

**MANSFIELD TOWNSHIP  
BURLINGTON COUNTY  
TOWNSHIP COMMITTEE  
REGULAR MEETING AGENDA  
August 16, 2023  
7:00 PM - Via Hybrid**

**OPENING PUBLIC MEETING STATEMENT:**

**Clerk Semus**, read the following Open Public Meetings Statement:

Public notice of this meeting pursuant to the Open Public Meetings Act has been satisfied.

Notice of this meeting was properly given via Resolution 2023-1-10, which was adopted by the Mansfield Township Committee on January 4, 2023. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, posted on the official website, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 8, 2023.

**ROLL CALL:**

**Municipal Clerk Semus** called for a Roll Call. The following Township Committee Members were in attendance: Committeeman Tallon, Committeeman Boyd, Deputy Mayor Sisz, Mayor Mojena, Solicitor Prime, Engineer Johnson, CFO Grouser, Administrator Fitzpatrick, Deputy Clerk Jolly and Clerk Semus.

Absent: Committeeman Golenda.

**The Flag Salute followed by a brief moment of silence.**

**Mayor Mojena** asked that as we observe the moment of silence we will recognizing the tragic loss of two Mansfield residents, Mansfield Township Patrolman Sam Irvin and Ron Montalbano. Our hearts go out to their families and loved ones for these tragic losses. We offer our love and support to the families during this very difficult and trying times.

**DEPARTMENT/BOARD REPORTS:**

**Police Report:**

Chief, Eric Campbell took a moment to thank everyone from the Township Committee, Township Employees, Fire, EMS, Law Enforcement Agencies across New Jersey, residents, our local businesses and Churches for all the support they have shown through this difficult loss of our fallen officer, Patrolman Sam Irvin. He was a wonderful young man who had a bright future with our department. Please continue to keep his family and friends in your prayers.

On behalf of the Police Department, sincere condolences have been extended to the Montalbano family for their sudden tragic loss. Rob was a great guy and will surely be missed by all.

Report: 1,358 incidents- 8 arrests, 13 domestics and 22 motor vehicle crashes. There are no major crime issues to report this month. Road construction: PSE&G utility work is still continuing but has now moved on to West Main Street for this week and next. Hours of operation are Monday, Wednesday and Friday from 9:00am to 2:00pm and Tuesday and Thursdays from 9:00am to 4:00pm with traffic alternating, so try to avoid the area. Construction on New York Ave. near Rt. 206 has been completed. Training: An Officer attended the DWI Detection and Standardized Field Sobriety training. Our crash reconstructionist attend additional training for Motorcycle Crash Investigations. A few Officers attended Active Shooter Incident Management training. Our Detective attended a Community Police meet and greet hosted by our residents of Four Seasons for a presentation about Scams and did a fantastic job. He personally thanked Mr. Schwartz and the other residents for organizing this and we look forward to doing it again next year.

**Mayor Mojena** shared that he received wonderful feedback on the breakfast at Four Season and that the presentation was well received. He thanked Chief Campbell and the members of the Department for their continued contributions to the community and the outstanding work that was done during the tragic loss of Patrolman Sam Irvin and the difficulties shared amongst the team, what was done and how the family was supported, are recognized. Thank you for your professionalism and determination.

**EMS Report:**

Chief, George Senf reported: Calls – 248, Patient Contacts – 163, Transports -111. Training: Staff will be training with our police department for Rescue Task Force and Active Shooter Incidents next week. CPR/Basic First Aid class for coaches next Thursday at the municipal building. If you are a coach for any of our local leagues, please sign up.

**Engineer's Report:**

Doug Johnson reported: Resurfacing of a portion of Aaronson Road: pre-construction meeting was held and the concrete work will begin the week of August 28<sup>th</sup>. Resurfacing of the Municipal Complex: further coordination will be needed with all the activity here and the residents and employees should look out for additional communication with the shifting of parking. Bid spec packages to purchase and install a salt storage structure for Public Works and the recoating of the Fire Station floor are being put together working with the Financing and Clerk's offices to set Bid dates.

Land Use: Vanco site is getting close as they have a few items and some paving left to do but are getting close to finishing soon. Mansfield Realty West site is still ongoing. Smaller Land Use projects are active and inactive because of construction schedules and materials.

**Mayor Mojena** asked what is the timeline to finalize Mansfield Realty West. Engineer Johnson responded that they have not been given an intended date of completion.

**Administrator Fitzpatrick** added that working together with Engineer Johnson, they are trying to get Elion to take down the homes at the end of Mansfield Rd. East. Things are moving forward but the State is holding up the project at this time.

**DPW Report:**

Superintendent, Michael Fitzpatrick reported: Installed the new engraved pavers at Columbus Park, Painted crosswalk at North Island Road and School Drive, Saw cut asphalt walkway at County Walk park to repair large cracks, Unclogged pipe

on Public Road, Mowing and maintenance at all parks including edging the sidewalks, Trimmed hedges and pulled weeds at gazebo area in Columbus Park, Emptied garbage in township parks once a week, Fixed edging around tennis and basketball court at Hedding park, Fixed mower belt and adjusted deck, Repaired gate on mower trailer, Fixed speed limit sign on Georgetown Road, Changed all storm drain grates and repaired basins in complex parking lot, Cleared stormwater drains on township roadways, Replaced storm drain grate on Public Road to bicycle safe DEP approved, Mowing and maintenance on township owned detention ponds, Mowed intersections on township roads, Weed wacked and cleared guardrails on township roads, Trimmed tree at corner of Mansfield Road East and Island Road and cut limbs on North Island Road and White Pine Road that were blocking the signs, Generator and panic alarms were tested, Fire extinguisher inspections completed, Replaced hydraulic line on backhoe, Ongoing curbside metal pickup, Completed quarterly sewer readings at Linwood Farms, Fixed broken curb and changed faded stop sign on Canterbury Court, Flail mowed around complex and civic club ponds, Installed fence in Fairmont detention basin, Laid out soccer fields and removed three pitchers mounds for recreation.

**Trash Collection:** Please note that we are having a struggle with trash collection again this year and it is not the actual pick up. Republic is doing a very good job this year compared to years past and the problem we are having at this time, is the six (6) item per household rule that Republic has had set in place and for which they are strictly adhering to. The days they do collection, they send pictures of the houses that have more than six items set out. The drivers have been using stickers to notify the residents, we have tried talking about it and posting on Facebook along with our Email Blasts trying to reach as many residents as possible, however, a lot of residents are not signed up. Trash collection is a big deal in the town and takes up a lot of time due to the amount of calls on a regular basis from residents regarding their trash not being picked-up. It is not that the truck is not out there, but the fact that there were more than six items put out to be picked up. Any way we can get the word out to remind the residents of the six item per household rule would be great.

**Committeeman Tallon** added that he observed that the driver of the truck on his pick-up day was also the one doing the pick-up. He also made mention of the labor shortage we are now faced within our Country.

**Mayor Mojena** reminded residents that they can bring items to our Public Works yard here at the Municipal Complex at 3135 Route 206 South.

**Recreation-Special Events-Social Media:**

Sabrina Petrella reported: The Fall Soccer program begins next week. There are 178 kids currently enrolled in 19 teams, and 30 parent volunteers. Games start on September 9<sup>th</sup> and run through mid-November. Thank you to Public Works for getting the fields ready for the season. The next Special Events Farmers Market is Thursday, August 31<sup>st</sup>, from 6 - 7:30pm behind the Columbus Office Park. Thank you to Public Works for installing the new engraved bricks into the Walk of Honor at the Veteran’s Gazebo in Community Park. Nine bricks were added commemorating the military service of Mansfield residents.

**Mayor Mojena** added that we have about 1,000 people that have signed up for our Township Alerts which is a fraction of the residents we have. You will find that you will not get a lot of emails unless it is important or useful. Spread the word to anyone you know, it is easy to sign up for important announcements.

**Finance Report:**

Bonnie Grouser reported that the Public Works Department wants to make a purchase of a Z-Master Zero Turn Rider which has been found at a National Cooperative named Sourcewell. When purchasing, the Cooperative is strict and requires the advertisement for 10 days prior to the award. As the Mayor and Committee know, the demand is higher than the supply at this time. We will be able to award this on August 22, 2023 and the intent is to make the award, do a purchase order and get it to the vendor so we can secure the purchase, then do the Resolution at the September meeting that will memorialize back to August 22<sup>nd</sup> to not lose this purchase.

**Solicitor Prime** stated that is fine as everyone is aware.

**ORDINANCE: (SECOND READING/PUBLIC HEARING/FINAL ADOPTION):**

**ORDINANCE 2023-11**  
**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY TO ESTABLISH AND CREATE THE POSITION OF PUBLIC WORKS CREW LEADER**  
**Be it enacted by the Mansfield Township Committee as follows:**

**Section 2.**

**The Code of the Township of Mansfield is hereby amended by adding thereto, Chapter 2 §2-11 within The Public Works Department section of the Code of the Township under “Administration Of Government”, to read as follows:**

**WHEREAS**, the Township of Mansfield, specifically the Public Works Department is in need of a Public Works Crew Leader; and

**WHEREAS**, the creation of this position of Public Works Crew Leader will allow the Mansfield Township Public Works Department to operate more efficiently and effectively; and

**WHEREAS**, The Mansfield Township Committee is in agreement that the position of Public Works Crew Leader should be created; and

**NOW THEREFORE BE IT ORDAINED AND ESTABLISHED** by the Township Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, that Chapter 2 (“Administration of Government”), of the Code of the Township of Mansfield is hereby amended as follows:

**A. SECTION 2:11 Public Works Department**  
**D. Public Works Crew Leader**

(1) The position of Public Works Crew Leader for the Mansfield Township Public Works Department is hereby created.

- (2) The job responsibilities of said Public Works Crew Leader, shall be as follows:
- (a) Under direction, assists in supervising and works with a group of employees engaged in the construction, operation, maintenance, and repair of multiple public works facilities such as streets, parks, or other public works operations; may be required to operate, check, service, and make minor repairs to trucks and other maintenance/construction equipment; does other related duties as required.
  - (b) Supervises and works with employees engaged in loading and unloading street repair materials.
  - (c) Supervises and works with employees engaged in cutting brush, mowing grass, emptying refuse containers, loading refuse, and disposing of refuse at an assigned place.
  - (d) Assigns and works with employees in repairing/maintaining storm drain and sinkhole repairs.
  - (e) Ensures that safety precautions are followed and that procedures are taken to protect the public from injury during repair activities.
  - (f) May inspect completed work to ensure that procedures were followed, that reasonable standards of workmanship/output were maintained, and that desired objectives were achieved.
  - (g) Assumes all authority/responsibilities in the absence of the Public Works Foreman and/or Assistant Public Works Foreman.
  - (h) Will be required to learn to utilize various types of electric and/or manual recording and information systems used by the agency, office, or related units.

**BE IT FURTHER RESOLVED** that paragraph D and E of Chapter 2 Subsection 2-11 is hereby amended to read as E and F respectively.

The rate of compensation for the position of Public Works Crew Leader shall be within the following range **\$25.00 (twenty-five dollars) to \$32.00 (thirty-two dollars)** hourly.

Salary Ordinance 2023-2, covering the 2023-2024 years, is amended to include the above position.

**REPEALER, SEVERABILITY AND EFFECTIVE DATE.**

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

**Superintendent Fitzpatrick** explained the process behind the position of Crew Leader for TJ and that he has been very instrumental in helping Frank and the team, getting the work done and getting it done properly.

A motion to adopt the above ordinance 2023-11 was offered by **Deputy Mayor Sisz** and seconded by **Committeeman Boyd**.

**PUBLIC HEARING: NONE**

**DISCUSSION: NONE**

The above motion was carried on a roll call vote recorded as follows:

**AYE: SISZ, BOYD, TALLON, MOJENA      NAY: NONE      ABSENT: GOLENDIA**

**ORDINANCE 2023-12**

**AN ORDINANCE REPEALING ORDINANCE 2023-5 AND REPLACING IT WITH A REVISED ORDINANCE REGULATING THE STORAGE OF SALT AND OTHER SOLID DE-ICING MATERIALS**

**SECTION I. Purpose**

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater. This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Township of Mansfield to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply. The Township previously adopted Ordinance 2023-5 based on the model Ordinance required by the New Jersey Department of Environmental Protection as part of the Township’s stormwater management permit. The Department subsequently revised the model ordinance to clarify certain provisions after a public comment period, resulting in the need to repeal Ordinance 2023-5 and adopt this revised ordinance.

**SECTION II. Definitions:**

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.

- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials.
2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

- F. “Resident” means a person who resides on a residential property where de-icing material is stored.

### **SECTION III. Deicing Material Storage Requirements:**

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15<sup>th</sup> and April 15<sup>th</sup>,

1. Loose Materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through.
2. Loose Materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, and/or ditches or other stormwater conveyance channels;
3. Loose Materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:
  - a. The cover shall be waterproof, impermeable, and flexible;
  - b. The cover shall extend to the base of the pile(s);
  - c. The cover shall be free from holes or tears;
  - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind;
  - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
    - (1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used.
5. Containers must be sealed when not in use; and
6. The site shall be free of all de-icing materials between April 16<sup>th</sup> and October 14<sup>th</sup>.

- B. Deicing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose deicing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15-April 15.

- C. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

- a. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.
- b.

### **SECTION IV. Exemptions:**

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

### **SECTION V. Enforcement:**

This ordinance shall be enforced by the Zoning Officer, the Mansfield Township police department or other municipal official authorized by the Township Administrator, during the course of ordinary enforcement duties.

**SECTION VI: Violations and Penalties:**

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as set forth in N.J.S.A. 40:49-5 Penalties for Violation of Municipal Ordinances.

**SECTION VII. Severability:**

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

**SECTION VII. Effective Date:**

This ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

**Solicitor Prime** explained the statewide stormwater management permit. The DEP has made revisions to the ordinance and is now requiring that every municipality adopt a salt storage ordinance which is what we are purporting tonight. We had initially adopted an ordinance as required by DEP to maintain our permit, however, they made revisions to the ordinance which has been made repeal the ordinance and adopt the ordinance again. The ordinance was made clearer that residents also need to adhere to the ordinance that salt and de-icer storage materials are kept in a garage but other sealed bags or containers are not subject to the provision to the inspection of the ordinance. With clarification, the ordinance is ready for Committee action.

A motion to adopt the above ordinance 2023-12 was offered by **Deputy Mayor Siz** and seconded by **Committeeman Tallon**.

**PUBLIC HEARING: NONE**

**DISCUSSION: NONE**

The above motion was carried on a roll call vote recorded as follows:

**AYE: SISZ, TALLON, BOYD, MOJENA**

**NAY: NONE**

**ABSENT: GOLENDIA**

**ORDINANCE: (FIRST READINGS/INTRODUCTIONS)**

**ORDINANCE NO. 2023-13  
AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,  
COUNTY OF BURLINGTON, STATE OF NEW JERSEY,  
ADOPTING CHAPTER 27 OF THE TOWNSHIP CODE  
REGULATING LEAD-BASED PAINT INSPECTIONS**

**WHEREAS**, pursuant to P.L. 2021, c.182, all New Jersey municipalities are now required to inspect every single-family, two-family, and multiple rental dwelling located within the municipality at tenant turnover for lead-based paint hazards; and

**WHEREAS**, it is in the best interests of the residents of the Township of Mansfield to amend the Township Code at this time to require inspections for lead-based paint in residential rental dwellings to conform to New Jersey State law;

**WHEREAS**, the Township wishes through this Ordinance to establish Chapter 27 entitled “Lead-Based Paint Inspections” of the Township Code in order to serve the best interests of the Township and its residents.

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Mansfield, in the County of Burlington, and State of New Jersey that:

**SECTION 1.** Chapter 27 to be known as “Lead-Based Paint Inspections.” is hereby added to the Code of the Township of Mansfield as follows:

**Chapter 27 Lead-Based Paint Inspections.**

**§27-1 Definitions.**

**Lead Abatement** – Measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner of Community Affairs in compliance with standards promulgated by the appropriate federal agencies.

**Dust Wipe Sampling** – A sample collected by wiping a representative surface and tested in accordance with a method approved by the United States Department of Housing and Urban Development.

**Lead Evaluation Contractor** – A person certified by the New Jersey Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:171.1 et seq.

**Lead-based Paint Hazard** - Any condition that causes exposure to lead from lead-contaminated dust or soil or lead-contaminated paint that is deteriorated or present in surfaces that would result in adverse human health effects.

**Visual Assessment** – A visual examination for deteriorated paint or visible surface dust, debris, or residue.

**Tenant Turnover** - The time at which all existing occupants vacate a dwelling unit and all new tenants move into the dwelling unit.

**§27-2 Inspections.**

A. A lead evaluation contractor retained by the Township shall inspect every single-family, two-family, or multiple

rental dwelling located in the Township of Mansfield for lead-based paint hazards through visual assessment and dust wipe sampling in accordance with N.J.S.A. 52:27D-437.1 et seq.

B. In lieu of having the dwelling inspected by the Township's lead evaluator, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to perform the lead-based paint inspection in accordance with N.J.S.A. 52:27D-437.1 et seq.

C. In accordance with N.J.S.A. 52:27D-437.16(c), a dwelling unit in a single-family, two-family, or multiple rental dwelling shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit:

- (1) Has been certified to be free of lead-based paint;
- (2) Was constructed after 1978;
- (3) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least ten (10) years, either under the current or a previous owner, and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the "Hotel and Multiple Dwelling Law," P.L.1967, c.76 (C.55:13A-1 et seq.);
- (4) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months duration each year by tenants that do not have consecutive lease renewals; or
- (5) Has a valid lead-safe certification.

D. The owner, landlord, and/or agent of every single-family, two-family, or multiple rental dwelling unit offered for rental shall be required to obtain an inspection of the unit for lead-based paint hazards every three (3) years, or at tenant turnover, whichever is earlier.

E. If lead-based paint hazards are identified, then the owner, landlord, and/or agent of the dwelling shall remediate the lead-based paint hazard using lead abatement or lead-based control methods in accordance with N.J.S.A. 52:27D-437.16(d). Upon the remediation of the lead-based paint hazard, the Township's lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists.

F. If no lead-based paint hazards are identified, then the Township's lead evaluator shall certify the dwelling as lead-safe on a form prescribed by the Department of Community Affairs, which shall be valid for two (2) years.

G. Pursuant to N.J.S.A. 52:27D-437.16(e), property owners shall:

- (1) Provide evidence of valid lead-safe certification and the most recent tenant turnover at the time of the cyclical inspection
- (2) Provide evidence of a valid lead-safe certification obtained pursuant to this Section to new tenants of the property at the time of tenant turnover unless not required to have had an inspection by a lead evaluation contractor or permanent local agency pursuant to §280-2(C) of this Chapter.
- (3) Maintain records of lead-safe certification, which shall include name(s) of the unit tenant(s), if inspection was conducted during a period of tenancy.

H. Fees.

- (1) The fee for a visual inspection and dust wipe sampling inspection performed by the Township's lead evaluation contractor shall be \$275.00 for a one (1) bedroom unit and an additional \$25.00 for each bedroom thereafter. If a dust wipe fails, it shall cost an additional \$125.00, plus \$20.00 per wipe for a subsequent test.
- (2) In accordance with N.J.S.A. 52:27D-437.16(h), an additional fee of \$20.00 per dwelling unit inspected by the Township's lead evaluation contractor or the owner's private lead evaluation contractor shall be addressed for the purpose of the Lead Hazard Control Assistance Act, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.
- (3) In a common interest community, any inspection fee charged pursuant to this subsection shall be the responsibility of the unit owner and not the homeowners' association, unless the association is the owner of the unit.

**§27-3 Violations.** Penalties for violation of Chapter 27 shall be as follows:

A. If a property owner has failed to conduct the required inspection or initiate any remediation as required by N.J.S.A. 52:27D-437.1 et seq. the owner shall have 30 days to cure the violation.

B. If a property owner fails to cure the violation after 30 days, the property owner shall be subject to a penalty not to exceed \$1,000.00 per week until the required inspection has been conducted or remediation efforts have been initiated.

**SECTION 2.** If any section, paragraph, subsection, clause, or provision of this Amendment shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective;

**SECTION 3.** If any ordinances or parts thereof are in conflict with the provisions of this Ordinance those provisions are hereby repealed to the extent of such conflict.

**SECTION 4.** This Ordinance shall take effect upon passage and publication in accordance within applicable law.

**Second Reading/Public Hearing and Final Adoption is scheduled for September 20, 2023 at 7:00pm.**

**Solicitor Prime** explained the state mandated regulation and the legislator has adopted Chapter 182 of Public Laws of 2021 which requires all New Jersey municipalities to provide for inspections of lead-based paint hazards on rental properties in the township that are not otherwise exempt every time a tenant rollover occurs or until the unit is free of lead-based paint. Inspections will be completed by Fire Prevention negotiate a third-party contract or the homeowner can hire its own inspector as long as the inspector is certified by the state. There is no cost to the municipality.

A motion to introduce the above ordinance 2023-13, was offered by **Committeeman Boyd** and seconded by **Deputy Mayor Sisiz**.

**DISCUSSION/COMMENTS: NONE**

The above motion carried on a roll call vote recorded as follows:

**AYE: BOYD, SISZ, TALLON, MOJENA      NAY: NONE      ABSENT: GOLEND**

**RESOLUTIONS: (Non-Consent)**

**RESOLUTION 2023-8-1**

**RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF MANSFIELD TOWNSHIP, BURLINGTON COUNTY, HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE 2022 ANNUAL AUDIT ENTITLED “GENERAL COMMENTS AND RECOMMENDATIONS”**

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

**WHEREAS**, the Annual Report of Audit for the year 2022 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

General Comments  
Recommendations

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

General Comments  
Recommendations

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

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

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

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

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

A motion to approve Resolution 2023-8-1, was offered by **Deputy Mayor Sisiz** and seconded by **Committeeman Tallon**.

**DISCUSSION:**

**Administrator Fitzpatrick** asked if it be stated that there are no findings. Mayor Mojena asked CFO Grouser to give a few brief words.

**CFO Grouser** stated that the 2022 audit is complete and happily reports that we had no findings this year. There is a section of the audit that identifies findings of significant deficiencies, material weaknesses by non-compliance with provisions of laws, regulations, contracts, and grant agreements related to financial statements for which government auditing standards and audit requirements as prescribed by the Division of Local Government Services Department of Community Affairs State of New Jersey.

**Mayor Mojena** recognized CFO Grouser in another year’s job well done with no issues or findings. These audits are a comprehensive report of every possible transaction conducted by the township. Our team is exceptional in abiding by the rules and doing the right thing at all costs. The report is a public document and can be viewed under Finance on our website.

The above motion carried on a roll call vote recorded as follows:  
**AYE: SISZ, TALLON, BOYD, MOJENA      NAY: 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 2023-8-2**  
**RESOLUTION AUTHORIZING THE CANCELLATION OF GRANT RECEIVABLE BALANCES AND/OR GRANT RESERVE APPROPRIATED BALANCES**

**WHEREAS**, various grant receivable balances remain on the Township’s Grant Fund Balance Sheet which have been researched and are no longer valid; and

**WHEREAS**, various grant reserve appropriated balances remain on the Township’s Grant Fund Balance Sheet which have been researched and are no longer valid; and

**WHEREAS**, it is necessary to formally cancel the following receivable balances and/or the appropriated reserve balances from the balance sheet; and

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Mansfield authorizes that the following grant receivable balances and grant reserve appropriated balances be cancelled by the Chief Financial Officer:

<u>Grant Title</u>	<u>Receivable Cancelled</u>	<u>Appropriation Cancelled</u>
CDBG	\$65,422.78	\$115,331.44
Clean Communities		\$18,899.96

**RESOLUTION 2023-8-3**  
**RESOLUTION RECLASSIFYING TERRANCE PETRONI AS A PUBLIC WORKS CREW LEADER**

**WHEREAS**, the Township has received, from the Public Works Foreman and Township Administrator, a recommendation to re-classify the full time Public Works Employee, Terrance J. Petroni, as the full-time Public Works Crew Leader within the Mansfield Township Public Works Department; and

**WHEREAS**, the Township’s salary range for said position provides for an hourly rate of between \$25.00 and \$32.00 per hour, and the Township Committee has determined that the appropriate compensation for Mr. Petroni is twenty-six dollars and ninety-two cents (\$26.92) per hour with all benefits associated with said full-time position.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Terrance J. Petroni is hereby reclassified as the full-time Public Works Crew Leader for the Township of Mansfield commencing July 3, 2023.

**RESOLUTION 2023-8- 4**  
**RESOLUTION AMENDING RESOLUTION 2023-1-6, “APPOINTMENT OF MUNICIPAL POSITIONS/BOARDS/EMPLOYEES” TO ADD AND REVISE POSITONS OF JOINT LAND USE BOARD MEMBERS DUE TO VACANT POSITION**

**WHEREAS**, an individual was recommended to the Mayor of Mansfield Township as a member to the Mansfield Township Joint Land Use Board, as an alternate member for the year 2023; and

**WHEREAS**, a vacancy occurred requiring an amendment and re-designation of the Planning Board membership.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Resolutions 2023-1-6, which was adopted by the Mansfield Township Committee are hereby amended as follows:

1. The membership roster of the Mansfield Township Joint Land Use Board for the year 2023 be and is hereby amended to add the following members with the expiration dates of their appointments as follows:

**Mansfield Township Planning Board: (Joint Land Use Board)**  
Carl Schwartz-Class IV-(unexpired term of 12-31-23 of William Taharik)  
Joseph Broski-Alternate #1 – (unexpired term of 12-31-23 of Carl Schwartz)  
Rudy Ocello-Alternate #2-(unexpired term of 12-31-23 of Joseph Broski)  
Maureen Villegas-Alternate #3-(unexpired term of 12-31-24 of Rudy Ocello)

2. The balance of the Board Members, as previously approved, will remain as follows:

**Mansfield Township Planning Board (Joint Land Use Board):**

Scott Preidel, Chairman –	term expiration 12-31-26
Douglas Borgstrom –	term expiration 12-31-23
Brian Sisiz –	term expiration 12-31-23
Jeffrey Grouser –	term expiration 12-31-26
Colleen Herbert –	term expiration 12-31-24
Ralph Wainwright -	term expiration 12-31-24
Frank Pinto-	term expiration 23-31-24
Marcial Mojena, Mayor	term expiration 12-31-23

**RESOLUTION 2023-8-5**  
**RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS**

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

**WHEREAS**, this overpayments were 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 August 16, 2023 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>
9.01	1.25	Jones, Shawn & Nicole	\$3,030.20
42.21	3	Spodaryk, Joseph	\$1,524.68
42.30	1	Vance, Nicholas & Donna	<u>\$3,105.52</u>
Total			\$7,660.40

**RESOLUTION 2023-8-6**  
**RESOLUTION AUTHORIZING REFUND**  
**OF ROAD OPENING APPLICATIONS & ENGINEERING ESCROW FEES**  
**TO NEW JERSEY AMERICAN WATER**

**WHEREAS**, New Jersey American Water had submitted applications and associated fees for two road opening permits for the following properties located in the Homestead at Mansfield development: 43 Wagon Wheel Lane, Block 42.12, Lot 21 and 12 Cottage Lane West, Block 42.08, Lot 91; and

**WHEREAS**, roads located in the Homestead at Mansfield development are not Township owned roads thereby, said applications were submitted in error to the Township by New Jersey American Water; and

**WHEREAS**, a refund of \$200.00 total (\$100.00 per application) application fee for said road opening permit applications and \$400.00 total (\$200.00 per application) escrow fee for said applications shall be reimbursed for the aforementioned reason.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, in the County of Burlington and State of New Jersey, that the road opening application fee in the amount of \$200.00 and escrow fee in the amount of \$400.00 is hereby refunded to New Jersey American Water.

**RESOLUTION 2023-8- 7**  
**RESOLUTION AMENDING RESOLUTION 2023-1-6, “APPOINTMENT OF MUNICIPAL**  
**POSITIONS/BOARDS/EMPLOYEES” TO ADD AND REVISE POSITIONS OF THE RECREATION**  
**COMMITTEE MEMBERS DUE TO VACANT POSITIONS**

**WHEREAS**, **three** individuals were recommended to the Mayor of Mansfield Township as new members to the Mansfield Township Recreation Committee to fill vacant positions; and

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Resolutions 2023-1-6, which was adopted by the Mansfield Township Committee are hereby amended as follows:

1. The membership roster of the Mansfield Township Recreation Committee for the year 2023 be and is hereby amended to add the following members with the expiration dates of their appointments as follows:

**Mansfield Township Recreation Committee:**

Justin Parker  
Matt Collier  
Ismael Rivera

2. The balance of the Board Members, as previously approved, will remain as follows:

**Mansfield Township Recreation Committee:**

Colleen Herbert, Chairperson	term expiration 12-31-23
Daniel Berg –	term expiration 12-31-23
Blaze Pecenak –	term expiration 12-31-23
Amanda Firtek –	term expiration 12-31-23
Renee Stevenson –	term expiration 12-31-23
Kristin Mederos -	term expiration 12-31-23
Chris Romano-	term expiration 23-31-23

**RESOLUTION 2023-8-8**  
**RESOLUTION OF SUPPORT FOR DIMENSION RENEWABLE ENERGY MANSFIELD TOWNSHIP**  
**COMMUNITY SOLAR PROJECT**

**WHEREAS**, Dimension RE LLC (“Dimension Renewable Energy” or “Dimension”) is developing the following community solar projects located within the Township of Mansfield; and

Project LLC	Address	Project Size (MW)	Estimate Subscribers
Mansfield Solar 1 LLC	3267 US-206, Mansfield, NJ 08022	5.00	930

**WHEREAS**, the Dimension projects will benefit residents of Mansfield Township in multiple ways. Dimension has committed to working with local non-profits, community organizations, affordable housing partners, and workforce training partners to maximize the impact of its projects through the funding and implementation of initiatives that will provide K-12 renewable energy STEM education, solar-specific workforce development, funding for community projects and programs, and prioritization of solar access for low- and moderate-income households; and

**WHEREAS**, it is the intention of Mansfield Township to support community solar development for the purpose of achieving the multiple economic, health, environmental, social justice, and educational benefits

connected to community solar, while maintaining the community character, design standards, and livability of Mansfield Township; and

**WHEREAS**, solar energy facilities and technologies can be deployed in the Mansfield Township and implemented to ensure the maximum use of solar energy in the community; and

**WHEREAS**, the deployment of community solar energy facilities can greatly reduce the cost of energy for local residents while lowering New Jersey’s carbon emissions; and

**WHEREAS**, Mansfield Township wishes to support local community solar projects that are being submitted into the New Jersey Board of Public Utilities’ Community Solar Program to ensure our residents and business enjoy the many benefits of community solar development; and

**WHEREAS**, Dimension will prioritize Mansfield Township residents as subscribers of the projects. Prioritization will include marketing subscriptions exclusively within Mansfield Township for a minimum of six (6) months as well as other strategies such as utilization of Township-specific marketing campaigns, collaboration with the Township and other local organizations to educate, engage, and enroll Township residents, offering unique enrollment incentives to Township residents, and/or prioritizing Township residents for available subscription capacity on an ongoing basis.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, in recognition of the partnership between Dimension and Mansfield Township and the commitment of the Township to work collaboratively with Dimension in a co-branded campaign to educate and enroll local residents, Dimension is committed to providing the following:

1. Dimension will provide a donation of \$20,000.00 upon project award to the Township as part of the kickoff of the co-branded marketing campaign in recognition; and
2. With advisory support from the Township, Dimension will develop a marketing and outreach campaign aimed at educating local residents about the economic and environmental benefits associated with the projects listed above, and more specifically the benefits associated with becoming a subscriber of the projects; and
3. Dimension will work to prioritize local Mansfield Township residents in its efforts to fully subscribe the project; and
4. For each local resident that enrolls in one of the projects listed above as a result of the partnership between Dimension and the Township, Dimension will donate \$200.00 to Mansfield Township public services and programs as designated by the Township Committee. Dimension will fund all donation amounts on the first day the facility is operational; and
5. Dimension will award an additional \$5,000.00 to Mansfield Township public services and programs as designated by the Township Committee. Dimension will fund this amount on the first day the facility is operational.

**BE IT FURTHER RESOLVED** that Mansfield Township supports the Dimension Renewable Energy community solar rooftop project identified above in this Resolution and endorses for selection by the New Jersey Board of Public Utilities, the Dimension Renewable Energy community solar project identified above in this Resolution.

**BE IT FURTHER RESOLVED** that this Resolution of Support is limited to the Dimension Renewable Energy community solar project identified above in this Resolution, and shall not be deemed to award a general franchise or other exclusive right to Dimension Renewable Energy for any other community solar project in Mansfield Township, support for which can only be granted by further Resolution adopted by the Township Committee.

#### **RESOLUTION 2023-8-9**

#### **RESOLUTION AUTHORIZING EXECUTION OF PILOT FINANCIAL AGREEMENT AND REDEVELOPMENT AGREEMENT ESTOPPEL LETTERS AND ACKNOWLEDGMENT OF NOTICE OF TRANSFER OF THE PROPERTY FOR THE FINANCING OF THE SEGME/JONES FARM WAREHOUSE REDEVELOPMENT PROJECT AT 5206 ROUTE 130, MANSFIELD TOWNSHIP**

**WHEREAS**, on November 18, 2020, the Mansfield Township Committee adopted Resolution 2020-11-4 designating Segme Mansfield 130 LLC as the Redeveloper of property in Mansfield Township known as Segme/Jones Farm, 5206 Route 130, Mansfield Township, also known as Block 59, Lots 7.01 & 7.02 (the “Property”) and further authorized the Township and Township to enter into the Redevelopment Agreement (the “Redevelopment Agreement”) for the redevelopment of the Property (the “Project”);

**WHEREAS**, on September 15, 2021, the Mansfield Township Committee adopted Ordinance 2021-18, authorizing a PILOT financial agreement (“Financial Agreement”) with the Redeveloper for the Project; and

**WHEREAS**, Redeveloper has notified the Township that it has agreed to transfer ownership of the Property and the Project to Segme Mansfield LLC, a Delaware limited liability company, as an approved permitted transfer since Redeveloper will continue to own and control the Project as 100% equitable owner of Segme Mansfield 130 Mezz LLC, a Delaware limited liability company, the sole member of the Property Owner and has agreed that the transferee will continue to be bound by the terms and conditions of the Redevelopment Agreement and the Financial Agreement; and

**WHEREAS**, the permitted transfer is authorized by Section 8b) of the Redevelopment Agreement and Section 7.03 of the Financial Agreement, and

**WHEREAS**, Argentic Real Estate Investment 2 LLC, the Redevelopers Lender, has requested the Township to execute estoppel letters confirming that there is no default under either the Financial Agreement or the Redevelopment Agreement and acknowledging notice of the property transfer by the Redeveloper.

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

1. The Mayor and Clerk are authorized to execute and deliver the PILOT Financial Agreement estoppel letter attached hereto as Exhibit A, which further acknowledges receipt of the notice of the permitted transfer of the property pursuant to Section 7.03 of the Financial Agreement.
2. The Mayor and Clerk are authorized to execute and deliver the Redevelopment Agreement estoppel letter attached hereto as Exhibit B, which further acknowledges receipt of the notice of the permitted transfer of the property pursuant to Section 8(b) of the Redevelopment Agreement.
3. The Mayor and Clerk are authorized to execute and deliver the documents attached hereto as exhibits upon the adoption of this Resolution, together with any additional documents as are necessary to implement and carry out the intent of this Resolution and the terms and conditions of the PILOT Financial Agreement and the Redevelopment Agreement for the Jones Farm/Segme redevelopment project.

A motion to approve the Consent Agenda was offered by **Deputy Mayor Siz** and seconded by **Committeeman Boyd**.

**DISCUSSION: NONE**

Motion carried on a roll call vote recorded as follows:

**AYE: SISZ, BOYD, TALLON, MOJENA                      NAY: NONE                      ABSENT: GOLEND**

**BILL LIST: Regular and Escrow:**

A motion to approve the bill list both regular and escrow was offered by **Committeeman Tallon** and seconded by **Deputy Mayor Siz**.

**DISCUSSION: NONE**

Motion carried on a roll call vote recorded as follows:

**AYE: TALLON, SISZ, BOYD, MOJENA                      NAY: NONE                      ABSENT: GOLEND**

**MINUTES:** July 19, 2023 (Committeeman Golenda not in attendance)

A motion to approve the meeting minutes was offered by **Committeeman Boyd** and seconded by **Deputy Mayor Siz**.

**DISCUSSION: NONE**

Motion carried on a roll call vote recorded as follows:

**AYE: BOYD, SISZ, TALLON, MOJENA                      NAY: NONE                      ABSENT: GOLEND**

**DISCUSSION ITEMS/PUBLIC HEARINGS/PRESENTATIONS TO COMMITTEE: NONE**

**NEW BUSINESS:** Mayor’s comments and updates- Nothing at this time.

**PUBLIC COMMENT:**

**Colleen Herbert, 2 Millennium Drive-** took the opportunity to thank Chief Campbell and his Department for the way they conducted themselves with the tragic loss of Patrolman Sam Irvin. To see the dignity and compassion of the Fire, EMS and especially the young children in this community. It was amazing to see the poise of these young men who lost such a great friend. There are so many appreciative that you are at the helm and the way you carry yourself and leads our community.

**Carl Schwartz, 40 Fitzgerald Lane-** stated what a fantastic job interfacing and developing a rapport with the community the Police Department did at the Four Seasons presentation. We were able to put a face to the name of who we talk to on the phones and everyone was very helpful. Chief Campbell does a fantastic job and we are very appreciative.

**Victor Ramos** expressed is condolences for the loss of our Police Officer, he will be missed. The Environmental Commission will have a presence at the Mansfield Farmers Market and will be giving away Cana Root bulbs and Tulip trees. A local community member has asked him to inquire about keeping the Elion group from tearing up the cemetery behind the 1740 Meeting House.

**Solicitor Prime** stated they are very much aware of the boundaries and limits of construction. The township engineer will be inspecting the work and are comfortable they are knowing what is going on.

**Mayor Mojena** added that per the various meetings, the commitment and plan is to completely isolate the existing graveyards via fencing and physical obstructions to prohibit any type of interference or coming in contact with the existing gravesites. The home is to be demolished in a way to prevent any damage or debris from falling to the gravesite. The final plan has been shared and there is a commitment to have the utmost respect for those that are buried there.

**Victor Ramos** replied that he was requested to bring this to the Committees attention and that certain members of the Historical Society are concerned that they are going to move the gravesite, stones and or possibly the bodies.

**Mayor Mojena** stated that according to the plan, there is to have no contact what so ever with the gravesites.

**ADJOURNMENT:**

A motion to adjourn the meeting was offered by **Deputy Mayor Siz** and seconded by **Committeeman Boyd**.

**Motion carried.**

**PREPARED BY:**

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**CANDIS MELIN**  
**Administrative Assistant**

**RESPECTFULLY SUBMITTED BY:**

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**LINDA SEMUS, RMC, CMR**  
**Municipal Clerk**