

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
May 20, 2020
Regular Meeting 5:30PM**

The regular meeting of the Mansfield Township Committee was called to order via conference call at 5:30PM on the above shown date with the following in attendance: **Mayor DiGiuseppe, Deputy Mayor Cain, Committeeman Higgins, Committeeman Magee and Committeeman Ocello.** Also present **Solicitors Timothy Prime and Tyler Prime, Administrator Fitzpatrick, CFO Grouser, Auditor Robert Naheila, Engineer Doug Johnson, Deputy Clerk Jolly and Clerk Semus.**

Clerk Semus made the following statement: This meeting is being conducted during the current national emergency with remote participation in accordance with the guidance provided by the New Jersey Division of Local Government Service, Department of Community Affairs as set forth in the public notice of this meeting.

Clerk Semus called the meeting to order at 5:34PM and read the following open public meeting statement: Public Notice of this meeting pursuant to the open public meetings act N.J.S.A. 10:4-6 – 10:4-21 has been satisfied. Notice of this meeting was properly given via Resolution 2020-1-8 which was adopted by the Mansfield Township Committee on January 6, 2020. Said Resolution was transmitted to the Burlington County Times, Trenton Times, filed with the Township Clerk, posted on the official township website and mailed to each person who prepaid any charge fixed for such service, all the mailings, postings and filings having been accomplished as of January 10, 2020. Because this is a virtual meeting being conducted with remote participation by the Township Committee, the professionals, statutory administration, as well as the public, the township is permitted to establish a time limit on the meeting itself and also establish a time limit on public comment. The public is reminded that public comment is limited to two minutes per person and the township will not entertain comments that are repetitive of other comments already rendered by the public during the course of public hearings and or public comment portions of the meeting. These procedures and time limits will be strictly enforced by the township this evening. I further ask that all members of the public remain on mute, and not interrupt or comment except during the time of the public hearing portion reserved for the adoption of the 2020 budget, which is under Resolution 2020-4-2 and during the time reserved for the public comment.

Clerk Semus asked that since this meeting is being held remotely, to please mentally acknowledge the flag salute.

Mayor DiGiuseppe stated due to the township meeting being conducted remotely, she is asking Clerk Semus to run the meeting this evening.

FINANCE:

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION NO. 2020-5-3
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT OF PURCHASE AND SALE FOR
PROPERTY HAVING A STREET ADDRESS OF 29 CHESTERFIELD ROAD AND DESIGNATED AT
BLOCK 11, LOT 3 ON THE TOWNSHIP OF MANSFIELD TAX MAP**

WHEREAS, the Township of Mansfield (the “Township”) is the owner of a certain parcel of real estate in the Township of Mansfield, County of Burlington, State of New Jersey, having a street address of 29 Chesterfield Road and designated as Block 11, Lot 3 on the Township Tax Map (the “Property”); and

WHEREAS, in accordance with the authority granted it by N.J.S.A. 40A:12-13, the Township previously listed the Property for sale by way of online auction (the “Auction”); and

WHEREAS, Ammar Rahim, an individual, desiring to purchase the Property, placed a bid on the Property at the Auction of forty-five thousand dollars and zero cents (\$45,000.00) and was thereafter determined to be the highest bidder; and

WHEREAS, the Township and Mr. Rahim have negotiated terms and conditions upon which to effectuate the purchase and sale of the Property, the same of which are set forth in that certain Agreement of Purchase and Sale attached hereto, incorporated herein, and made a part hereof as “Exhibit A”.

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

1. The Township Committee hereby accepts Ammar Rahim’s bid on the Property of forty-five thousand dollars and zero cents (\$45,000.00); and
2. The Township Clerk is hereby authorized and directed to execute the attached Agreement of Purchase and Sale (see Exhibit A) for the Property at having a street address of 29 Chesterfield Road and designated as Block 11, Lot 3 on the Township Tax Map, subject to such modifications as may be agreed to by the Township Solicitor, so long as said modifications do not change the fundamental intent of the Agreement of Purchase and Sale.
3. The Mayor, Township Clerk, Township Administrator, Chief Financial Officer, Township Solicitor, and such other officials as may be necessary are hereby authorized to execute such closing documents as may be required to complete this transaction, including the deed, title company documents, closing statement, and other such necessary documents.

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION NO. 2020-5-4
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT OF PURCHASE AND SALE FOR
PROPERTY HAVING A STREET ADDRESS OF 23789 COLUMBUS ROAD AND DESIGNATED AT
BLOCK 33.01, LOT 21 ON THE TOWNSHIP OF MANSFIELD TAX MAP**

WHEREAS, the Township of Mansfield (the “Township”) is the owner of a certain parcel of real estate in the Township of Mansfield, County of Burlington, State of New Jersey, having a street address of 23789 Columbus Road and designated as Block 33.01, Lot 21 on the Township Tax Map (the “Property”); and

WHEREAS, in accordance with the authority granted it by N.J.S.A. 40A:12-13, the Township previously listed the Property for sale by way of online auction (the “Auction”); and

WHEREAS, Ammar Rahim, an individual, desiring to purchase the Property, placed a bid on the Property at the Auction of twelve thousand nine hundred fifty-two dollars and zero cents (\$12,952.00) and was thereafter determined to be the highest bidder; and

WHEREAS, the Township and Mr. Rahim have negotiated terms and conditions upon which to effectuate the purchase and sale of the Property, the same of which are set forth in that certain Agreement of Purchase and Sale attached hereto, incorporated herein, and made a part hereof as “Exhibit A”.

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

1. The Township Committee hereby accepts Ammar Rahim’s bid on the Property of twelve thousand nine hundred fifty-two dollars and zero cents (\$12,952.00); and
2. The Township Clerk is hereby authorized and directed to execute the attached Agreement of Purchase and Sale (see Exhibit A) for the Property at having a street address of 23789 Columbus Road and designated as Block 33.01, Lot 21 on the Township Tax Map, subject to such modifications as may be agreed to by the Township Solicitor, so long as said modifications do not change the fundamental intent of the Agreement of Purchase and Sale.
3. The Mayor, Township Clerk, Township Administrator, Chief Financial Officer, Township Solicitor, and such other officials as may be necessary are hereby authorized to execute such closing documents as may be required to complete this transaction, including the deed, title company documents, closing statement, and other such necessary documents.

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

AYE: Cain, Magee, Higgins, Ocello, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-5**

SELF-EXAMINATION OF BUDGET RESOLUTION [as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Mansfield has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Mansfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

AYE: Magee, Ocello, Higgins, Cain, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-6
RESOLUTION TO AUTHORIZE READING BUDGET
BY TITLE ONLY**

WHEREAS, N.J.S.A. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the Budget may be read by title only at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full Governing Body, providing that at least one week prior to the date of hearing a complete copy of the Budget had been made available for public inspection.

WHEREAS, these conditions have been met.

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

1. That the Township Committee, for the aforementioned reasons, hereby determines that the Budget shall be read by title only.

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

AYE: Ocello, Magee, Higgins, Cain, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-4-2
MUNICIPAL BUDGET OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, FOR THE FISCAL YEAR 2020**

**Township Of Mansfield [Code 0318], Burlington County - 2020 Budget
MUNICIPAL BUDGET NOTICE**

Section 1.

Municipal Budget of the Township of Mansfield, County of Burlington for the Fiscal Year 2020.

Be it resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year;

Be It Further Resolved that said Budget be published in the Burlington County Times and the Trenton Times In the issue of April 22, 2020.

The Governing Body of the Township of Mansfield does hereby approve the following as the Budget for the year 2020:

Notice is hereby given that the Budget and Tax Resolution was approved by the Township Committee of the Township of Mansfield, County of Burlington, on April 15, 2020.

A Hearing on the Budget and Tax Resolution will be held at Township Municipal Building, on May 20th, 2020 at 7:00 o'clock (P.M.) at which time and place objections to said Budget and Tax Resolution for the year may be presented by taxpayers or other interested persons.

EXPLANATORY STATEMENT

SUMMARY OF CURRENT FUND SECTION OF APPROVED BUDGET

General Appropriations For: (Reference to item and sheet number should be omitted in advertised budget)

1. Appropriations within "CAPS"

(a) Municipal Purposes {(Item H-1, Sheet 19)(N.J.S. 40A:4-45.2)} \$ 5,886,265.45

2. Appropriations excluded from "CAPS"

(a) Municipal Purposes {(Item H-2, Sheet 28)(N.J.S. 40A:4-45.3 as amended)} \$ 2,540,658.21

(b) Local School District Purposes in Municipal Budget (Item K, Sheet 29) 0.00

Total General Appropriations excluded from "CAPS" (Item O, Sheet 29) \$ 2,540,658.21

3. Reserve for Uncollected Taxes (Item M, Sheet 29) –

Based on Estimated 97.8 % Percent of Tax Collections \$ 602,924.20

4. Total General Appropriations- \$ 9,029,847.86

5. Less: Anticipated Revenues Other Than Current Property Tax (Item 5, Sheet 11)

(i.e. Surplus, Miscellaneous Revenues and Receipts from Delinquent Taxes)- \$ 3,758,491.13

6. Difference: Amounts to be Raised by Taxes for Support of Municipal Budget (as follows)

(a) Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes \$ 5,271,356.73

(b) Addition to Local District School Tax (Item 6(b), Sheet 11) 0.00

(c) Minimum Library Tax 0.00

CFO Grouser explained that the budget was introduced on April 15, 2020. At introduction the local purpose tax rate was going to increase from .50092 to .52377. There was an increase of .02284 or two cents/two pennies. Based on the average assessed home value of \$250,227.00 the average homeowner would have seen an annual increase of \$59.18. There is a resolution to follow the public hearing; resolution number 2020-5-7, which is a resolution to amend the introduced budget and we are amending the budget by realizing a \$102,952.00 in revenue by sale of municipal property. By realizing this revenue the local purpose tax rate is going to increase from .50092 to .51357, which is only a one penny increase. Based on

the average assessed home value of \$250,227.00 the average homeowner will see an annual increase of \$33.68; thereby saving the average homeowner an average of \$25.50 annually from the introduced budget.

PUBLIC HEARING 2020 BUDGET:

Clerk Semus questioned if the public had any questions regarding the budget for the year 2020.

Carl Schwartz, 40 Fitzgerald Lane – He would like to know the projection for revenues against the budget given the coronavirus situation and whether there is a concern regarding residents not paying their taxes.

CFO Grouser explained that the township did extend the grace period for the May 1st taxes to June 1st. With that being said, the finance and tax office does not see any issue with taxes. The Tax Office has been received taxes on a regular basis. One revenue concern would be court, because courts are currently closed. State aid and shared services agreements will continue to be received.

Committeeman Higgins questioned CFO Grouser of any indication of what the township should expect the shortfall in the court revenue to be.

CFO Grouser stated the court will be up and running as of May 11th, however the revenue for March was down about \$5,000.00 and she expects April to be down a lot more. The township averages about \$23,000.00-\$25,000.00 a month from the Court.

Mayor DiGiuseppe stated that the CFO was able to reduce the cost to the local purpose for the residents for the township tax increase by the sale of property. Moving forward the township should have a great year next year with the revenues that are anticipated, but with the coronavirus that is going on, the township may have to look at possibly freezing some of the line items in the budget.

There were no further comments from the public or Township Committee members.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-7**

RESOLUTION TO AMEND THE INTRODUCED 2020 BUDGET

WHEREAS, the local municipal budget for the year 2020 was approved on the 15th day of April, 2020; and

WHEREAS, the public hearing on said budget has been held as advertised; and

WHEREAS, it is desired to amend said approved budget, which does not require advertisement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the following amendments to the approved budget of 2020 be made:

CURRENT FUND-ANTICIPATED REVENUES	<u>FROM</u>	<u>TO</u>
3. Miscellaneous Revenues-Section G: Special items of General Revenue Anticipated with prior written consent Of the Director of Local Government Services-Other Special Items		
Sale of Municipal Assets (Sheet 10)		102,952.00
Total Section G: Other Special Items (Sheet 10 Totals)	918,252.00	1,021,204.00
SUMMARY OF REVENUES (Sheet 11)		
3. Miscellaneous Revenues		
Total Section G: Other Special Items	918,252.00	1,021,204.00

Total Miscellaneous Revenues	2,427,491.13	2,530,443.13
5. Subtotal General Revenues (Items 1, 2, 3 and 4)	3,758,491.13	3,861,443.13
6. Amount to be raised by taxes for support of Municipal Budget:		
a) Local Tax for Municipal purposes including reserve for uncollected taxes	5,290,860.92	5,187,908.92
Total amount to be raised by taxes for support of Municipal Budget	5,290,860.92	5,187,908.92

BE IT FURTHER RESOLVED, that two certified copies of this Resolution be filed forthwith in the Office of the Director of Local Government Services for certification of the local municipal budget so amended.

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-8
RESOLUTION TO ADOPT THE 2020 BUDGET**

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-9
RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO PROCESS THIRD QUARTER
“ESTIMATED” TAX BILLS, DUE AUGUST 1, 2020**

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS), cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without a 2020 Certified Tax Rate, the Chief Financial Officer cannot process the final 2020 Tax Levy; and

WHEREAS, the DLGS “*strongly recommends*” under Local Finance Notice 2020-07 “*that municipalities prepare to issue estimated property tax bills, for 2020;*” and

WHEREAS, the Chief Financial Officer, computed and certified an estimated Tax Levy necessary to bill third quarter taxes due August 1, 2020; and

WHEREAS, the general tax rate is anticipated to be \$3.346 per \$100 assessed valuation resulting in a \$33,801,491.92 total levy in 2020, which is equal to 102.89% of the 2019 Tax Levy.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Mansfield, County of Burlington, State of New Jersey, that the Chief Financial Officer is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes

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

AYE: Cain, Magee, Higgins, Ocello, DiGiuseppe

NAY: None ABSENT: None

ENGINEERS REPORT:

- A. DOT Grant Road Choice – Engineer Johnson** explained that R&V is working on design plans for Railroad Ave. DOT project and recently the design was submitted to DOT for the White Pine Road project. DOT is now accepting applications for 2021 DOT grant funding. R&V is recommending to continue along Mansfield Road East from North Island Road towards Route 206. He is looking for guidance from the Committee on this recommendation.

Mayor DiGiuseppe stated she would recommend continuing finishing up Mansfield Road East.

Committeeman Higgins wanted to caution that there is a project that is going before the Planning Board for residential homes on Island Road and Mansfield Road East.

Mayor DiGiuseppe clarified that the road has been deteriorating for some time and is in need of resurfacing.

Committeeman Magee stated he agrees with the Mayor and any development that will occur in that area would most likely use Route 206. In regards to the possible development on Island Road and Mansfield Road East; they would not be hooking up to any water or sewer so he does not see a reason that they would need to go through the road. In terms of construction, there would be a concern with trucks going back and forth from the site, but the Engineers could ensure the road is not damaged during said construction.

Committeeman Higgins explained that there is a gas line on one side of Mansfield Road East.

Deputy Mayor Cain questioned the design of the two intersections on Mansfield Road East; Island Road and North Island Road. He agreed that the extension of repairs to Mansfield Road East should continue but he wanted to add in the two intersections as well.

Clerk Semus questioned if the Committee would like to move forward with the Mansfield Road East continuation and any intersections that the Deputy Mayor has mentioned.

Solicitor Tim Prime added that Engineer Johnson should coordinate with the Planning Board Engineer so they are aware of the Township's plans of resurfacing Mansfield Road East.

Engineer Johnson agreed with the above.

A motion to approve the applying for a DOT grant for the continuation of resurfacing of Mansfield Road East was offered by **Deputy Mayor Cain** and seconded by **Committeeman Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Cain, Magee, Ocello, DiGiuseppe

NAY: None ABSTAIN: Higgins ABSENT: None

- B. White Pine Road Approval of Engineering Cost Increase – Engineer Johnson** explained that R&V is in the process of designing and submitting plans for improvements to White Pine Road. There is a damaged portion of the road and it was discussed with the Administrator to include that portion of the road with the construction plans for the DOT project as an alternate bid. The road could be fixed at a more economical price if it is included as part of a larger project. The requested funds is for the design work to be included with the construction plans.

Mayor DiGiuseppe clarified that it was 188 White Pine Road where the damaged part of the road is located. She questioned if the increase to this project, which is almost \$8,000.00, is due to issues with the one specific property.

Committeeman Higgins mentioned that school buses use that portion of the road all the time and cause a lot of the damage. He questioned how many feet would be repaired.

Engineer Johnson explained that they would be reconstructing full width by about 75 – 80 feet, so that it will hold up over time.

More discussion on the conditions of White Pine Road ensued.

Mayor DiGiuseppe questioned what happened between the initial estimate and the current which has gone up \$8,000.00.

Engineer Johnson explained R&V had provided an estimate and budgetary cost for improvements which was between \$12,000.00 and \$14,000.00. The \$8,000.00 would not be added onto that cost however, it would be on top of the DOT White Pine Road project. Including the work with the White Pine Road DOT project would reduce the inspection and engineering because it would be part of the larger project.

Clerk Semus asked for a motion to approve the engineering cost increase as stated above.

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

AYE: Cain, Higgins, Magee, Ocello, DiGiuseppe

NAY: None ABSENT: None

Clerk Semus asked for a motion to accept the engineers report.

A motion was offered by **Committeeman Higgins** and seconded by **Deputy Mayor Cain**. All ayes. Motion carried.

ORDINANCE:
FIRST READING INTRODUCTION

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
ORDINANCE 2020 – 7**

AN ORDINANCE AMENDING CHAPTER 65, ARTICLE XXXIII OF THE CODE OF THE TOWNSHIP OF MANSFIELD, DECLARING AND DESIGNATING THE JONES FARM STUDY AREA, BLOCK 59, LOTS 7.01 AND 7.02, AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT AND ADOPTING A REDEVELOPMENT PLAN FOR THE JONES FARM NON-CONDEMNATION REDEVELOPMENT AREA, BLOCK 59, LOTS 7.01 AND 7.02.

WHEREAS, on December 9, 2019, by adoption of Resolution 2019-12-5, the Township Committee of the Township of Mansfield, Burlington County, New Jersey authorized the Township of Mansfield Planning Board (now Land Use Board) to undertake a preliminary investigation to determine whether the following area of the Township qualifies as a “Non-Condemnation Redevelopment Area” according to the criteria set forth in N.J.S.A. 40A:12A-3 et seq. of the Local Redevelopment and Housing Law (“LRHL”).

A. Jones Farm Area, Block 59, Lots 7.01 and 7.02

WHEREAS, as requested by the Township Committee, the Land Use Board Planner, prepared a written report on the Investigation for Determination of the Jones Farm Study Area as a Non-Condemnation Redevelopment Area (the “Investigation Report”) which contained maps showing the boundaries of the potential Non-Condemnation Redevelopment Area and the location of the property included therein and provided findings and recommendations setting forth the basis for and results of the investigation; and

WHEREAS, as required by the LRHL, N.J.S.40A:12A-6, after the required public notice, the Land Use Board conducted a public hearing on May 26, 2020, to review and consider the Findings and Recommendations as set forth in the Investigation Report, and to consider any public comments from persons who were interested in or would be affected by a determination that the Jones Farm Study Area qualifies as a Non-Condemnation Redevelopment Area; and

WHEREAS, after the public hearing on March 26, 2020, the Land Use Board adopted Resolution 2020-5-9, which recommended that the Township designate the Jones Farm Study Area”, Block 59, Lots 7.01 and 7.02 as a Non-Condemnation Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan for an “area in need of redevelopment”, to provide an outline for the planning, development, redevelopment or rehabilitation of the redevelopment area; and

WHEREAS, in order to facilitate the development and rehabilitation of the Township, the Township Planner prepared the Redevelopment Plan for the Jones Farm Non-Condemnation Redevelopment Area, Block 79, Lots 7.01 and 7.02 and transmitted same to the Mansfield Land Use Board for review and possible referral pursuant to N.J.S. 40A:12A-7(e); and

WHEREAS, on May 26, 2020, after reviewing the Redevelopment Plan, the Land Use Board adopted Resolution 2020-5-10, finding that the provisions of the Plan were substantially consistent with the Land Use Element of the Mansfield Master Plan, or are designed to effectuate the Master Plan, and referred the Jones Farm Redevelopment Plan to the Mansfield Township Council for further consideration and possible adoption.

WHEREAS, the Township Council has determined that it is in the best interest of the Township to adopt the Redevelopment Plan to effectuate redevelopment within the Township, including the Jones Farm Redevelopment Area.

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

Section 1. As recommended by Mansfield Land Use Board Resolution 2020-5-9, the Township Committee hereby declares and designates the Jones Farm Study Area, Block 59, Lots 7.01 and 7.02, to be a Non-Condensation Area in Need of Redevelopment.

Section 2. As recommended by Mansfield Land Use Board Resolution 2020-5-10, the Township Committee hereby adopts the “Redevelopment Plan for the Jones Farm Non-Condensation Redevelopment Area, Block 59, Lots 7.01 and 7.02” (the “Redevelopment Plan”), and the provisions of the Redevelopment Plan are incorporated herein and made a part of this Ordinance by reference; and

Section 3. The Township Committee finds, declares and determines that the Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for the development and rehabilitation of the Township and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.

Section 4. The governing body of the Township of Mansfield shall have, be entitled to, and is hereby vested with all power and authority granted by the aforementioned statutory provisions to implement and effectuate the Redevelopment Plan.

Section 5. The Redevelopment Plan shall supersede any other local development regulation to the extent set forth in the Redevelopment Plan, and the Township of Mansfield Zoning Map is hereby amended to conform to the provisions of the Redevelopment Plan.

Section 6. The Township Clerk shall transmit a copy of this Ordinance and the Redevelopment Plan to the Commissioner of the Department of Community Affairs for review and approval of the Jones Farm Study Area, Block 59, Lots 7.01 and 7.02 as a Non-Condensation Redevelopment Area,

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 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 stated public hearing final adoption on the above is scheduled for June 17, 2020.

A motion to introduce the above Ordinance 2020-7 was offered by **Committeeman Higgins** and seconded by **Committeeman Magee**. Motion carried on a roll call vote recorded as follows:

AYE: Higgins, Magee, Ocello, Cain, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
ORDINANCE 2020 -8**

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF MANSFIELD AT CHAPTER 57,
ENTITLED "TOURIST ACCOMMODATIONS"**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:**

SECTION 1. Purpose and intent. The Township Committee of the Township of Mansfield has determined that it is important for the safety of visitors, and in the public interest, that regulations be imposed which aim to control vice, disturbances, and narcotic offenses within hotels, motels, and other temporary housing accommodations. In support of this determination, it has been found that hotels, motels, and other temporary housing accommodations within the Township of Mansfield have resulted in over two hundred (200) medical responses and over eight hundred (800) police reports in the past few years; straining municipal resources and causing concern for the Township of Mansfield's police department and medical professionals. Therefore, the amendments set forth herein shall serve the purpose of amending the Code of the Township of Mansfield so as to establish regulations which limit the length of stay of guests at and update registration and security requirements for hotels, motels, and other temporary housing accommodations, with the express intent being to enact regulations in a manner which ensures and protects the safety, health and welfare of residents of the Township and the public at large.

SECTION 2. Amendments. The Code of the Township of Mansfield at Chapter 57, entitled "Tourist Accommodations," shall hereinafter be entitled "Hotels" and is hereby amended to read as follows:

Chapter 57 **Hotels.**

Article I **Licenses and Regulations.**

- § 57-1 **Definitions.**
- § 57-2 **License required.**
- § 57-3 **Application for license; change in information.**
- § 57-4 **Investigation and approval of application.**
- § 57-5 **Criminal convictions barring issuance of license.**
- § 57-6 **License fee.**
- § 57-7 **Term and display of license.**
- § 57-8 **Transfer of license.**
- § 57-9 **Register required; registration of pertinent information.**
- § 57-10 **Prohibitions.**
- § 57-11 **Inspections by the Township.**
- § 57-12 **Employment of certain personnel prohibited.**
- § 57-13 **Suspension or revocation of license; hearing.**
- § 57-14 **Compliance with all laws and regulations required.**
- § 57-15 **Late Fees.**
- § 57-16 **Violations and penalties.**

Article II **Hotel Occupancy Tax.**

- § 57-17 **Imposition of occupancy tax.**
- § 57-18 **Payment of and responsibility for occupancy tax.**
- § 57-19 **Collection of tax.**
- § 57-20 **Payment of tax to State; distribution by State to Township.**

Article I **Licenses and Regulations.**

- § 57-1 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

EMPLOYEE

Any person who is employed either full- or part-time in any capacity at a hotel.

HOTEL

Any building, including but not limited to any related structure, accessory building and land appurtenant thereto, and any part thereof, which contains ten (10) or more dwelling units or has sleeping facilities for twenty-five (25) or more persons and is kept, used, maintained, advertised as, or held out to be, a place where sleeping or dwelling accommodations are made available. The term "hotel" also means any facility that is commonly regarded as a hotel, motor hotel, motel, tourist lodge, or established guesthouse in the community in which it is located. The term "hotel" does not include those facilities that are excluded by statute. (See N.J.S.A. 55:13A-3(j).)

OWNER

The person who owns, purports to own, or exercises control of any hotel.

PERSON

Any individual, group of individuals, corporation, association or other legal entity.

§ 57-2 **License required.**

No person shall engage in the business of conducting a hotel without first having applied for and obtained from the Township a license therefor as hereinafter provided.

§ 57-3 **Application for license; change in information.**

A. Each applicant seeking a license under this chapter shall make a written application on a form supplied by the Township Clerk, setting forth, but not limited to:

- (1) The full name, residence and post office address of the applicant;
- (2) The exact location of the proposed licensed property, including both the street address and the block and lot number as shown on the tax map of the Township;
- (3) A description of the buildings, structures and accommodations located on the property, including a statement of the number of housing or lodging units and the maximum number of persons who can be accommodated at any given time;
- (4) A description of the character of all buildings, structures and accommodations as to size, type, and construction;
- (5) A description of vehicle parking spaces and facilities, including number of and size;
- (6) The name and address of the owner of the property, if different than the applicant;
- (7) The name or names of the person or persons on the licensed property upon whom process may be served;
- (8) A detailed description of the manual register or computer system used for the registration of persons to whom accommodations are extended;
- (9) Whether any person constituting the individual or partnership applicant, or whether the corporate applicant or any stockholder holding ten percent (10%) or more of the stock thereof, or any director or officer thereof, has ever been convicted of any crime,

and if so, the details thereof, including, with respect to each conviction, the name of the person convicted, the date thereof, the nature of the crime, the court in which the conviction was entered and the punishment imposed; and

(10) In the case of corporate applicants, the names and residences of all stockholders holding ten percent (10%) or more of any stock of the corporation, the names and addresses of all officers of the corporation and the office held by each.

B. Any change in any of the information set forth in the application during the term of the license shall be communicated by the owner in writing to the Township Clerk within seven (7) days of the change.

§ 57-4 Investigation and approval of application.

The Township Clerk shall forward copies any application submitted in accordance with § 57-3 to the Township Police Department, Township Administrator, Township Zoning Officer, Township Fire Inspector, and Township Construction Code Official, who shall inspect the property to determine whether or not the property complies with all applicable health, fire code, and local regulations and statutes. If the property does not comply, said officials shall attach to the application a written list of violations and return the same to the Township Clerk, who shall in turn forward said findings to the applicant. If the property does comply, said officials shall issue their approval. Thereupon, if the applicant has complied with all other licensing provisions set forth in § 57-3, the Township Clerk shall issue a license in accordance with the terms and conditions of this chapter.

§ 57-5 Criminal convictions barring issuance of license.

No license shall be issued under this chapter to any person who has been convicted of a crime involving moral turpitude, nor shall any such license be issued to any corporation in which any stockholder holding ten percent (10%) percent or more of any of the stock thereof, or in which any director or officer thereof, shall have been convicted of a crime involving moral turpitude.

§ 57-6 License fee.

- A. The annual fee for a license under this chapter shall be the sum of five dollars and zero cents (\$5.00) per dwelling unit, up to and including thirty (30) units, plus one dollar and zero cents (\$1.00) for each additional dwelling unit.
- B. License fees shall not be prorated, regardless of the date on which such license may be issued.
- C. Any fees for investigation including fingerprinting are paid directly by the applicant to the fingerprint services provided chosen by Mansfield for each given year.

§ 57-7 Term and display of license.

- A. All licenses issued under the provisions of this chapter shall be for a term of one (1) year commencing on January 1 and expiring on December 31 of the year of their issuance.
- B. All licenses shall be displayed at a prominent place in public view on the licensed property.

§ 57-8 Transfer of license.

- A. Each license shall be valid only to the applicant to whom it is issued and to such applicant to whom the license may be transferred as hereinafter provided.
- B. An application for a transfer of a license shall set forth the same matters and things as are required by § 57-3 in connection with an original application for a license.

- C. An application for a transfer shall be accompanied by the consent of the owner and a transfer fee equal to twenty percent (20%) of the annual license fee of the license sought to be transferred. Said transfer fee shall be retained by the Township whether the transfer is granted or not.
- D. The Township Clerk, with the consent of the owner and upon payment of the transfer fee, may transfer to such applicant any license issued under the terms and provisions of this chapter.

§ 57-9 **Register required; registration of pertinent information.**

- A. Each owner shall at all times cause to be maintained on the licensed property a manual or computer register. Such register shall be preserved for three (3) years upon the licensed property.
- B. No person shall occupy and no owner shall permit any person to occupy any dwelling unit on the licensed property unless first:
 - (1) The person who is to occupy such dwelling unit shall display to the owner, or to the employee of the owner in charge of the register, written evidence of his/her identity and permanent residence address.
 - (2) The owner, or the employee in charge of the register, shall enter into its registration system the full name and address of the person to occupy the dwelling unit, together with the state license or registration number of the motor vehicle owned and/or operated by said person, which motor vehicle is to be parked on the licensed property.
- C. In addition to the foregoing information, the owner or employee shall enter into the registration system the number or name of the dwelling unit assigned to each registrant, the date and hour of registration, a brief description or designation of the identification displayed to the owner or employee by the registrant pursuant to Subsection B(1) of this section, the signature (if applicable) of the owner or employee taking or accepting the registration, and the date when the person occupying the dwelling unit quits and surrenders the same.
- D. Said registration system shall be kept and preserved by the owner and may be made available on request at any hour of the day or night to the Township Chief of Police or their designee, who shall be a uniformed officer, or to any member of the Township Police Department or other law enforcement agency in the event of an incident at the licensees property.
 - (1) If inspection is refused, the owner or employee must secure the record in the presence of the requesting officer in a manner directed by the Municipality to ensure that no one can tamper with the record and so that the record can be maintained securely in the presence of the officer until such time as an administrative subpoena, an administrative search warrant, or other court order has been issued or denied.
 - (2) Whenever possible, the inspection shall be conducted at a time and in a manner that minimizes any interference with the operation of the licensed property.
 - (3) No person shall alter, deface or erase the record so as to make the information recorded in it illegible or unintelligible or hinder, obstruct, or interfere with any inspection of the record under this section.
 - (4) If, upon refusal to allow the requesting officer to inspect the record, and the officer requires the record to be secured, the officer or shall apply for the administrative subpoena, administrative search warrant, or such other court order in an expeditious fashion, but within no less than forty-eight (48) hours following said refusal.

§ 57-10 **Prohibitions.**

The following acts or activities are prohibited at a hotel.

- A. No owner or employee shall rent a dwelling unit in a hotel to any person, nor permit, suffer or allow the renting of any dwelling unit to any person for less than a period of twelve (12) hours.
- B. No owner or employee shall rent a dwelling unit in a hotel to any person, nor permit, suffer or allow the renting of any dwelling unit to any person for a period of time which exceeds thirty (30) days. Any person switching or changing units during the thirty (30) day period shall not extend the thirty (30) day period.

§ 57-11 **Inspections by the Township.**

The Township Police Department or any duly authorized representative of the Township may inspect the licensed property from time to time, at any hour of the day or night, to determine that the provisions of this chapter are being complied with.

§ 57-12 **Employment of certain personnel prohibited.**

No owner shall employ in, on or about the licensed property any person convicted of a crime involving moral turpitude within a period of five (5) years from the date of such conviction.

§ 57-13 **Suspension, revocation or termination of license; hearing.**

- A. Any license issued under this article may be suspended or revoked by the Township Committee for:
 - (1) Violation by the owner of any of the provisions of this chapter or other applicable ordinances of the Township, or any other federal, state, or local law or regulation;
 - (2) Any disorderly or immoral conduct knowingly permitted by the owner upon the licensed property;
 - (3) False statements made in an application for a license or a transfer thereof; or
 - (4) Conviction of a crime involving moral turpitude by:
 - (a) The owner, if an individual;
 - (b) Any stockholder holding ten percent (10%) or more of the stock of a corporate owner; or
 - (c) Any director or officer of a corporate owner.
- B. Prior to the suspension or revocation of a license under this section, the owner shall be served with a written complaint from the Township Clerk's office, along with a notice to appear before the Township Committee for a hearing. Such service shall be made by personal service or certified mail, return receipt requested, at least ten (10) days before the hearing date.
- C. Nothing contained herein shall prevent the Township or the officers of the Township from proceeding against an owner who is in violation of any of the provisions of this chapter by filing a complaint in a court of competent jurisdiction.

- D. Any license issued hereunder shall terminate at any time after its issuance in the event that the use of the licensed property as a hotel shall cease.

§ 57-14 Compliance with all laws and regulations required.

- A. All structures, buildings, dwellings, houses or parts thereof used for the purposes herein regulated shall comply with, without limitation, the Uniform Construction Code or building codes in existence at the time of the issuance of the certificate of occupancy, the Land Use Ordinances of the Township, the Municipal Land Use Law, the Uniform Fire Safety Code, health ordinances and other applicable ordinances of the Township, and with the rules, regulations and laws of the State of New Jersey.
- B. All fire escapes shall comply with the rules, regulations and ordinances of the Township and the State of New Jersey. An exit light shall be installed in the passageway or doorway leading to any such fire escapes. Doors leading to fire escapes shall be unlocked from the inside at all times and shall open outward.
- C. Each hotel shall be equipped with sufficient hand fire extinguishers, as determined by the Fire Marshal, whose discretion shall be informed and guided by the Uniform Fire Safety Code, which shall be at all times in working order and readily accessible to occupants.
- D. All licensed properties shall be provided with an adequate supply of potable drinking water, together with toilets and lavatory facilities for guests. Said toilet and lavatory facilities shall be maintained in a clean and sanitary manner and disinfected daily.
- E. All trash or other waste matter shall be kept in closed containers and provisions shall be made for removal of all trash, waste matter or garbage from the licensed property.
- F. All entrances to hotels shall be adequately lighted after dark, and all ground areas of hotels shall be adequately illuminated.

§ 57-15 Late Fees.

All licenses issued under this chapter are subject to a twenty-five dollar and zero cents (\$25.00) late fee if the license is not renewed by the expiration date of the then current license.

§ 57-16 Violations and penalties.

- A. Any person, firm, partnership, corporation or entity violating any provision of this chapter by the performance of a prohibited act or by failing, neglecting or refusing to do any act or anything required by this chapter shall, upon a trial and conviction by a court of competent jurisdiction, forfeit or pay such fines not in excess of the sum of two thousand dollars and zero cents (\$2,000.00) for each offense, or be sentenced to a jail term not exceeding ninety (90) days (if the convicted is a natural person) and/or a period of community service not exceeding ninety (90) days.
- B. Each and every day a violation of this chapter persists shall constitute a separate violation.
- C. To the extent the conduct prohibited under this chapter also violates other provisions of the Code of the Township, those violations constitute separate offenses subject to the additional fines and penalties as prescribed.

Article II Hotel Occupancy Tax.

§ 57-17 Imposition of occupancy tax.

It is hereby imposed within the Township a tax to be assessed in accordance with the provisions of N.J.S.A. 40:48F-1 et seq. on charges of rent for every occupancy within a hotel. The tax shall be at the rate of three percent (3%) on charges of rent for every occupancy. Said tax shall be in addition to any and all taxes or fees imposed under state statute or local ordinances upon the occupancy of a hotel. For the purpose of this article, the term "hotel" shall have the same meaning proscribed it in Article I of this chapter.

§ 57-18 Payment of and responsibility for occupancy tax.

- A. All taxes imposed by this section shall be paid by the occupant of the dwelling unit. For the purpose of this article, the term "occupant" shall be defined as a person who, for a consideration, uses, possesses or has the right to use or possess any dwelling unit in a hotel under any lease, concession, permit, right of access, license to use, or other agreement or otherwise.
- B. The owner of the hotel and/or the person or entity making the hotel dwelling unit available for occupancy shall not assume or absorb any of the tax imposed by this article.
- C. The owner of the hotel and/or the person making the dwelling unit available for occupancy shall not in any manner advertise or hold out any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the owner, that the tax will not be separately charged and stated to the occupant, or that the tax will be refunded to the occupant.

§ 57-19 Collection of tax.

- A. The tax imposed by this section shall be collected on behalf of the Township by the person collecting the rent from the hotel occupant. That person shall either be the owner of the hotel or other representative of the owner who arranges with the occupant for the rental of the dwelling unit.
- B. Each person required to collect the tax imposed by this section shall be personally liable for the tax imposed, collected or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from an occupant as if the tax were a part of the rent and payable at the same time.

§ 57-20 Payment of tax to State; distribution by State to Township.

- A. A person required to collect the tax imposed under this article as described above shall, on or before, the twenty-eighth (28th) day of each month, forward to the Director of the Division of Taxation in the Department of the Treasury, the tax collected in the preceding month and shall make and file a return for the preceding month with the Director on any form and containing any information as the Director shall prescribe as necessary to determine liability for the tax in the preceding month during which the person was required to collect the tax. Should the Director determine to require payments of tax liability at any intervals and based upon any collection classifications other than described in this section, the person required to collect the tax shall comply with any determinations made in that regard by the Director.
- B. The Director of the Division of Taxation shall collect and administer the tax imposed under this section and shall determine and certify to the State Treasurer, on a quarterly or more frequent basis, the amount of revenues collected in each municipality. The State Treasurer, upon certification to the Director and upon the warrant of the State Comptroller, shall pay and distribute on a quarterly or more frequent basis, as prescribed by the State Treasurer, the amount of revenues determined and certified as described above, to the Township.

SECTION 3. Repealer. Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION 4. Severability. In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

SECTION 5. Effective Date. This ordinance shall take effect upon final passage and publication as provided by law.

Clerk Semus stated public hearing and final adoption is scheduled for June 17, 2020.

A motion to introduce the above Ordinance 2020- 8 was offered by **Committeeman Magee** and seconded by **Committeeman Ocello**.

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

RESOLUTION:

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION NO. 2020-5-10
RESOLUTION FOR APPOINTMENT OF PART-TIME TAX ASSESSOR**

WHEREAS, N.J.S 40A: 9-146 provides that the governing body of a municipality shall provide for the appointment of a tax assessor as it may deem necessary and that the requirement that every municipality shall have a tax assessor may be fulfilled by the sharing of the tax assessor and further that the governing body, by ordinance, shall determine the amount of compensation of said tax assessor; and

WHEREAS N.J.S 40A: 9-146.4 provides that a municipal tax assessor may be appointed in more than one municipality provided that the holding of additional appointments does not interfere with the proper discharge of statutory duties, nor conflict with obligations to the respective municipalities in which the assessor serves; and

WHEREAS, and N.J.S. 40A: 9-148 provides that every municipal tax assessor shall hold office for a term of four years from the first day of July next following his or her appointment; and

WHEREAS, N.J.S 40A: 9-148.1 provides that every municipal tax assessor shall hold the required Tax Assessor Certificate from the State of New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that Thomas J. Colavecchio, possessing the required Tax Assessor Certificate and being otherwise experienced and qualified, is hereby appointed as Mansfield Township Tax Assessor from July 1, 2020 through June 30, 2024, on a part-time basis shared with other municipalities, as permitted by law, and compensation as negotiated by the Township Administrator and within the limits as set forth in Ordinance 2019-19, at an annual salary of \$30,000.00 per year with no benefits associated with said part-time position.

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION NO. 2020-5-11**

**RESOLUTION FOR THE APPOINTMENT OF TECHNICAL ASSISTANT TO CONSTRUCTION
OFFICIAL AND SECRETARY TO THE JOINT LAND USE BOARD**

WHEREAS, there is a need in the Township for a Technical Assistant to the Construction Official to assist the Construction Official in compliance with the New Jersey Uniform Construction Code and related tasks and responsibilities; and

WHEREAS, there further is a need in the Township of Mansfield for a Secretary for the Joint Land Use Board to provide support for said Board, including, but not limited to, attendance at the regular and special meetings of said Board, taking and recording minutes, correspondence and similar, related tasks.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that JULIA A. BAKER-DICAMILLO, being experienced and qualified, is hereby appointed to the joint position of Technical Assistant to Construction Official and Secretary to the Mansfield Joint Land Use Board, on the terms and conditions as negotiated by the Township Administrator, at an annual salary of \$32,500 per year, with all benefits associated with said full-time position.

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

AYE: Cain, Ocello, Higgins, Magee, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-12**

**RESOLUTION TO APPOINT AND RECONFIRM APPOINTMENTS OF THE NEWLY FORMED JOINT
LAND USE BOARD**

WHEREAS, the Township Committee, under Ordinance 2020-5, for cost effectiveness and more efficiency had consolidated both the Planning Board and Zoning Board of Adjustments; and

WHEREAS, the current sitting Planning Board Members remain in their positions, their class titles and term expirations; and

WHEREAS, members of the Zoning Board Of Adjustment were contacted for their interest in moving over onto the newly formed Joint Land Use Board and those with interest were added to complete the seats necessary to comply with the statute governing the members of such board.

BE IT HEREBY RESOLVED that the following individuals hereby comprise the members of the Mansfield Township Joint Land Use Board effective May 20, 2020.

Class IV – Scott Preidel, Chairman –	term expiration 12-31-21
Class II - Douglas Borgstrom – Vice Chair-	term expiration 12-31-20
Class I - Janice DiGiuseppe, Mayor -	term expiration 12-31-20
Class I - Robert J. Higgins, Mayor Designee-	term expiration 12-31-20
Class III - Frederick D. Cain -	term expiration 12-31-20
Class IV - Shane Fleming-	term expiration 12-31-22
Class IV - Colleen Herbert -	term expiration 12-31-20
Class IV - William Tahirak -	term expiration 12-31-23
Class IV - Ralph Wainwright -	term expiration 12-31-20
ALT #1 - Judy Oiler-	term expiration 12-31-21
ALT #2 - Efthimios (Paul) Tsiknakis	term expiration 12-31-21
ALT #3 - Jeffrey Grouser -	term expiration 12-31-20
ALT #4 - Barbara A. Crammer	term expiration 12-31-20
Secretary: Julia A. Baker DiCamillo	

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

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

CONSENT AGENDA:

NOTE: 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.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-13
RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS**

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

WHEREAS, this overpayment was due to a payment by Foundation Title., 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 November 7, 2019 hereby authorizes the refunding of the following to Foundation Title by the Tax Collector.

Block	Lot	Property Owner	Amount
	42.31	47 Michael & Sandra Gale	\$2,699.97

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-14
RESOLUTION FOR APPLYING OVERPAYMENT OF TAXES**

WHEREAS, 2020 taxes were paid in error on the Block 47.01, Lot 11 due to the subdivision of Block 47.01, lot 11 and 11 Qfarm, and

WHEREAS, there are open balances on the newly created Block 47.01, Lt 11.02 assessed to VA Florence Co, LLC; and

WHEREAS, VA Florence Co, LLC paid the 2020 taxes on Block 47.01, Lot 11,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey memorializes the application of overpayment of taxes by the Tax Collector to the following:

FROM		TO	
Block 47.01, Lot 11 CLPF Urban Renewal	\$69,812.43	Block 47.01, Lot 11.02 VA Florence Co, LLC	\$69,812.43

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-15**

RESOLUTION FOR THE RETURN OF LIEN PREMIUM

WHEREAS, at the Mansfield Township Tax Sale held on October 11, 2017, a lien was sold to TFS Cust fr FIG CAP INV NJ13 on Block 24.03, Lot 20, also known as 44 Waverly Drive for 2017 delinquent taxes; and,

WHEREAS, the property owner, has affected redemption of Certificate #17-00006. This lien was redeemed on August 14, 2019, and the premium paid by the Lien Holder in the amount of \$35,300.00 was not disbursed when the lien was redeemed.

NOW THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, authorizes that a check be issued to TFS Cust fr FIG CAP INV NJ13, for the return of the premium.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
TFS Cust fr FIG CAP INV NJ13	17-00006	\$35,300.00

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-16
RESOLUTION FOR APPLYING OVERPAYMENT OF TAXES**

WHEREAS, taxes were overpaid for prior years, and

WHEREAS, there are open balances on subsequent years on the same properties,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey memorializes the application of overpayment of taxes by the Tax Collector to the following:

Block 22, Lot 6.03 Qfarm	Fecanin, Robert	\$ 62.32	(2019-2020)
Block 23, Lot 14.11Qfarm	Oliszewski, Eric	\$ 63.88	(2019-2020)
Block 40, lot 4 Qfarm	Johnson, Walter & Jane	\$ 138.66	(2019-2020)
Block 25.02, Lot 5	Morelli, Timothy & Nicole	\$ 1,058.42	(2019-2020)
Block 42.17, Lot 46	Bernhard, Paul& Eileen	\$ 814.07	(2019-2020)
Block 42.23, Lot 6	Schannen, Virginia & Karen Lynn	\$ 181.53	(2019-2020)

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-17
RESOLUTION FOR THE REDEMPTION OF MUNICIPAL TAX LIEN**

WHEREAS, at the Mansfield Township Tax Sale held on June 26, 2019, a lien was sold to The Township of Mansfield on Block 33.01, Lot 49, also known as 15 Oak Lynn Drive for 2018 delinquent sewer charges; and,

WHEREAS, LoanCare has affected redemption of Certificate #18-00008 on April 30, 2020, and this resolution memorializes that redemption.

NOW THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, memorializes that redemption.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
Township of Mansfield	18-00008	\$8,680.32

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-18
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 November 7, 2019 hereby authorizes the refunding of the following to Corelogic Tax Service by the Tax Collector.

Block	Lot	Property Owner	Amount
10.09	9	Kyle & Alexis Custer	\$1,029.41
42.32	8	Kevin & Lindsay Bachalis	\$3,926.59
42.31	4	Kevin Robbins & Ensaf Kaalet	\$ 362.34

**TOWNSHIP OF MANSFIELD
RESOLUTION 2020-5-19
RESOLUTION APPROVING REDUCTION OF CONTRACT AMOUNT FOR FY' 2018 NJDOT TRUST
FUND RESURFACING OF MOUNT PLEASANT ROAD**

WHEREAS, the Township of Mansfield (the "Township") previously entered into a contract with Earle Asphalt Company ("EAC") in connection with the resurfacing of Mount Pleasant Road (the "Project"); and

WHEREAS, the Project is a New Jersey Department of Transportation State Aid Project; and

WHEREAS, the original contract amount for the project was one hundred fifty-nine thousand thirteen dollars and thirteen cents (\$159,013.13); and

WHEREAS, pursuant to State Aid Project Change Order No. 1, attached hereto and made a part hereof, the final contract amount is one hundred fourteen thousand four hundred twenty-six dollars and seventy cents (\$114,426.70) - forty-four thousand five hundred eighty-six dollars and forty-three cents (\$44,586.43) less than the original contract amount.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of May, 2020, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that the contract amount for the Project is hereby reduced to one hundred fourteen thousand four hundred twenty-six dollars and seventy cents (\$114,426.70).

**TOWNSHIP OF MANSFIELD
RESOLUTION 2020-5-20
RESOLUTION APPROVING PAYMENT TO EARLE ASPHALT COMPANY**

WHEREAS, the Township of Mansfield (the "Township") previously entered into a contract with Earle Asphalt Company ("EAC") in connection with the resurfacing of Mount Pleasant Road (the "Project"); and

WHEREAS, by report dated May 5, 2020, attached hereto and made a part hereof, the Township Engineer has recommended that payment be released to EAC for the Project in the amount of two thousand two hundred eighty-eight dollars and fifty-three cents (\$2,288.53), representing the release of retainage.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of May, 2020, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that payment to EAC for the Project in the amount of two thousand two hundred eighty-eight dollars and fifty-three cents (\$2,288.53) is hereby approved.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-5-21
RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEE
OF EARLE ASPHALT COMPANY**

WHEREAS, the Township of Mansfield (the "Township") has received a request for the release of the performance guarantee that was previously posted by Earle Asphalt Company ("EAC") in connection with the resurfacing of Mount Pleasant Road (the "Project"); and

WHEREAS, by report dated May 5, 2020, attached hereto and made a part hereof, the Township Engineer has advised that the required improvements for the Project were installed and are in satisfactory condition and has recommended that the performance guarantee in place for the project be released; and

WHEREAS, the release of the performance guarantee is conditioned upon EAC's furnishing of a maintenance bond, which maintenance bond has already been posted by EAC; and

WHEREAS, EAC is required to pay all taxes, fees, and required escrow deposits which may be due and owing prior to the release of the performance guarantee.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of May, 2020, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the maintenance bond posted by EAC is hereby accepted and, as recommended by the Township Engineer, the performance guarantee of EAC for the Project is hereby released

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
RESOLUTION 2020-5-22
A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A SAFE
AND SECURE COMMUNITIES PROGRAM FOR THE YEAR 2020 ADMINISTERED BY THE
DIVISION OF CRIMINAL JUSTICE
DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Township of Mansfield wishes to apply for funding of approximately \$30,000.00 with a match of \$95,564.63 for an approximate project total cost of \$125,564.63 for a project under the State of New Jersey Safe and Secure Communities Grant Program; and

WHEREAS, the Mansfield Township Committee has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Township of Mansfield for the purpose described in the application.

NOW, THEREFORE, BE IT RESOLVED by the Mansfield Township Committee that:

1. As a matter of public policy the Township of Mansfield wishes to participate to the fullest extent possible with the Department of Law and Public Safety covering the period of October 15, 2019 through October 14, 2020.
2. The Attorney General will receive funds on behalf of the applicant, under sub-award P-20-0319.

3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each application as authorized.

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

AYE: Cain, Magee, Higgins, Ocello, DiGiuseppe

NAY: None ABSENT: None

BILL LIST: Regular & Escrow

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

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

NAY: None ABSTAIN: Magee (check #10344), Higgins (check #10344)

REPORTS:

A motion to accept the reports for March & April from the Clerk, Court, Construction, Tax Collector, Police and EMS Departments was offered by **Committeeman Ocello** and seconded by **Deputy Mayor Cain**. All ayes. Motion carried.

PUBLIC COMMENT:

Colleen Herbert, 2 Millennium Drive – thanked CFO Grouser and the Committee for the informative budget presentation. She added that she agrees with the resurfacing of Mansfield Road East and the associated intersections. She questioned if the Township could prevent the buses from going down White Pine Road, because that road is not really meant for that type of vehicle traffic.

Committeeman Higgins stated that the Township would need to contact the Engineer.

Engineer Johnson stated he does not believe bus traffic could be restricted unless there was a specific reason, such as, a low clearance for an overpass or if there was a weight restriction.

Attorney Tim Prime added that the school bus routes are established by the school board, which is an independent body. The Township cannot control the school bus routes. The weight limitation would be a school board decision.

Colleen Herbert lastly wanted to thank the Attorney for mentioning the Planning Board with projects and roads. Open communication between the Committee and Planning Board is very important.

Carl Schwartz, 40 Fitzgerald Lane – questioned if the resolution for the Tax Assessor was for Jeffrey Burd, the current Tax Assessor.

Administrator Fitzpatrick, clarified that the Township was looking to find someone who would have the ability to work daytime hours. A new Tax Assessor, Tom Colavecchio, will be taking over for Mr. Burd on July 1st. He will be in the office every Thursday from either 12PM – 5PM or 1PM - 6PM.

Carl Schwartz questioned Ordinance 2020-8 and what tourist accommodations it referred too.

Attorney Tim Prime stated it is a hotel/motel ordinance for transient users.

Carl Schwartz last comment regarding roads, which seem to deteriorate very quickly, possibly the Engineer could look at all the roads for repair.

Administrator Fitzpatrick explained that due to the current situation with the pandemic, there has not been a date set for filling of the cracks in the roads.

Paul Tsiknakis, 7 Hansom Drive – questioned the engineer, regarding the White Pine Road project, it seems the narrowness of the road is an issue with the buses running over the side of the road and causing damage. He asked if there was any thoughts on possibly expanding the road.

Engineer Johnson explained that portion of the road, is limited as far as expansion. There is a possibility of 6 inches on either side of the roadway. There is vegetation on the one side and a large elevation change on the opposite side. The narrowness of the road is one issue however, the road itself does not have a substantial base and the turning around the curve is putting a lot of stress on the roadway. By reconstructing that portion of the roadway, it should hold up for a significantly longer time than it is currently.

Paul Tsiknakis then questioned the development that is possibly going to be developed on Mansfield Road East and Island Road and the possibility of the road being torn up.

Committeeman Higgins explained that the Township would notify the Planning Board Professionals that the Township would be repaving Mansfield Road East, so they could work out with the developer during that time.

Engineer Johnson explained they could add a moratorium to prevent the cutting of the road after it's improved. Typically there is a five year moratorium; if anyone wants to cut the road open they would have to apply to the Township and explain why they are doing it. Additionally, the Township can make things more stringent for things they would have to do for repairing same.

Attorney Tim Prime added that he would like to make sure the Planning Board, as part of any approval, to let the developer know that it's a possibility for them to do their utility work now, to avoid the moratorium.

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

MAYOR AND COMMITTEE COMMENTS:

Committeeman Magee – Thanks everyone for calling in and participating. He thanked the Mayor and the Township Attorney regarding opening up the driving range on Route 68. He asked all to remain safe and follow the guidelines.

Committeeman Higgins - Thanks everyone for their participation and asks all to be safe.

Committeeman Ocello – Thanks staff and employees and asks all to remain safe.

Deputy Mayor Cain – Thanks everyone for their participation. He thanks everyone for working together on the budget. He hopes next year will be even better for the residents. He asked all to remain safe.

Mayor DiGiuseppe – Explained that she is working closely with the Township staff; who are doing a great job in keeping the Township going. The Township is continuing to comply with the Governors executive orders. She noted the driving range is a small family owned business that will be opening up. The Township is of course, very concerned for the small businesses and hopefully they will all be able to open up shortly. In spite of the restrictions, our Township government is working productively and efficiently. Two

municipal properties have been sold, which will no longer be a burden on the Public Works department. The Township is having safety windows installed in the municipal building, so when the building opens it will be safe for the employees and residents. Additionally, the CFO/Temporary Purchasing Agent Bonnie Grouser is doing a marvelous job. She further explained that Ms. Grouser is currently completing the courses to become a purchasing agent and the title of Temporary Purchasing Agent allows the Township to purchase without going out to formal bidding, under \$40,000.00. The request was submitted for Ms. Grouser's reappointment. She then mentioned the COVID testing sites in Burlington County and the sites will be added to the website, so the residents can stay informed.

Clerk Semus added the next meeting is scheduled for June 17th however, she is unsure of the time. It will be either remotely or in person depending on if the building is open to the public. There will be a legal notice so all are aware.

ADJOURNMENT:

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

Prepared by:

Respectfully submitted by:

Ashley Jolly, Deputy Clerk

Linda Semus, Municipal Clerk, RMC, CMR

APPROVED: