

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
May 19, 2021**

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

Clerk Semus read the following followed by the flag salute: 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.

“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 2021-1-8. 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 8, 2021.

ENGINEER REPORT:

Engineer Johnson discussed the sinkholes on Sheffield Drive. He explained that he and the PW Foreman went out to investigate same.

He had looked into the possibility of extending the guard rail near 2468 Axe Factory Road as requested by a resident however, it would need to be completely removed and replaced; it cannot just be extended. He suggested the possibility of additional signage to warn people of the curve. The Township Superintendent, PW Foreman and Engineer will continue to discuss options.

In regards to the DOT Grant for road repaving, the PW Foreman had suggested doing Island Road this year. After some brief discussion all members of the Township Committee agreed to submit an application for the repaving of Island Road.

A motion to accept the Engineers Report was offered by **Committeeman Golenda** and seconded by **Mayor Magee**. It is noted that **Deputy Mayor Tallon** accepted the report but added that he had nothing to add to the Axe Factory Road Guard Rail. Motion carried on a roll call vote recorded as follows:

AYE: Golenda, Magee, Higgins, Ocello, Tallon

NAY: None ABSENT: None

ORDINANCE:

Second Reading/Public Hearing/Final Adoption

ORDINANCE 2021-9

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$1,980,600 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$1,881,570 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), pursuant to the Local Bond Law, L. 1960, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), AS FOLLOWS:

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Mansfield, in the County of Burlington, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the respective sums amounting in the aggregate to \$1,980,600, including the aggregate sum of \$99,030 as the several down payments for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,881,570, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are as follows:

I. Purpose. Acquisition of Capital Equipment for the Police Department, including but not limited two (2) SUVs (Tahoe or Equivalent), as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$110,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$104,500.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$5,500.00

II. Purpose. Acquisition of Capital Equipment for the EMS Services, including but not limited to remounting of Current Ambulance with Power Load System, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary thereof or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$201,745.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$191,658.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$10,087.00

III. Purpose. Acquisition of Capital Equipment for the Fire Prevention Services, including but not limited to 4WD SUV/Pick Up inspection vehicle, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary thereof or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$60,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$57,000.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$10,087.00

IV. Purpose. Acquisition of Capital Equipment for the Fire Department, including but not limited to a 4WD SUV/Pick Up for Department officials and HGAC grade Pumper, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary thereof or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$760,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$722,000.00
<u>Period or Average Period of Usefulness:</u>	9.6 years
<u>Amount of Down Payment:</u>	\$38,000.00

V. Purpose. Acquisition of Capital Equipment for the Public Works Department, including but not limited to 2021 Backhoe, two heavy duty pick-up trucks with plow and safety lights, super heavy duty Dump Truck with Plow and Salt Spreader, two (2) Single Axle Trucks with Plow and Spreader, Flail Arm for tractor, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$567,355.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$538,987.00
<u>Period or Average Period of Usefulness:</u>	7.29 years
<u>Amount of Down Payment:</u>	\$28,368.00

VI. Purpose. Construction of Capital Improvements for the Public Works Department, including but not limited to an addition to the existing Public Works Building and fencing around Public Works yard, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$567,355.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$538,987.00
<u>Period or Average Period of Usefulness:</u>	7.29 years
<u>Amount of Down Payment:</u>	\$28,368.00

VII. Purpose. Improvements and repairs to Township Parks and recreational assets, including but not limited to repairs to tennis, basketball and hockey facilities and Mapleton Park and repairs to basketball facilities and playground facilities and Mansfield Community Park, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$92,500.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$87,875.00
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$4,625.00

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The several improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 10.16 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,881,570, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition of the several improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Magee opened up the public hearing on the above Ordinance.

Public Hearing:

Tony Quinto, 27 Waverly Drive – He questioned how the bond ordinance would impact property taxes.

CFO Grouser explained that it would not impact anything this year however, she did not want to speculate on how it could impact property taxes in the future.

Some discussion ensued on the impact of the warehouses adding additional revenue to the Township.

There were no further public comments.

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

AYE: Ocello, Magee, Golenda, Higgins, Tallon

NAY: None ABSENT: None

First Reading Introduction:

ORDINANCE 2021-10

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MANSFIELD TO CREATE AND ADOPT A NEW CHAPTER 10A ENTITLED “CANNABIS” AND PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN THE GEOGRAPHICAL BOUNDARIES OF MANSFIELD TOWNSHIP

WHEREAS, in 2020, New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called “cannabis” for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16 (N.J.S. 24:6I-31 et. seq.) known as the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, consisting of:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis (N.J.S. 24:6I-37);
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items (N.J.S. 24:6I-39);
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees (N.J.S. 24:6I-40);
- Class 4 Cannabis Distributor license, for businesses involved in transporting cannabis plants in bulk from one licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another (N.J.S. 24:6I-41);
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers (N.J.S. 24:6I-42);
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchased items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer (N.J.S. 24:6I-43); and

WHEREAS, Section 3 of the Act (N.J.S. 24:6I-33) defines a “cannabis establishment” as “a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer”); and

WHEREAS, Section 31a of the Act (N.J.S. 24:6I-45a) authorizes municipalities to adopt by ordinance regulations governing the number of (1) cannabis establishments, (2) cannabis distributors and (3) cannabis delivery services, except for the delivery of cannabis items and related supplies by a cannabis delivery service based and initiated from outside of the municipality; and

WHEREAS, Section 31a of the Act (N.J.S. 24:6I-45a) further authorizes municipalities to adopt by ordinance regulations governing the local licensing endorsement, location, manner and times of operation of cannabis establishments and cannabis distributors, and the location and manner of cannabis delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, Section 31b of the Act (N.J.S. 24:6I-45b) authorizes municipalities to prohibit by ordinance the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality, except for the delivery of cannabis items and related supplies by a delivery service based and initiated from outside of the municipality; and

WHEREAS, Section 31b of the Act (N.J.S. 24:6I-45b) also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (i.e., by August 21, 2021); and

WHEREAS, pursuant to Section 31b of the Act (N.J.S. 24:6I-45b), the failure to adopt any municipal regulation or prohibition within said time limit shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again, in 2026, have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating with appropriate approvals within the municipality; and

WHEREAS, the Township Committee of the Township of Mansfield has made the following findings of fact:

1. The New Jersey Cannabis Regulatory Commission (CRC), created pursuant to N.J.S. 24:6I-24, to control and regulate the new Cannabis industry in New Jersey, has just met and is in the process of hiring staff and preparing regulations to implement the Act.
2. The CRC will not issue any permits to grow or dispense cannabis until the agency hires staff and is able to develop rules and regulations for the new adult use cannabis industry.
3. The CRC has until August 21, 2021 to develop these rules and regulations and will then have an additional 180 days to finalize the rules and regulations and then set a date for when legal sales can begin.
4. It is not likely that legal sales will begin in New Jersey until early 2022.
5. Cannabis plants emit a number of volatile chemicals during their growth cycles, and require extensive hours of lighting and extensive water usage. The unused by-products of cannabis will likely require specific licensed waste haulers, none of which has as yet been identified. The granting of any license for the cultivation, manufacturing, wholesaling or distributing of cannabis will require environmental analysis prior to licensing that will have to be addressed in regulations that will not be available until after the deadline for the Township to establish a prohibition on the issuance of these licenses.

WHEREAS, the Township Committee of the Township of Mansfield has determined that, for the above reasons, and due to the possible detrimental impacts that permitting one or more classes of cannabis businesses might have on New Jersey municipalities in general, and on Mansfield Township in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Mansfield Township residents and members of the public who visit, travel, or conduct business in the Township to adopt regulations to prohibit all manner of cannabis/marijuana-related business within the geographic boundaries of Mansfield Township.

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

SECTION ONE. There is hereby enacted and adopted a new Chapter 10A in the Code of the Township of Mansfield, entitled "Cannabis" as follows:

Chapter 10A. Cannabis.

§10A-1: Definitions.

For purposes of this Chapter, the following definitions shall apply:

"Cannabis" means all parts of the plant *Cannabis sativa* L., whether growing or not, the seeds thereof, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds, except those containing resin extracted from the plant, which are cultivated and, when applicable, manufactured in accordance with P.L. 2016, c. 16 for use in cannabis products as set forth in this act, but shall not include the weight of any other ingredient combined with cannabis to prepare topical or oral administrations, food, drink, or other product. "Cannabis" does not include: medical cannabis dispensed to registered qualifying patients pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act," P.L.2009, c.307 (C.24:6I-1 et al.) and P.L.2015, c.158 (C.18A:40-12.22 et al.); marijuana as defined in N.J.S.2C:35-2 and applied to any offense set forth in chapters 35, 35A, and 36 of Title 2C of the New Jersey Statutes, or P.L.2001, c.114 (C.2C:35B-1 et seq.), or marijuana as defined in section 2 of P.L.1970, c.226 (C.24:21-2) and applied to any offense set forth in the "New Jersey Controlled Dangerous Substances Act," P.L.1970, c.226 (C.24:21-1 et al.); or hemp or a hemp product cultivated, handled, processed, transported, or sold pursuant to the "New Jersey Hemp Farming Act," P.L.2019, c.238 (C.4:28-6 et al.).

"Cannabis cultivator" means any licensed person or entity that grows, cultivates, or produces cannabis in this State, and sells, and may transport, this cannabis to other cannabis cultivators, or usable cannabis to cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

"Cannabis delivery service" means any licensed person or entity that provides courier services for consumer purchases of cannabis items and related supplies fulfilled by a cannabis retailer in order to make deliveries of the cannabis items and related supplies to that consumer, and which services include the ability of a consumer to purchase the cannabis items directly through the cannabis delivery service, which after presenting the purchase order to the cannabis retailer for fulfillment, is delivered to that consumer.

"Cannabis distributor" means any licensed person or entity that transports cannabis in bulk intrastate from one licensed cannabis cultivator to another licensed cannabis cultivator, or transports cannabis items in bulk intrastate from any one class of licensed cannabis establishment to another class of licensed cannabis establishment, and may engage in the temporary storage of cannabis or cannabis items as necessary to carry out transportation activities.

"Cannabis establishment" means a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer.

"Cannabis manufacturer" means any licensed person or entity that processes cannabis items in this State by purchasing or otherwise obtaining usable cannabis, manufacturing, preparing, and packaging cannabis items, and

selling, and optionally transporting, these items to other cannabis manufacturers, cannabis wholesalers, or cannabis retailers, but not to consumers.

“Cannabis retailer” means any licensed person or entity that purchases or otherwise obtains usable cannabis from cannabis cultivators and cannabis items from cannabis manufacturers or cannabis wholesalers, and sells these to consumers from a retail store, and may use a cannabis delivery service or a certified cannabis handler for the off-premises delivery of cannabis items and related supplies to consumers. A cannabis retailer shall also accept consumer purchases to be fulfilled from its retail store that are presented by a cannabis delivery service which will be delivered by the cannabis delivery service to that consumer.

“Cannabis wholesaler” means any licensed person or entity that purchases or otherwise obtains, stores, sells or otherwise transfers, and may transport, cannabis items for the purpose of resale or other transfer to either another cannabis wholesaler or to a cannabis retailer, but not to consumers.

§10A-2: Cannabis establishments, distributors and delivery services prohibited.

Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (N.J.S. 24:6I-45b), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere within the geographic boundaries of the Township of Mansfield, except for the delivery of cannabis items and related supplies by a licensed cannabis delivery service based and initiated from a cannabis delivery service licensed location outside of the Township of Mansfield.

SECTION TWO. REPEALER, SEVERABILITY AND EFFECTIVE DATE

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

Clerk Semus noted that second reading and public hearing for the above is scheduled for June 16, 2021.

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

AYE: Higgins, Magee, Golenda, Ocello, Tallon
NAY: None ABSENT: None

ORDINANCE 2021-11

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY GRANTING CONSENT TO NEW JERSEY AMERICAN WATER COMPANY, INC. TO PERMIT THE CONSTRUCTION, EXPANSION AND MAINTENANCE OF SEWER FACILITIES ON PRIVATE AND PUBLIC PROPERTY TO SERVICE DEVELOPMENT ON PROPERTY KNOWN AS BLOCK 3, LOT 5.03 AND BLOCK 4, LOTS 6.01 & 7 ON THE OFFICIAL TAX MAP OF MANSFIELD TOWNSHIP

WHEREAS, New Jersey-American Water Company, Inc. ("Company") is a regulated public utility corporation of the State of New Jersey seeking approval from the Township of Mansfield ("Township") of an exclusive and perpetual franchise to provide sewer service within the Township, and more specifically and limited to Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7 as designated on the official tax map of the Township of Mansfield, and the municipal consent of the Township to permit said Company to extend sewer service and its related facilities ("sewer facilities") to said Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7 in the Township; and

WHEREAS, the Company has requested the approval of an exclusive and perpetual franchise to provide sewer service limited to said Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7, pursuant to N.J.S.A. 48:2-14, and pursuant to rates and tariffs approved by the New Jersey Board of Public Utilities; and

WHEREAS, the Company has requested the consent of the Township as required by N.J.S.A. 48:3-11 and 48:3-15 for the use of the public streets, identified on the map attached hereto and made a part hereof as Exhibit A, with such consent limited to the fifty (50) year duration set forth in N.J.S.A. 48:3-15, including the consent of the Township pursuant to N.J.S.A. 48:13-11, as amended, to lay its pipes, valves, pumps, manholes and other equipment and related facilities ("sewer facilities") beneath and restore such public roads, streets and places as it may deem necessary for its corporate purposes, free from all charges to be made for such privilege, provided that said pipes shall be laid at least three feet (3') below the surface and shall not in any way

unnecessarily obstruct or interfere with the public travel or cause or permit other than temporary damage to public or private property, and the Township desires and permits the Company to construct and maintain sewer service and the sewer facilities on and along said roads, streets and places at locations to be designated by the Township in order to provide such sanitary sewer service to Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7.

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

Section 1.

The Township hereby grants unto the Company, its successors and assigns, in perpetuity, the exclusive franchise to provide sewer service within the Township limited in this Ordinance to said Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7, pursuant to N.J.S.A. 48:2-14.

Section 2.

The Township hereby grants unto the Company, its successors and assigns the municipal consent to use the streets shown on the map attached as Exhibit A pursuant to N.J.S.A. 48:3-11 and 48:3-15, with such consent limited to the fifty (50) year duration set forth in N.J.S.A. 48:3-15; as well as the municipal consent as required pursuant to N.J.S.A. 48:13-11 as amended, without charge therefore, as the same may be required in order to permit the said Company to add to, extend, operate and maintain said sewer collection and treatment facilities on public and private property located in the Township. The privilege granted herein shall include the construction installation and maintenance of sewer service and its related sewer facilities on and along the Township roads, streets and places at locations as the Township shall designate from time to time. The consent provided in this Ordinance is limited to expanding the Company's existing franchise to provide service to Block 3, Lot 5.03 (f/k/a Lots 5.01 and 10.01) and Block 4, Lots 6.01 and 7 and does not otherwise modify or amend the Company's existing franchise to provide sanitary sewer service in the Township.

Section 3.

Certified copies of this Ordinance, upon final passage, shall be sent to the Company who shall forward same to the New Jersey Department of Environmental Protection and the Board of Public Utilities of the State of New Jersey.

Section 4.

The consent granted herein shall be subject to the Company complying with the applicable Township Ordinances, including but not limited to, the requirements for review, inspections, performance guarantees and review and inspection escrows, State of New Jersey Statutes and any New Jersey Administrative agency's rules and regulations which apply to the subject matter of this Ordinance; and that the Mayor and Committee of the Township are authorized to execute any documents and agreements necessary to effectuate the municipal consent granted herein and to protect the rights of the public involved.

Section 5. ***REPEALER, SEVERABILITY AND EFFECTIVE DATE***

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

Clerk Semus noted that second reading and public hearing for the above is scheduled for June 16, 2021.

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

AYE: Higgins, Ocello, Golenda, Magee

NAY: Tallon ABSENT: None

CONSENT AGENDA:

Clerk Semus noted that consent agenda items are considered to be routine and expenditures are supported by a certification of availability of funds. Any items requiring discussion will be removed from the consent agenda.

Solicitor Prime added that Resolution 2021-5-16 should be tabled as there has been a change in ownership.

Administrator Fitzpatrick explained that the owner of 372 New York Avenue was able to reach the owner of 364 New York Avenue and is now under contract to purchase same. The owner of 372 New York Avenue will now own the entire duplex.

A motion to table Resolution 2021-5-16 was offered by **Committeeman Higgins** and seconded by **Committeeman Ocello**. Motion carried on a roll call vote recorded as follows:

AYE: Higgins, Ocello, Golenda, Tallon, Magee

NAY: None ABSENT: None

RESOLUTION 2021-5-3

RESOLUTION APPROVING THE 2020 LOSAP CERTIFICATION LIST FOR QUALIFICATION OF FRANKLIN FIRE COMPANY VOLUNTEER HOURS

WHEREAS, pursuant to N.J.S.A. 40A:14-191, emergency service organizations participating in a Length of Service Awards Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year, and;

WHEREAS, the certification shall be based on records maintained by the emergency service organization in accordance with the sponsoring agency's adopted point system, and;

WHEREAS, the required certification has been presented by the Franklin Fire Company to the Local Plan Administrator within, and;

WHEREAS, the Local Plan Administrator has reviewed the annual list, requested supporting documentation from Franklin Fire Company to substantiate the information provided, and is satisfied that the list is complete and accurate;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the certified list of volunteer members of the Franklin Fire Company who have qualified for credit under LOSAP for the year 2020 is hereby approved, and

BE IT FURTHER RESOLVED that the approved certification list was posted at the office of the Municipal Clerk, then returned to the Franklin Fire Company for posting at its location for an additional 30 day period which allowed sufficient time for the members review.

RESOLUTION 2021-5-4

A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING KENNETH R. FRIEDRICH AS A PART-TIME PUBLIC WORKS' EMPLOYEE FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, there is a vacancy for a regular part-time Public Works employee position for the Township of Mansfield; and

WHEREAS, applications were received and interviews conducted for said position by the Public Works Foreman and Kenneth R. Friedrich, best met the requirements needed to perform the duties of said position.

BE IT FURTHER RESOLVED that said appointment is subject to the successful completion of all required background evaluations, and upon clearance by Virtua At Work relative to Pre-employment testing requirements.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield at their Regular Meeting held on May 19, 2021 hereby appointments Kenneth R. Friedrich, as a regular part-time Public Works employee, with an hourly wage of \$22.00 per hour and a 29 hour work week, effective May 17, 2021, with all benefits associated with said regular part-time position.

RESOLUTION 2021-5-5

A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE GUARANTEE, APPROVING FINAL ADJUSTMENT OF CONTRACT PRICE AND RELEASE OF RETAINAGE FOR THE FISCAL YEAR 2020 NJDOT TRUST FUND RESURFACING OF RAILROAD AVENUE PROJECT

WHEREAS, the Township Engineer, Remington and Vernick Engineers, has issued three letters dated May 4, 2021, confirming that Earle Asphalt Company ("Contractor") has completed the Fiscal Year 2020 NJ DOT Trust Fund Resurfacing of Railroad Avenue Project ("Project"); and

WHEREAS, said letters recommend that the Township Committee adopt a Resolution releasing the performance guarantee for the Project, and accepting the two-year maintenance bond for same; and

WHEREAS, said letters further recommend that the final contract amount for the Project be adjusted to \$187,186.68;

WHEREAS, said letters further recommend the release of the retainage for the Project in the amount of \$3,743.73 and payment to the Contractor of said amount;

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

Section 1. The performance guarantee for the Project is hereby released and the two year maintenance bond for the Project is hereby accepted.

Section 2. The final contract amount for the Project is hereby adjusted to \$187,186.68

Section 3. The retainage in the amount of \$3,743.73 is hereby released and payment to the Contractor of said amount is hereby authorized.

BE IT FURTHER RESOLVED that this Resolution shall not take effect until all outstanding bills for inspection and other engineering services by the municipal engineer are paid in full. Upon certification by the Chief Financial Officer that all outstanding escrow bills for inspection and other engineering services, the Contractor shall be released from liability pursuant to its performance guarantee with respect to the Project and the original performance guarantee shall be returned to the Contractor or the surety posting same.

RESOLUTION 2021-5-6

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

WHEREAS, Property Taxes were overpaid on the properties listed below; and
WHEREAS, this overpayment was due to a payment by Corelogic Tax Service., 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 May 6, 2021 hereby authorizes the refunding of the following to Corelogic Tax Service by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>	10.03
54	Patel, Kamlesh		\$2,481.33	
10.03	78	Alcalde, Victor	\$2,333.80	
10.05	19	Singh, Bhupinder	\$2,504.64	
10.08	15	Karyampudi, Kalidas	\$2,377.97	
11	1.08	Hornick, Michael	\$1,366.11	
13.02	2.03	Auletta, Brittany	\$2,964.76	
13.02	2.05	Rego, Manny	\$.55	
16	10.01	Steever, Brad	\$ 2.39	
42.12	40	Lovejoy, Aimee	\$ 5.57	
42.14	3	Miller, Lillian	\$ 668.02	
42.17	15	Gray, Felicia	\$1,004.46	
42.30	39	Giampietro, Guy	\$ 33.31	
42.31	4	Robbins, Kevin	\$3,303.99	
42.31	17	Sharma, Bhaumik	<u>\$3,076.45</u>	
		Total	\$22,123.35	

RESOLUTION 2021-5-7

**A RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE 2021 BUDGET
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, PL 1948)**

WHEREAS, N.J.S.A.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 has 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 an equal amount.

NOW, THEREFORE, BE IT RESOLVED on this 19th day of May, 2021 that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2021 in the total sum of \$65,095.03 which items are now available as an additional special item of revenue.

BE IT FURTHER RESOLVED that a like sum total \$65,095.03 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Community Development Block Grant – (CDBG)	\$55,000.00
2018 Tonnage Grant	<u>10,095.03</u>
TOTAL:	\$65,095.03

RESOLUTION 2021-5-8
RESOLUTION MEMORIALIZING THE AUTHORIZATION OF AWARD OF A “REQUIRED DISCLOSURE” CONTRACT FOR INFORMATION TECHNOLOGY MAINTENANCE AND CONSULTING SERVICES AND STANDARD/LONG DISTANCE PHONE SERVICE WITHIN THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township of Mansfield has the need for a vendor to perform the services of Information Technology Maintenance and Consulting Service, and Standard/Long Distance Phone Service; 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 Qualified Purchasing Agent authorized the award of a contract for Information Technology and Maintenance and Consulting Service, and Standard/Long Distance Phone Service to Networks Plus Co., LLC (“Vendor”) as a “Required Disclosure” contract based on proposals 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 May 1, 2021 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, Networks Plus Co., LLC has submitted a proposal dated April 7, 2021 indicating they will perform information technology maintenance and consulting services and standard and long distance phone service for the proposed amount of \$32,856.00; and

WHEREAS, to satisfy the provisions of N.J.S.A. 19:44A-20.5, concerning eligibility for municipal contracts, Vendor has completed and submitted a Business Entity Disclosure Certification which certifies that Networks Plus Co., LLC has not made any reportable contributions, to a political or candidate committee in the Township of Mansfield, to Mayor Michael H. Magee, Deputy Mayor Robert Tallon, Committeeman Robert J. Higgins, Committeeman Rudy Ocello or Committeeman Daniel Golenda in the previous one year, and that the contract will prohibit Networks Plus Co., LLC 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 Governing Body of the Township of Mansfield authorizes the Qualified Purchasing Agent to enter into a contract with Networks Plus Co., LLC 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 that the Mayor and Township Clerk, as necessary, are hereby authorized to execute said contract with Networks Plus Co., LLC; 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 2021-5-9
A RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF MAINTENANCE GUARANTEE, APPROVING FINAL ADJUSTMENT OF CONTRACT PRICE AND RELEASE OF RETAINAGE FOR THE FISCAL YEAR 2020 NJDOT TRUST FUND RESURFACING OF WHITE PINE ROAD PROJECT

WHEREAS, the Township Engineer, Remington and Vernick Engineers, has issued three letters dated April 19, 2021, confirming that Richard T. Barrett Paving Company (“Contractor”) has completed the Fiscal Year 2019 NJ DOT Trust Fund Resurfacing of Railroad Avenue Project (“Project”); and

WHEREAS, said letters recommend that the Township Committee adopt a Resolution releasing the performance guarantee for the Project, and accepting the two-year maintenance bond for same; and

WHEREAS, said letters further recommend that the final contract amount for the Project be adjusted to \$177,374.00;

WHEREAS, sent letters further recommend the release of the retainage for the Project in the amount of \$3,547.48 and payment to the Contractor of said amount;

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

Section 1. The performance guarantee for the Project is hereby released and the two year maintenance bond for the Project is hereby accepted.

Section 2. The final contract amount for the Project is hereby adjusted to \$177,374.00.

Section 3. The retainage in the amount of \$3,547.48 is hereby released and payment to the Contractor of said amount is hereby authorized.

BE IT FURTHER RESOLVED that this Resolution shall not take effect until all outstanding bills for inspection and other engineering services by the municipal engineer are paid in full. Upon certification by the Chief Financial Officer that all outstanding escrow bills for inspection and other engineering services, the Contractor shall be released from liability pursuant to its performance guarantee with respect to the Project and the original performance guarantee shall be returned to the Contractor or the surety posting same.

RESOLUTION 2021-5-10
RESOLUTION RECOGNIZING AND CONFIRMING BONNIE GROUSER AS THE QUALIFIED PURCHASING AGENT FOR THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee of the Township of Mansfield by Ordinance 2005-4 designated the Chief Financial Officer as the purchasing agent for the Township pursuant to N.J.S.A. 40A:11-9.a; and

WHEREAS, Bonnie Grouser is the Chief Financial Officer of the Township and has served in such capacity since his date of hire of July 1, 2019; and

WHEREAS, Bonnie Grouser has taken the required courses and has been qualified by the Division of Local Government Services as a qualified purchasing agent pursuant to the provisions of N.J.S.A. 40A:11-9.b; and

WHEREAS, N.J.S.A. 40A:11-3 allows a purchasing agent so qualified to exercise authority to an enhanced threshold and as set forth in the aforementioned ordinance;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Township Committee hereby recognizes Bonnie Grouser as its purchasing agent, qualified by the Division of Local Government Services, and confirms that she is authorized to exercise purchasing authority to the enhanced limits established by N.J.S.A. 40A:11-3 and as such limits are further adjusted by the Governor pursuant to N.J.S.A. 40A:11-3c of said statute; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on May 19, 2021 at the at 7:00 PM that Bonnie Grouser is hereby appointed as the Township's Qualified Purchasing Agent at the compensation of \$20,000.00 per year together with such regular raises that shall be provided to all Management/Supervisory personnel in the Township

**RESOLUTION 2021-5-11
RESOLUTION AUTHORIZING THE REFUND OF
FENCE LICENSE AGREEMENT FEE
FOR BLOCK 10.03, LOT 37 (52 Birmingham Drive)**

WHEREAS, a fence licensing agreement was completed for the purpose of installing a fence in the rear yard of the property located at block 10.03, lot 37 also known as 52 Birmingham Drive; and

WHEREAS, fees in the amount of \$75.00 were received for said license; and

WHEREAS, after further review, it was determined that the licensing agreement was not necessary, therefore the applicant, Rajan Gadkari is now requesting a refund for same; and

WHEREAS, the Zoning Official, has recommended a refund to the applicant in the amount \$75.00; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that a refund in the amount of \$75.00 to Rajan Gadkari is hereby approved and authorized.

RESOLUTION 2021-5-12

**RESOLUTION TO REAFFIRM THE MEMBERSHIP ROSTER OF THE
FRANKLIN FIRE COMPANY #1**

BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey hereby reaffirms the membership roster of all approved Franklin fire company #1 Members as follows:

John Chester Alloway	John Ross Alloway	Alex Belonzi
Jim Blackwell	Douglas J. Borgstrom	Nicholas James Borgstrom
Alexander Scott Broder	Keith Buckalew	Mason Buckalew
Robert Cavella	Ronald Cottrill	Frank Doyle
Herbert Dubell, Jr.	Jarrold Scott Foster	Sean S. Gable
David George	Dennis H. Ghaul	Joseph D. Goodenough
Joseph Douglas Goodenough	Kristianne (Dowd) Goodenough	Thomas Hope
Earl Hopkins	Edson Hopkins, Jr.	Gregory Huber
Nicholas Kearns	Denise Kehn	Tyler A. Kokotajlo
Matthew Konowicz	Matt Lloyd	William Lonegran
Michael J. Lovenduski	Arnold Miller	Thomas J. Minard
Michael E. Mitchell	Katherine Morton	John M. Panacek
Steven Perkins	Jason Peters	Daniel Petroni
Rivelino Pierre	Dawn Pietrzykowski	Justin Terrill Pires
Barry Rassmussen	Samuel E. Ridlely	Michael Robertson
Robert Ronan	Ryan Shearer	Jeremy Stephens
Miguel Tosado	Christopher R. VanMater	Holmes Dennis VanMater
Joseph D. VanMater	Bernard M. Ventimiglia	

RESOLUTION 2021-5-13

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

WHEREAS, Property Taxes for Taxes 3rd 2021 were overpaid on the properties listed below; and

WHEREAS, an overpayment is due to a payment by Tyrog Corp % Mark Tykocinski, and a refund is due.

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 May 19, 2021 hereby authorizes the refunding of the following to Tyrog Corp % Mark Tykocinski by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Amount</u>
33.01	19.03	\$1.32
41	11.01	<u>\$6.67</u>
	Total	\$7.99

RESOLUTION 2021-5-14

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

WHEREAS, Property Taxes were overpaid on the properties listed below; and
WHEREAS, these overpayments were due to a wire payment by Wells Fargo not paying the adjusted Homestead Benefit Amounts., 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 May 19, 2021 hereby authorizes the refunding of the following to Wells Fargo by the Tax Collector.

<u>Block \ Lot</u>	<u>Owner</u>	<u>Amount</u>	<u>Block \ Lot</u>	<u>Owner</u>	<u>Amount</u>
9.01 1.11	Larry Lang	\$624.08	42.07 18	Francis Miller	\$379.10
10.02 2.15	Theresa Remoske	\$163.32	42.07 40	Katheleen O'Brien	\$399.54
10.02 2.18	Isidro Lopez	\$310.47	42.07 82	Frances Brown	\$337.56
10.02 2.21	Lori Payakovich	\$ 86.75	42.08 60	Laurette Walsh	\$386.49
10.02 2.27	Lisa Sitko	\$198.62	42.08 105	Willie Ritter	\$361.84
10.02 2.66	Lisa Distephano	\$253.26	42.08 169	Joy Weiler	\$332.99
13.04 1.02	Douglas Palmieri	\$417.21	42.09 2	Jay Sada	\$362.90
23.01 127	Peter Simon	\$738.85	42.10 2	Victoria Kenny	\$399.17
23.01 129	Bonnie Gaspari	\$726.88	42.11 60	Ileen Berstin	\$483.64
23.04 82	William Orosz	\$749.77	42.11 65	Stephen Fiore	\$682.88
23.06 29	Donna Lawrence	\$661.76	42.11 122	Ugo Zulla	\$564.97
23.07 44	Stanley Bolton	\$650.16	42.12 10	Joann Hersh	\$461.12
24 5	Janice Martin	\$267.16	42.14 6	Barbara Hurley	\$377.34
24 16	David Miller	\$221.16	42.19 31	Dorothea Plant	\$456.88
24 24.01	Michael Meighan	\$208.71	42.22 6	June McDonald	\$535.05
25 8	Barbara Bradley	\$303.34	42.23 1	Sandra Schwenk	\$275.79
29 28	Leon Medenbach	\$169.04	42.31 13	Emad Salib	\$667.00
33.01 14.04	Lauren Mayer	\$230.55	43 5.03	Keith Clemens	\$248.40
42.01 49	Charles Moscarello	\$530.08	53.01 3.01	Gary Petroni	\$519.56
42.03 1	Mariette Sconza	\$390.01			

RESOLUTION 2021-5-15

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

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

WHEREAS, the services to be performed will include; 2021 County Tax Appeals, General Record Maintenance, including 2021 added/omitted Assessments, Farmland Applications and field inspection as needed; and

WHEREAS, the Tax Assessor has stated that J.H. Services whose address is 251 New Freedom Road, Southampton, NJ 08088 are qualified to perform the services outlined; and

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township Of Mansfield, County of Burlington, State of New Jersey, that the short-term services be awarded to J.H. Services in an amount not to exceed \$7,500.00 for the year 2021.

BELOW RESOLUTION WAS TABLED AS PER ABOVE

RESOLUTION 2021-5-16

DECLARING THE PREMISES AT 364 NEW YORK AVENUE, BLOCK 26, LOT 2.01, MANSFIELD TOWNSHIP, TO BE UNSAFE FOR HUMAN HABITATION, OCCUPANCY AND USE PURSUANT TO

**MANSFIELD CODE CHAPTER 25B “HOUSING STANDARDS”AND AUTHORIZING THE
DEMOLITION OF SAID PREMISES BY THE TOWNSHIP PURSUANT TO SECTION 25B-5.D AND
FURTHER AUTHORIZING THE FILING OF A CERTIFICATE OF LIEN AGAINST THE PROPERTY
FOR THE COSTS OF DEMOLITION AND ALL RELATED COSTS AND EXPENSES PURSUANT TO
SECTION 25B-5.E.**

RESOLUTION 2021-5-17

**AUTHORIZING EXECUTION OF “MUNICIPAL AND PRIVATE PARTIES SANITARY SEWER
AGREEMENT” WITH TURNPIKE CROSSINGS IV, LLC FOR SANITARY SEWER SERVICE TO
PROPERTY KNOWN AS BLOCK 45.01, LOT 2.01, MANSFIELD TOWNSHIP.**

WHEREAS, VA Florence Company, LLC (“VA”) is the developer of certain real property consisting of a 197.7-acre tract located on Florence-Columbus Road in the Township of Mansfield, New Jersey and identified as Block 47.01, Lots 11.01 and 11.02 (formerly known as Lots 3.02, 9.01, 9.02, 11 and 12) on the Tax Map of the Township of Mansfield (the “VA Property”); and

WHEREAS, VA and Mansfield are parties to a Tri-Partite Sanitary Sewer Agreement with Burlington Township, dated May 8, 2018 (the “Tri-Partite Agreement”) regarding the development and ownership of the Sewer Improvements on VA Property (as defined in the Tri-Partite Agreement), including a Sewer Pump Station, Transmission Line and Connection, all designed to provide sanitary sewer service for up to 50,000 gallons per day from the approved office/warehouse buildings on the VA Property, said sanitary sewer to be treated by Burlington City through Burlington Township; and

WHEREAS, Section 2.04 of the Tri-Partite Agreement requires Mansfield to accept dedication of, and, after the expiration of the maintenance bond period, to maintain the Pump Station and Transmission Line portion of the Sewer Improvements on the VA (all as defined in the Tri-Partite Agreement) at its sole cost and expense; and

WHEREAS, Pursuant to the Tri-Partite Agreement, VA constructed its Sewer improvements, including the Pump Station, Transmission Line, and Connection to provide sewer Service to the VA Property; and

WHEREAS, by adoption of Resolution 2020-11-6, as required by the Tri-Partite Agreement, the Township accepted the VA sewer improvements and executed a Maintenance Fee Agreement dated November 18, 2020, whereby VA agreed to reimburse the Township for the cost of licensed operations and maintenance services for maintenance of the VA sewer improvements; and

WHEREAS, pursuant to the Tri-Partite agreement, VA pays a quarterly service/usage charge to Burlington Township and Mansfield Township; and

WHEREAS, Turnpike Crossings IV, LLC (“TC IV”), the developer of an office/warehouse facility in the Township of Mansfield on Block 45.01, Lot 2.0, paid for a portion of the VA Sewer Improvements and will connect to the VA Sewer Improvements through a small pump station and lateral connection to be constructed and maintained at TC IV’s sole cost and expense; and

WHEREAS, TC IV has requested the Township of Mansfield and Burlington Township to enter into an agreement for TC IV to utilize the VA Sewer Improvements, including the existing Sewer Pump Station and Transmission Line, to provide sanitary sewer service for treatment of 10,000 gallons from the approved office/warehouse building on the TC IV Property, said sanitary sewer to be treated by Burlington Township; and

WHEREAS, pursuant to Section 6 of the attached agreement, TC IV will pay a quarterly sewer usage or service fee to Mansfield Township and Burlington Township pursuant to said agreement.

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

Section 1. The Mayor and Clerk are hereby authorized to execute and deliver the Municipal and Private Parties Sanitary Sewer Agreement with Turnpike Crossings IV, LLC for sanitary sewer service to property known as Block 45.01, Lot 2.01, Mansfield Township, a copy of said Agreement attached hereto as Exhibit A, together with any other supporting documents reasonably required to effectuate the purposes of said Agreement.

Section 2. The execution of said Agreement is expressly subject to, and in consideration of, the timely payment of the service fee pursuant to Section 6 of the attached agreement and the continued reimbursement to the Township of the cost of licensed operations and maintenance services for maintenance of the VA sewer improvements as set forth in the Maintenance Fee Agreement dated November 18, 2020.

RESOLUTION 2021-5-18

**RESOLUTION AUTHORIZING THE SUBMISSION OF APPLICATION FOR THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS – LOCAL RECREATIONAL IMPROVEMENT 2021-
GRANT FUNDS**

WHEREAS, Mansfield Township has prepared an application for the New Jersey Department Of Community Affairs-Local Recreational Improvement 2021-Grant Funds for the renovation of playground area at the Mansfield Township Community Park, 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 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 New Jersey Department Of Community Affairs-Local Recreational Improvement 2021-Grant Funds, which does not require any local matching funds.

RESOLUTION 2021-5-19

RESOLUTION AWARDDING CONTRACT TO ZONE STRIPING, INC., FOR ROADWAY RESTRIPING OF PETTICOAT BRIDGE ROAD, ARLINGTON AVENUE, MANSFIELD ROAD EAST AND ISLAND ROAD IN THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township of Mansfield has the need for a vendor to perform roadway safety improvements, Roadway Restriping, on Petticoat Bridge Road, Arlington Avenue, Mansfield Road East and Island Road; and

WHEREAS, pursuant to the provisions of NJSA 40A:11-11(5) the Township Of Mansfield has the authority to enter into a Cooperative Pricing System; and

WHEREAS, Mansfield Township had, on December 16, 2020, entered into a Cooperative Pricing Agreement with the County of Burlington, who is known as the Lead Agency; and

WHEREAS, said Agreement with the Lead Agency is in effect for a period of five (5) years, beginning January 1, 2021 through December 31, 2025; and

WHEREAS, on April 6, 2021, the Lead Agency accepted bids from vendors for the various Townships throughout the County who are participating in said Cooperative Pricing System; and

WHEREAS, Zone Striping, Inc. of Glassboro, New Jersey was found to be a responsive and responsible bidder that met all the minimum bid requirements and said Lead Agency hereby recommends awarding a contract to Zone Striping, Inc.; and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available to award said contract.

NOW, BE IT RESOVLED, that the Governing Body of the Township Of Mansfield authorizes the Qualified Purchasing Agent to enter into a contract with Zone Striping, Inc. as described herein.

BE IT FURTHER RESOLVED, that said contract with Zone Striping, Inc. shall be retroactive to May 19, 2021.

BE IT FURTHER RESOLVED, that the Mayor and Township Clerk, as necessary, are hereby authorized to execute said contract with Zone Striping, Inc. in an amount consistent and in accordance with the specification and the unit pricing in said bid proposal; and

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

RESOLUTION 2021-5-20

RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, AUTHORIZING THE TAX COLLECTOR TO PREPARE AND MAIL THIRD QUARTER ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, C.72

WHEREAS, the State of New Jersey has not certified Municipal County Budgets as of this date; and

WHEREAS, as a result thereof, the Burlington County Board of Taxation is unable to verify Mansfield Township's tax rate and the Mansfield Township's Tax Collector will be unable to mail the Township's 2021 tax bill on a timely basis; and

WHEREAS, the Township of Mansfield Tax Collector, in consultation with the Township of Mansfield Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3, and the Township of Mansfield Tax Collector has signed a certification showing the tax levies for the previous years, the tax rates and the range of permitted estimated tax levies;

WHEREAS, the general tax rate is anticipated to be \$3.391 per \$100 assessed valuation resulting in a \$34,195,157.75 total levy in 2021, which is equal to 101.56% of the 2020 Tax Levy.

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 May 19, 2021 hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2021 taxes; and

A motion to adopt the above resolutions (omitting Resolution 2021-5-16) was offered by **Deputy Mayor Tallon** and seconded by **Committeeman Ocello**. Motion carried on a roll call vote recorded as follows:

AYE: Tallon, Ocello, Golenda, Higgins, Magee

NAY: None ABSENT: None

BILL LIST: Regular & Escrow

A motion to adopt the bill list was offered by **Committeeman Higgins** and seconded by **Deputy Mayor Tallon**. Motion carried on a roll call vote recorded as follows:

AYE: Higgins, Tallon, Ocello, Golenda, Magee

NAY: None ABSENT: None

MINUTES: April 21 & May 6, 2021

A motion to approve the above minutes was offered by **Deputy Mayor Tallon** and seconded by **Mayor Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Tallon, Magee, Ocello, Golenda, Higgins
NAY: None ABSENT: None

REPORTS: Clerk, Court, Construction, Police, EMS, Zoning, Tax, Recreation & Finance

A motion to approve the above listed reports was offered by **Committeeman Higgins** and seconded by **Committeeman Ocello**. All ayes. Motion carried.

DISCUSSION:

A. Sidewalks – Committeeman Golenda discussed the possibility of adding a crosswalk from East Main/West Main to the Community Park. **Administrator Fitzpatrick** will reach out to the County DOT to find out what the process is for adding said crosswalks. **Engineer Johnson** will provide any assistance that is necessary.

B. Building Reopening – Administrator Fitzpatrick discussed the Municipal Building reopening as of June 1st. With the current guidance from the Governor and CDC this seems like a good possibility. After some discussion the Township Committee agreed to open the Municipal Building to the public starting June 1st however meetings will remain virtual through Zoom for the month of June and further discussion will need to be had prior to July. To keep Zoom meetings as they are currently, would be about \$38,000.

C. Memorial Day Services – Clerk Semus mentioned that there will be a small Memorial Day service for the fallen members of our military on Monday May 31st at 3PM in Mansfield Community Park.

PUBLIC COMMENT:

Tony Quinto, 27 Waverly Drive – He is hopeful that the Township will find another more cost effective way to broadcast the meetings.

Frank Pinto, 420 Island Road – He had wanted more clarity in regards to PILOT's and when they are negotiated. He stated that Elion had testified that they would have developed the property without a PILOT agreement.

Solicitor Prime explained that discussions in regards to a PILOT would begin once the Land Use Board approves the application.

Mr. Pinto then mentioned that he believes that the Township should re-examine the Master Plan. He also mentioned having more of a hybrid option for meetings, once the building reopens to the public

Mayor Magee added that the Township Committee would discuss whether to move forward with the re-exam or any other options. The issue in regards to the meetings moving forward, will also be further discussed.

Jane Johnson, 1126 Hedding Road – She had questioned the cannabis ordinance and whether the Township was banning just the cultivation.

Solicitor Prime explained that the state is asking municipalities to ban all or the sale, distribution, cultivation etc. will be permitted in all zones. It was recommended that the Township ban all for now until the state has regulations in place at which time the Township can readdress it if they so choose.

Rich Hammil, 2468 Axe Factory Road – The guard rail problem is the mostly during snowstorms or shortly thereafter when heading north into Bordentown, down the hill and around the blind curve. Most people will hit the guard rail and then will crash into the entrance of his driveway. He believes the only way to fix this problem would be to replace the guard rail. He is concerned with someone getting hurt.

Joseph Van Mater, 26954 Mount Pleasant Road – He explained that he was looking at the Zoom plans and the most expensive plan is about \$400 per year for a license, which he feels is reasonable. He believes it is important to keep the public engaged in the meetings. He would like to see a hybrid option available.

Chad Whyte, - He thanked the Township Committee for doing the meetings via Zoom. He feels it has been a benefit to the community. He travels often and cannot always attend the meetings and being able to attend via Zoom has been a great benefit. He supports a hybrid option moving forward.

John O'Callaghan, 53 Oak Lane, New Egypt – He agrees with the hybrid approach to Township meetings. There should be more cost effective ways to do this hybrid. He feels it's important that people have the ability to participate from their homes. He also mentioned the warehouse on Route 206 & Aaronson Road in which he was not aware that was a redevelopment area. He questioned the zoning of said property.

Solicitor Prime explained that those warehouses have already been approved by the Planning Board. One is currently under construction and the second one will begin shortly. The ordinance is giving NJ American Water Company the ability to supply sewer to the development through the franchise expansion. All of the properties mentioned have gone through the redevelopment process.

Sam Jobanputra, 32 Belmont Circle – He thanked the Committee and Employees for all of their hard work. He agrees that that Township should keep the Zoom meetings going as it allows people who travel to join the meetings as well as transparency within the Township. He would be willing to pay for membership if necessary.

Andrew Arengo, 874 N. Bailey Street, PA – He grew up in Hedding and still has family in town. He appreciates the Zoom meetings as a way to stay involved in the Township. He added that he had asked Elion the question regarding PILOT's to which they had in fact answered that they would still develop the property without a PILOT. He asked the Township Committee to take into account the future and immediate benefits of such a program.

Vicky Digerolamo, 35 Birmingham Drive – In regards to cannabis, she asked if the decision at the next meeting will be a final decision and would it be difficult to change.

Solicitor Prime explained that the state requires municipalities, unless they want to allow it in all the commercial and industrial zones, they must act to ban it by August 21st. The state will not have any regulations until at least August 21st. Many municipalities are deferring until there are regulations to see how it will function in other municipalities. This does not mean that it cannot be considered in the future.

Deputy Mayor Tallon explained that it will be readdressed once the state has set regulations.

Leah Difilippo, 2225A Old York Road – She thinks the Township does need to look into the hybrid option for meetings. It is helpful for people like herself who are single parents and need to be home with their children, but would like to stay involved with their communities.

Steve Knezick – He agrees with the hybrid Zoom meeting option. He thinks the Master Plan needs to be re-examined as well. The Township was very proactive in regards to cannabis therefore he would like to be just as active in regards to the environment and open space.

Colleen Herbert, 2 Millennium Drive – She questioned when the Mansfield Road East project was scheduled to begin.

Engineer Johnson explained that currently this project is in the design phase. It will be submitted to the state since it requires their approval. If submitted within the next 30 days, they approximately take 15-30 days to review, at which point it will go out for advertisement. At least a couple of months before public advertisement.

Ms. Herbert questioned Island Road with schools returning in September and with the kids parking on the side of the road. Many people will attempt a u-turn in the middle of the road. She asked if there could be no u-turn signs added to that area. She added that the recreation committee wanted to find out if they could present a wreath during the Memorial Day ceremony.

Clerk Semus asked Ms. Herbert to contact LaVerne Cholewa regarding the ceremony.

Ms. Herbert also mentioned that she would like to see a hybrid option to the meetings so everyone has the ability to participate.

A motion to close the public comment portion of the meeting was offered by **Committeeman Higgins** and seconded by **Mayor Magee**. All ayes. Motion carried.

MAYOR & COMMITTEE UPDATES/COMMENTS:

Committeeman Golenda – He thanked everyone for the participation and wished them a goodnight.

Committeeman Higgins – He mentioned the discussions on Mansfield Road East. He asked the Engineer and Administrator Fitzpatrick to look into the sinking of the left hand turn lane from Mansfield Road East to Route 206. He thanked everyone for joining the meeting.

Committeeman Ocello – He is happy that the public is listening in to the meetings. He wished everyone a goodnight.

Deputy Mayor Tallon – He thanked everyone for listening in and asked that people continue to do so.

Administrator Fitzpatrick acknowledged CFO Grouser for obtaining her QPA certification and thanked her for her hard work.

Mayor Magee added congratulations to Committeeman Higgins on his third grandchild. He added that he echoes what all other Committee persons had said. He thanked everyone for their participation.

MOTION FOR ADJOURNMENT:

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Ashley Jolly, Deputy Clerk

Linda Semus, RMC, CMR