022-12-6

RESOLUTION FOR THE RETURN OF ESCROW MONIES TO NEW JERSEY AMERICAN WATER FOR THE PROJECT IDENTIFIED AS MANSFIELD FARMS SEWER SYSTEM UPGRADES

WHEREAS, New Jersey American Water submitted escrow fees on December 6, 2021 to the Township of Mansfield for upgrades to the Mansfield Farms Sewer System; and

WHEREAS, New Jersey American Water submitted escrow check number 1800121838 in the amount of \$23,208.40 for costs associated with said upgrades; and

WHEREAS, New Jersey American Water has received invoices from the Township Professionals which have been satisfied; and

WHEREAS, per their email dated November 30, 2022, New Jersey American Water has requested the release of \$19,336.14 of their escrow monies; and

WHEREAS, per Remington & Vernick’s letter dated September 2, 2022 maintenance bond inspection escrow in the amount of \$3,481.26 is required.

WHEREAS, New Jersey American Water requests the release of \$19,336.14 of their escrow monies and for the Township to retain \$3,481.26 for maintenance bond inspection escrow as required per Remington & Vernick’s correspondence dated September 2, 2022.

NOW THEREFORE BE IT RESOLVED that the inspection escrow monies in the amount of \$19,336.14 is hereby refunded to New Jersey American Water. The Township shall retain \$3,481.26 for maintenance bond inspection escrow as per Remington & Vernick’s recommendation.

RESOLUTION 2022-12-7

RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO ACCEPT A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2022 OF EMERGENCY MANAGEMENT PERFORMANCE GRANT AND EMERGENCY MANAGEMENT AGENCY ASSISTANCE

WHEREAS, the Township of Mansfield’s Office of Emergency Management has been awarded State Homeland Security Grant Program Sub-grant AFN #97.042, Subgrant Award #FY22-EMPG-EMAA-0318 from the New Jersey Department of Law and Public Safety, Office of the Attorney General. The subgrant, consisting of \$10,000.00 Federal Award is for the purpose of enhancing the City’s ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the Township of Mansfield will use these funds to enhance your Emergency Management Program and that the funds will be used for Emergency Management purposes; and

WHEREAS, the award period is from July 1, 2022 to June 30, 2023; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award; and

WHEREAS, the Township of Mansfield’s Office Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Office of Emergency Management.

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

1. That the Council accepts the award of the FFY22 Emergency Management Performance Grant Program (EMPG), Emergency Management Agency Assistance Subgrant (EMAA) in the amount of up to \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management.
2. That the Chief Financial Officer and Director of Emergency Management are authorized to sign the appropriate subgrant award documents.
3. That copies of this resolutions shall be forwarded to the New Jersey State Police, Office of Emergency Management, the City Business Administrator, the Chief Financial Officer and the County Division of Emergency Management and Office of Treasury.

**RESOLUTION 2022-12-8
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY**

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

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

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

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

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

2009 Mazda M6K 1YVHP82A895M36768
2. The Chief Of Police and Township Clerk are directed to arrange for the public auction of the vehicle through GovDeals, a service used by various government agencies, allowing them to sell surplus and confiscated items via the internet.

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

**RESOLUTION 2022-12-9
AMENDMENTS/CORRECTIONS TO RESOLUTION 2022-1-6, "APPOINTMENT OF MUNICIPAL
POSITIONS/BOARDS/EMPLOYEES"**

BE IT HEREBY RESOLVED that the following individuals were recommended, to the Mansfield Township Committee, as members to the Mansfield Township (Franklin Fire Co. #1) Fire Police Division for the year 2022; and

WHEREAS, Resolution 2022-1-6, which was adopted by the Mansfield Township Committee at their Reorganization Meeting of January 3, 2022, be and is hereby amended to add the following to the membership roster:

Mansfield Township Fire Police:

Robin P. Eble
Kelsey Ingling
John C. Alloway
Katherine Morton
J. Douglas Goodenough III
Joseph D. Goodenough IV
Sean Gable
Herbert Dubell, Jr.
Alexander Broder
Alexander Belonzi
James Blackwell
Mathew Konowicz

**RESOLUTION 2022-12-10
RESOLUTION TO AUTHORIZE A CHANGE IN THE PERCENTAGE OF PREMIUMS PAID FOR EMPLOYEE
AND DEPENDENT COVERAGE BY THE EMPLOYER**

1. The Township of Mansfield, Burlington County, is a participating employer in the New Jersey State Health Benefits Program provided by the New Jersey State Health Benefits Act of the State of New Jersey (N.J.S.A. 52:14-17.25 et seq.) which authorizes coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission.

2. The Township of Mansfield, Burlington County, is a participating employer in the SHBP Employee Prescription Drug Plan defined by N.J.S.A. 50:14-17.25 et seq. which authorizes coverage for all employees and their dependents in accordance with the statute and regulations adopted by the State Health Benefits Commission.

3. The Township of Mansfield, Burlington County, hereby elects to authorize a change in the percent of New Jersey State Health and Prescription Drug premiums paid for employee and dependent coverage by the employer for employees not subject to a collective bargaining agreement..

4. The Township of Mansfield, Burlington County, hereby elects that the change in the percent of premiums paid for employee and dependent coverage by the employer for employees with no majority representation to be reduced from Year 4 to Year 3 as set forth in Local Finance Notice 2011-20R, Appendix A – Health Benefit Contribution Schedules (1of 3).

5. As a participating employer, Mansfield Township will remit to the State Treasury all charges due on account of employee and dependent coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.

6. The Township Committee hereby appoints Bonnie J Grouser, CFO, to act as certifying Officer in the administration of this program.

7. This resolution shall take effect immediately and the change in percent of employee and dependent premium paid by the employer shall be effective as of January 1, 2023, or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

RESOLUTION 2022-12-11

RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUNDS IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2022

BE IT RESOLVED on this 7th day of December, 2022 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2022 budget appropriations transfers be made as follows:

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

<u>Title</u>		<u>Transfer</u> <u>From</u>	<u>Transfer</u> <u>To</u>
<u>CURRENT FUND</u>			
Streets & Roads	SW	10,000.00	
Landfill Solid Waste Costs	OE	15,000.00	
Municipal Court	SW	18,000.00	
Financial Administration	OE		3,275.00
Property Maintenance	SW		225.00
Prosecutor: Other Professional	OE		2,500.00
Solid Waste: Other Contractual	OE		9,000.00
Street Lighting: Miscellaneous	OE		2,000.00
Water: Miscellaneous	OE		13,000.00
Petroleum: Gasoline	OE		13,000.00
	TOTALS:	\$43,000.00	\$43,000.00

RESOLUTION 2022-12-12

RESOLUTION FOR THE RE-APPOINTMENT OF THE CHIEF FINANCIAL OFFICER FOR TENURE

WHEREAS, Bonnie Grouser was appointed to serve as the Chief Financial Officer for the Township of Mansfield on July 1, 2019 for a four-year term with an effective date of January 1, 2019 in accordance with the terms of N.J.S.A. 40A:9-140, and

WHEREAS, Bonnie Grouser is to be re-appointed to serve a second four-year term, effective January 1, 2023, thereby establishing tenure with the Township of Mansfield;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that **Bonnie Grouser** be re-appointed as Mansfield Township Chief Financial Officer, thereby establishing tenure, effective January 1, 2023.

A motion to adopt the above resolutions was offered by **Committeeman Tallon** and seconded by **Deputy Mayor Ocello**. Motion carried unanimously on a roll call vote recorded as follows:

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

BILL LIST: Regular & Escrow

A motion to approve the bill lists was offered by **Committeeman Sisz** and seconded by **Deputy Mayor Ocello**.

DISCUSSION: None

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

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

MINUTES:

Regular Meeting, November 16, 2022

A motion to approve the above mentioned minutes was offered by **Deputy Mayor Ocello** and seconded by **Committeeman Tallon**

DISCUSSION: None

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

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

DISCUSSION ITEMS/PUBLIC HEARINGS/PRESENTATIONS TO COMMITTEE:

There were no discussions or hearings/presentations at this time.

NEW BUSINESS:

There was no new business to discuss at this time.

PUBLIC COMMENT:

Bob Higgins, 450 Mansfield Road East – He mentioned that he was disappointed to see a police officer at the meeting. He does not feel it is necessary.

Carl Schwartz, 40 Fitzgerald Lane – He knows how difficult the roll of being a Committeeperson is and he wanted to commend the Committee for making hard decisions for the betterment of the community.

Kristianne Goodenough, 28126 Gaunts Bridge Road- She noted her concern for the safety of the farmers who are driving tractors on the roadways as she as seen vehicles speed around past them. She asked all the community members to please be cautious. There was a sign on Island Road coming from Mansfield Road East cautioning drivers of tractors and it has since been taken down. She would like to see this sign put back up.

Administrator Fitzpatrick will look into this matter and will get the sign back up.

Colleen Herbert, 2 Millennium Dr.- She asked Committeeman Tallon why he abstained from the vote on the Tower Gate project. She gave a thank you to everyone involved with the Tree Lighting and Wagon Rides over the weekend.

Committeeman Tallon explained that he recused himself because he didn't want to endanger himself or the Township because of his former objection on the project in the past.

Committeeman Sisz added a thank you to Mrs. Knezick who helped out the entire evening.

Ted Grinsley, 37 Barbary Lane – He was concerned with truck traffic on Route 68 and Route 206 with all the warehouse development as well as the possibility of trucks on Mansfield Road East.

Solicitor Prime explained the projects are subject to DOT approval on Route 206 and Route 68. There is a weight limitation on Mansfield Road East.

ADJOURNMENT:

A motion to adjourn was offered by **Committeeman Tallon** and seconded by **Committeeman Sisz**. All ayes. Motion carried unanimously.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

CANDIS MELIN
Administrative Assistant

LINDA SEMUS, RMC, CMR
Municipal Clerk