

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
June 17, 2020
Regular Meeting 7:00PM**

The regular meeting of the Mansfield Township Committee was called to order via conference call at 7:00PM on the above shown date with the following in attendance: **Mayor DiGiuseppe, Deputy Mayor Cain, Committeeman Higgins, Committeeman Magee and Committeeman Ocello.** Also present **Solicitor Timothy Prime, Administrator Fitzpatrick, CFO Grouser, 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. This is a regular meeting with no Township Officials, Township Professionals nor any member of the public in attendance. The Clerk and the Deputy Clerk are the only two present at Town Hall for purpose of recording and taking notes.

Clerk Semus read the following Open Public Meetings 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, 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 mailings, postings and filing having been accomplished as January 10, 2020. An additional advertisement was made for the purpose of informing the public of the remote access information necessary to participate in this meeting. The additional advertisement and filing having been accomplished as June 14, 2020.

MAYOR'S STATEMENT:

Mayor DiGiuseppe stated due to the remote concept of this meeting, as done accordingly in the past, Clerk Semus shall chair this meeting.

FLAG SALUTE:

Since the meeting is being conducted remotely, **Clerk Semus** asked everyone to mentally acknowledge the flag salute.

ENGINEERS REPORT:

Mansfield Road East: **Engineer Johnson**, mentioned that the NJDOT Municipal Aid Grant Application is due by July 1st. R&V is preparing a municipal grant for the resurfacing of Mansfield Road East as per the last discussion during the previous meeting. This will be submitted prior to the July 1st deadline.

White Pine Road: The White Pine Road construction project design was recently approved by the NJDOT and advertising dates are currently being worked out.

Railroad Avenue: Another NJDOT project is the resurfacing of Railroad Avenue, he is anticipating those plans and specifications going to the DOT this week for review.

CDBG: Bids were received for the CDBG fishing pier at the Municipal Building, but the bids were in excess of the engineers estimate therefore, he is recommending rejection of the bids.

Septic Old Police Department/Fire Department: There was a septic system investigation at the old PD and FD buildings. Video quotes were solicited from qualified vendors to perform that work. Some vendors stated they were too busy to do the work or they had concerns with the lack of information. Engineer Johnson will reach out to Jef Jones to see if there is any additional information to provide to some vendors who could perform said investigation.

Mayor DiGiuseppe asked Engineer Johnson to repeat the piece regarding Mansfield Road East grant.

Engineer Johnson stated R&V is moving forward with doing a grant application for Mansfield Road East, from North Island Road to Route 206. The deadline is July 1st and the application will be submitted long before that deadline.

Mayor DiGiuseppe mentioned that locating the septic system at the old police and fire departments in town is a priority.

Engineer Johnson agreed and stated he would coordinate with Jef Jones to go out and visit the site.

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

**ORDINANCE:
Second Reading/Final Adoption**

**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-Condensation Redevelopment Area (the "Investigation Report") which contained maps showing the boundaries of the potential Non-Condensation 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-Condensation 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-Condensation 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-Condensation 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, (provided that the width of the required landscape buffer along the Kinkora Trail area of the adjacent County Park is expanded from 20 feet to 30 feet) 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"), dated May 26, 2020 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 Township Committee 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-Condemnation 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 opened the public hearing pertaining to the above ordinance.

Bob Tallon, 2454 Axe Factory Road – He is concerned the redevelopment of that property is an abuse to that area. According to the DEP that area is considered an environmentally critical sensitive area. The Kinkora Trail runs to the north side and is contiguous with this property. The Route 130 study mentions there should be no development near that trail. The farm is not a blighted area and it is the fourth farm added to redevelopment. It is inconsistent with the growth and preservation plan that was adopted with the County in 2012. He does not agree with the redevelopment designation for this property.

Debra Smith, 45 Finchley Court, Southampton – She agrees with Mr. Tallon and is unsure how the Township could continue rezone a particular area. She mentioned how unhappy the people are with the current decisions being made.

Administrator Fitzpatrick, stated that the property has been zoned light industrial for a long time. At one point it was switched over however, from the start it was zone light industrial for warehousing.

Committeeman Higgins, stated it was always light industrial and was only changed to residential because low income housing was intended to go in that area; however, the opportunity for sewer was no longer an option for that location. The land owner had the opportunity to sell their property to a developer for warehouses, therefore the Township changed the zoning back to its original light industrial zone.

Solicitor Tim Prime added that the redevelopment plan went through review by the Township Professionals and the Land Use Board. There was a revision to the redevelopment plan recommended by the Land Use Board, which was to increase the buffer along the Kinkora Trail. The findings and consistency with the Master Plan are in the redevelopment plan as well. The ordinance does not change the zone, instead it allows a financial agreement for the developer that also benefits the Township.

John O'Callaghan, 53 Oak Lane, New Egypt - He had attended the Land Use Board meeting and it was his understanding that they just ensure the redevelopment plan follows the land ordinances, not how it affects the residents. The area in the redevelopment plan is not blighted. He had done some research on rehabilitation/redevelopment and explained what he had discovered on same.

Solicitor Tim Prime added that this ordinance does not approve anything on the site. It is an ordinance that approves the redevelopment of the site in accordance with the existing zoning. There will still be plans submitted to the Land Use Board and there will also be a public hearing at that time.

Karen Perry, 1203 Jacksonville Road- She is against the ordinance for many of the reasons previously stated. The Master Plan should be the guide moving forward for the Township. She feels she is not alone in her point of view.

Katherine Tallon, 53 Oak Lane, New Egypt- She stated that she was at the public hearing for the affordable housing and one of the items added was the great amenities Mansfield has for those individuals to enjoy; yet instead, the Township is building warehouses everywhere. She does not agree with what the Township is doing.

Debra Smith, 45 Finchley Court, Southampton- She hopes the Township Committee understands that the Township does not need another warehouse and that the opinions of the residents are very important. Everything that has been happening over the last few years; she is against all of it. People need open space and nature, not warehouses. Residents are told that these warehouses are going to benefit the Township, but we are not told how it's going to benefit the town. She does not believe it is what the people want and it looks awful for Burlington County.

There were no further public comments.

Clerk Semus asked for Township Committee comments.

Committeeman Higgins stated he believes the Township has done significant things for farmland preservation. He added that for most individuals who own farms, the land is their retirement plan and for the Township Committee to say to them that they cannot sell to a developer, especially when it is zoned for that particular use that is not fair or moral. If a land owner wants to sell their property to a developer that is their right.

Committeeman Ocello agrees with Committeeman Higgins comments.

Deputy Mayor Cain explained in regards to the Jones Farm, the property owners are trying to make a profit off of the sale of their property. The Planning Board has worked hard trying to be sure there is enough buffer between the property and the walking trails. Regardless of what is developed on this property, it will need to go before the Planning Board for site plan approval as well as, all outside agency approvals.

Mayor DiGiuseppe agrees with the Township Committee. If a property owns the land they have the right to sell that land as they see fit, provided it complies with all the laws of the State of New Jersey. She mentioned that she has concerns that there are a lot of individuals of other Townships and Counties commenting and criticizing the way Mansfield Township Committee is handling Township matters. It is her opinion that this Township Committee is doing the right thing for residents of Mansfield Township.

Clerk Semus asked for a motion to adopt the above Ordinance.

A motion 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
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 opened the public hearing pertaining to the above ordinance.

There were no comments from the public.

Clerk Semus asked for Township Committee for any comments.

Mayor DiGiuseppe explained how much this Ordinance was needed and how glad she is to see it is moving forward.

Clerk Semus asked for a motion to adopt the above Ordinance.

A motion 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

First Reading/Introduction

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
ORDINANCE 2020-9**

**AN ORDINANCE ESTABLISHING AND CREATING THE POSITION OF JOINT LAND USE BOARD
SECRETARY FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, AND STATE OF
NEW JERSEY**

WHEREAS, the Township Committee, for purposes of efficiency and economy, wishes to establish a new clerical position within the Land Use Department; and

WHEREAS, the responsibilities assigned to said position are enumerated under Article I below; and

WHEREAS, The Township Committee deems it to be in the best interest of the Township of Mansfield to establish a new position of Joint Land Use Board Secretary, to set forth the duties and responsibilities for said position, and to establish the salary and compensation for said position.

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

ARTICLE I. NEW SECTION.

There is hereby created the position of the Joint Land Use Board Secretary within the office of the Land Use Department.

- A. Compensation: The range of compensation will be between \$15,000.00 (fifteen thousand) and \$25,000.00 (twenty-five thousand) dollars

- B. Powers and Duties; Responsibilities. The daily functions of the Joint Land Use Board Secretary shall include, but not limited to the following:
- (1) Attend all meetings of the Joint Land Use Board;
 - (2) Prepare Minutes of all Joint Land Use Board Meetings;
 - (3) Assist the Land Use Coordinator on routine clerical and administrative work.

ARTICLE II. Ordinance 2019-19, the Salary Ordinance for 2020-202, is amended to include the position of Joint Land Use Board Secretary.

ARTICLE III. REPEALER, SEVERABILITY AND EFFECTIVE DATE.

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

Clerk Semus stated the seconded reading/final adoption and public hearing will take place on July 15, 2020 meeting at 7pm.

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

AYE: Ocello, Cain, Magee, Higgins, DiGiuseppe

NAY: None ABSENT: None

**MANSFIELD TOWNSHIP
COUNTY OF BURLINGTON
ORDINANCE 2020-10**

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY TO ESTABLISH AND CREATE THE POSITION OF PUBLIC WORKS FOREMAN AND ASSISTANT PUBLIC WORKS FOREMAN

Be it enacted by the Mansfield Township Committee as follows:

Section 1.

The Code of the Township of Mansfield is hereby amended by deleting and repealing Chapter 2:11 §B and C, Working Supervisor and Assistant Working Supervisor.

Section 2.

The Code of the Township of Mansfield is hereby amended by adding thereto a new chapter, to replace Chapter 2:11 §B and C, hereinabove repealed, to be renamed as the new Chapter 2:11 §B and C, 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 Foreman and Assistant Public Works Foreman; and

WHEREAS, the creation of these positions of Public Works Foreman and Assistant Public Works Foreman 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 positions of Public Works Foreman and Assistant Public Works Foreman 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

B. Public Works Foreman

1. The position of Public Works Foreman for the Mansfield Township Public Works Department is hereby created.
2. The job responsibilities of said Public Works Foreman, shall be as follows:
 - a. Performs daily maintenance and repair buildings and grounds facilities streets, roads equipment and vehicles; and supervises the staff assigned to the public works department.

C. Assistant Public Works Foreman

1. The Position of Assistant Public Works Foreman for the Mansfield Township Public Works Department is hereby created.
2. The job responsibilities of said Assistant Public Works Foreman, shall be as follows:
 - a. Assists the Public Works Foreman with all daily maintenance and repairs of building and grounds facilities, streets, roads, equipment and vehicles; and together with, as well as, in the absence of the Public Works Foreman, will supervise the staff assigned to the Public Works Department.

The rate of compensation for the position of Public Works Foreman shall be within the following range \$55,000.00 (fifty-five thousand) to \$62,000.00 (sixty-two thousand) annually.

The rate of compensation for the position of Assistant Public Works Foreman shall be Within the following range \$2,000.00 (two thousand) to \$3,750.00 (three thousand seven hundred and fifty) annually.

Ordinance 2019-19, the Salary Ordinance for 2020-202, is amended to include the above positions.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

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

Clerk Semus stated the seconded reading/final adoption and public hearing will take place on July 15, 2020 meeting at 7pm.

A motion to introduce the above Ordinance was offered by **Deputy Mayor Cain** and 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
ORDINANCE 2020 – 11**

**AN ORDINANCE ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 30, LOTS 9.02, 10, 11, 12
and 13.02 ALSO KNOWN AS THE U.S. ROUTE 206 AND MANSFIELD ROAD WEST: SOUTHEAST
CORNER REDEVELOPMENT AREA**

WHEREAS, on June 14, 2017, by adoption of Resolution 2017-6-7, 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 qualified as a “Condemnation Redevelopment Area” according to the criteria set forth in N.J.S.A. 40A:12A-1 et seq. of the Local Redevelopment and Housing Law (“LRHL”).

- A. U.S. Route 206 and Mansfield Road West: Southeast Corner, Block 30, Lots 9.02, 10, 11, 12 and 13.02, (the “Study Area”)

WHEREAS, after due notice and public hearing, on September 25, 2017, the Mansfield Planning Board (now Land Use Board) conducted the investigation and adopted Resolution 2017-09-13, which recommended that the Township designate the Study Area” area as a Condemnation Redevelopment Area, but only as to Block 30, Lots 9.02, 11 and 12, because, at the time, occupied homes existed on Lots 10 and 13.02; and

WHEREAS, by adoption of Resolution 2019-4-10, on April 17, 2019, the Township Council designated the Study Area as a “Condemnation Redevelopment Area(s)” and authorized the preparation of a Redevelopment Plan for the Study Area, specifically including Lots 10 and 13.02, finding that the entire Study Area qualified as a “Condemnation Redevelopment Area”; and

WHEREAS, by letter dated February 21, 2020, the Commissioner of the Department of Community Affairs approved Block 30, Lots 9.02, 10, 11, 12 and 13.02 as a Condemnation Area in Need of Redevelopment; 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”; and

WHEREAS, in order to facilitate the development and rehabilitation of the Township, the Township Planner has prepared the “Redevelopment Plan for Route 206 and Mansfield Road West: Southeast Corner, Block 30, Lots 9.02, 10, 11, 12 and 13.02” for the Township of Mansfield, Burlington County, New Jersey, dated June 10, 2020 (the “Redevelopment Plan”), which said Redevelopment Plan is incorporated by reference herein, and transmitted same to the Mansfield Land Use Board for review and possible referral pursuant to N.J.S. 40A:12A-7(e); and; and

WHEREAS, on June 22, 2020, after reviewing the Redevelopment Plan, the Land Use Board adopted **Resolution _____** 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 “Redevelopment Plan for Route 206 and Mansfield Road West: Southeast Corner, Block 30, Lots 9.02, 10, 11, 12 and 13.02”, dated June 10, 2020 to the Mansfield Township Council for further consideration and possible adoption.

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Township for purposes of improving conditions within the Township; and

WHEREAS, the Township Committee specifically finds that the Redevelopment Plan recommends that the Township permit warehouse, trucking, and/or distribution facilities and associated office spaces on a lot greater than 20 acres in area, as well as complementary highway commercial uses at an important US Route 206 intersection north of Columbus Village. A significant objective of the Redevelopment Plan is to align Mansfield Road West and Mansfield Road East at a signalized intersection on US Route 206, as identified in the Township’s Master Plan’s Circulation Plan Element.

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 Study Area; and

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Medford as follows:

Section 1. The Township hereby adopts the “Redevelopment Plan for Route 206 and Mansfield Road West: Southeast Corner, Block 30, Lots 9.02, 10, 11, 12 and 13.02” for the Township of Mansfield, Burlington County, New Jersey, dated June 10, 2020 (the “Redevelopment Plan”), said Redevelopment Plan incorporated herein and made a part of this Ordinance by reference; and

Section 2. 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 3. 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 4. 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.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- D. 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
- E. 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.
- F. This Ordinance shall take effect immediately upon final passage and publication according to law.

Clerk Semus stated the seconded reading/final adoption and public hearing will take place on July 15, 2020 meeting at 7pm.

Committeeman Higgins recused himself from the above Ordinance.

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY**

ORDINANCE 2020-12

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP, APPROPRIATING \$180,000 THEREFOR,

**AND AUTHORIZING THE ISSUANCE OF \$171,000 IN GENERAL
IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE THE SAME.**

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

Section 1. The several improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Township of Mansfield, in the County of Burlington, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3 hereof, there is hereby appropriated the respective sums amounting in the aggregate to \$180,000, including the aggregate sum of \$9,000 as the several down payments for the improvements and purposes required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the several down payments or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$171,000, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

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

I. Purpose. Acquisition of Articulated Arm Flail for Department of Public Works, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary thereof or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$30,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$28,500.00
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$1,500.00

II. Purpose. Acquisition of SUV for Police Department (Tahoe or Equivalent), as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor and incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$55,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$52,250.00
<u>Period or Average Period of Usefulness:</u>	5 years
<u>Amount of Down Payment:</u>	\$2,750.00

III. Purpose. Acquisition of Body Worn Cameras for Township Police Department, as set forth in a list on file in the office of the Township Clerk, including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$70,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$66,500.00
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$3,500.00

IV. Purpose. Acquisition of record control and storage system for Township Court, as set forth in a list on file in the office of the Township Clerk, and including all work and related materials necessary therefor or incidental thereto.

<u>Appropriated and Estimated Cost:</u>	\$25,000.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$23,750.00
<u>Period or Average Period of Usefulness:</u>	10 years
<u>Amount of Down Payment:</u>	\$1,250.00

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

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

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

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

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

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

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 8.47 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$171,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

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

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

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

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

Section 9. The Township Council hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the

regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

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

Clerk Semus stated the seconded reading/final adoption and public hearing will take place on July 15, 2020 meeting at 7pm.

Mayor DiGiuseppe added that these are expenses requested by Department Heads that have been approved by the Township Committee.

Committeeman Higgins wanted to add that his preference would be to see a more general bond ordinance, to allow for more flexibility in case something happens during the year; however, he is aware that this is what was agreed upon.

A motion to introduce the above Ordinance 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

CONSENT AGENDA:

Clerk Semus noted that consent agenda items are considered to be routine and expenditures are supported by a Certification of Availability of Funds. Any items requiring discussion will be removed from the Consent Agenda. The Consent Agenda consists of Resolutions 2020-6-2 through 2020-6-14.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-2**

**A RESOLUTION APPROVING A RAISE TO CERTAIN MANSFIELD TOWNSHIP STATUTORY AND
AT-WILL EMPLOYEES**

WHEREAS, Mansfield Township is desirous of retaining dependable and experienced employees; and

WHEREAS, the Mansfield Township Committee is appreciative of the hard work of all of its Statutory and At-Will Township Employees; and

WHEREAS, the Township Committee realizes that certain At-Will and Statutory Township Employees have not received a Cost Of Living Increase for the year 2020; and

WHEREAS, the Township Committee has sufficient funds to approve a 3% increase in wages to be paid to certain At-Will and Statutory Township Employees, which will be retroactive to January 1, 2020; and

WHEREAS, the Township Committee has determined that this 3% increase will only apply to employees who have not received an increase or promotion within the 2020 calendar year to date except as otherwise approved by the Township Committee.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey does hereby approve a 3% increase in wages paid to certain Statutory and At-Will Township Employees, retroactive to January 1, 2020.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-3**

**A RESOLUTION PROVIDING FOR THE INSERTION
OF A SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, PL 1948)**

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

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

NOW, THEREFORE, BE IT RESOLVED on this 17th day of June, 2020 that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$1,333.40 which item is now available as an additional special item of revenue for Mansfield Township through the Justice Assistance Grant Program.

BE IT FURTHER RESOLVED that a like sum of \$1,333.40 be and the same is hereby appropriated under the caption of:

Section 1 (a)

State: Body Armor Fund

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-4**

**A RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING
MICHAEL FITZPATRICK AS TOWNSHIP SUPERINTENDENT FOR THE TOWNSHIP OF
MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

WHEREAS, Jeffrey K. Jones, has resigned from his positions of Township Superintendent and Working Supervisor, effective June 12, 2020, rendering a vacancy; and

WHEREAS, the Township Committee, after review of the duties and responsibilities of the Township Superintendent, finds that it would be in the best interest of the Township to delegate those duties and responsibilities to Michael Fitzpatrick who has served as the Township Administrator for the Township of Mansfield since July 28, 2014; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that Michael Fitzpatrick is hereby appointed to the position of Township Superintendent for the Township of Mansfield, effective June 15, 2020 at an annual salary of \$3,000.00 per year, with benefits associated with this full time position.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-5**

**RESOLUTION APPROVING THE 2019 LOSAP CERTIFICATION LIST FOR
QUALIFICATION OF FRANKLIN FIRE COMPANY VOLUNTEER HOURS**

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

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

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

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-7**

**RESOLUTION MEMORIALIZING AMENDMENT TO ENGINEERING PROPOSAL FOR
NJDOT TRUST FUND RESURFACING OF WHITE PINE ROAD**

WHEREAS, the Township as received a fiscal year 2019 New Jersey Department of Transportation (NJDOT) Trust Fund Grant for the resurfacing of White Pine Road (the "Project"); and

WHEREAS, the Project has been amended to extend the resurfacing to the vicinity of house number 188 on White Pine Road; and

WHEREAS, the Township Engineer, Remington and Vernick Engineers, has requested additional compensation in the amount of \$7,965.00 for supplemental man-hours for construction Observation Services associated with the extended and additional resurfacing of White Pine Road.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that the proposal for engineering services for the NJDOT Trust Fund Resurfacing of White Pine Road is amended to approve additional compensation to Remington & Vernick Engineering in the amount of \$7,965.00.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-8**

**RESOLUTION AUTHORIZING EXTENSION OF AND AMENDMENT TO
CONTRACT FOR SNOW REMOVAL**

WHEREAS, on September 27, 2017 the Township of Mansfield (the "Township") entered into a Contract for Snow Removal (the "Contract") with Central Jersey Landscaping, Inc. ("Contractor") under which Contractor provides snow removal services to the Township in exchange for monetary compensation; and

WHEREAS, as set forth in Section IV, the term of the Contract is for three (3) years, having commenced on December 1, 2017, and is set to expire on November 30, 2020; and

WHEREAS, as further set forth in Section IV of the Contract, the Township has the option to extend the Contract for two (2) additional one (1) year periods; and

WHEREAS, by way of letter dated March 19, 2020, Contractor has requested that the Township consider exercising its option to extend the Contract for the additional two one year time periods and to further eliminate the second sentence of Section III of the Contract, which reads "Additionally, Township shall be required to pay Contractor for any storm event exceeding three (3) inches or more at \$125.00 per hour."; and

WHEREAS, the Township has considered the request of Contractor and determined that it is in the best interest of the Township to grant such request, at the same rates and under the same conditions as specified in the Contract; and

WHEREAS, pursuant to Contractor's request, the Township and Contractor have negotiated a written amendment to the Contract, a true and correct copy of which is attached hereto, incorporated herein, and marked as "Exhibit A" (the "Amendment").

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Contract for Snow Removal with Contractor is hereby amended as set in the Amendment attached hereto as Exhibit A.

BE IT FURTHER RESOLVED that the Township Mayor and Township Clerk are hereby authorized to execute the Amendment; and

BE IT FURTHER RESOLVED that an original, fully-executed copy of the Amendment shall be delivered to the Township Administrator and to the Contractor; and

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
RESOLUTION 2020-6-9**

**RESOLUTION APPOINTING ON CALL, AS NEEDED, PART TIME MAINTENANCE/RECYCLING
PUBLIC WORKS EMPLOYEES, ESTABLISHING THE UNIFORM SALARY FOR SAME AND
PROVIDING FOR THE APPOINTMENT THEREOF**

WHEREAS, Mansfield Township periodically hires part time, seasonal, public works employees on an “on-call” and/or “as needed” basis for maintenance, recycling and other public works duties; and

WHEREAS, the Township Committee finds that it is in the best interest of the Township, and said part time employees, that a uniform salary for said employees be established in the Township’s annual salary ordinance, and that the procedure for the hiring of said employees be established.

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

1. All part time public works employees hired by the Township Supervisor or Administrator for calendar year 2020 on an “on-call” and/or “as needed” basis for maintenance, recycling and other public works duties, shall be paid Fifteen Dollars (\$15.00) per hour, with no benefits.
2. Periodically throughout the year, the Township Supervisor or Administrator shall hire part time, seasonal, public works employees on an “on-call” and/or “as needed” basis for maintenance, recycling and other public works duties and shall provide the Township Committee, not less than annually, with a list of said employees.
3. Ordinance 2019-19, the Township’s annual salary ordinance, is hereby amended to define and include the following employees and their job description as follows:

Buildings & Grounds (part time, non-union) \$10 - \$17 per hour

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-10**

**RESOLUTION REJECTING BID FOR FY2019 CDBG IMPROVEMENTS-
ARCHITECTURAL BARRIER REMOVAL PURSUANT TO NJSA 40A:11-13.2b**

WHEREAS, on June 4, 2020, the Township received a bid for the FY2019 CDBG Improvements-Architectural Barrier Removal from All J’s Services from Medford, NJ; and

WHEREAS, the bid exceeded the available amount of funding for the project; and

WHEREAS, the Township Engineer and Township Attorney has recommended that the bid be rejected since the bid exceeds the amount appropriated for this service; and

WHEREAS, the Township Committee hereby determines that it is in the best interest of the Township to reject said bid;

NOW, THEREFORE, BE IT RESOLVED on this 17th day of June, 2020, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that:

1. The bid received for the FY2019 CDBG Improvements-Architectural Barrier Removal shall be and is hereby rejected pursuant to N.J.S.A. 40A:11-13.2b since the bid exceeds the available funding for this service.
2. The Township’s Engineer is hereby authorized to rebid said project.

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-06-11**

RESOLUTION FOR THE REDEMPTION OF TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on November 28, 2018, a lien was sold to Fidelity Asset Management on Block 10.02, Lot 2.09, also known as 18 Augusta Drive for 2017 delinquent taxes; and,

WHEREAS, the property owner, has affected redemption of Certificate #17-00009. This lien was redeemed on June 10, 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, authorizes that a check be issued to Fidelity Asset Management, for the redemption of this lien.

<u>Lien Holder</u>	<u>Lien #</u>	<u>Amount</u>
Fidelity Asset Management	17-00009	\$11,881.94

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-12**

RESOLUTION FOR THE REDEMPTION OF MUNICIPAL TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on June 29, 2019, a lien was sold to The Township of Mansfield on Block 51.02, Lot 17, also known as 2290 Old York Road for 2018 delinquent taxes; and,

WHEREAS, Mansfield Township Properties, LLC has affected redemption of Certificate #18-00010 on May 29, 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	18-00010	\$5,869.49

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-13**

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

WHEREAS, Property Taxes for 2019 were overpaid on the properties listed below; and

WHEREAS the homeowners are due a refund;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on June 17, 2020 hereby authorizes the refunding of the following by the Tax Collector.

Block	Lot	Property Owner	Amount
23.01	34	Bruce Reali	\$ 708.20
6.01	4.04	Efthmios Tsilnakis	\$ 2,754.51
800.02	1	Mansfield Realty South	\$ 988.41
	42.17	31 Marilyn Spumberg	\$ 1,381.62

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
RESOLUTION 2020-6-14**

RESOLUTION RELEASING ESCROW MONIES

WHEREAS, Baljit Singh with Sunrise Carriers, Inc. attended an informal meeting with Planning Board Professionals on January 23, 2020 for information on a piece of property located at Block 68, Lots 6 and 7 for the possibility of developing said property for tractor trailer storage.

WHEREAS, Mr. Singh submitted an escrow deposit in the amount of \$2,000.00 for said informal meeting, and

WHEREAS, Mr. Singh has decided not to move forward with purchasing the property, and

WHEREAS, Mr. Singh has received invoices from the Planning Board Professionals which have been satisfied, and

WHEREAS, the Planning Board Professionals have indicated that there are no outstanding invoices and there will be no future invoices in regard to this informal meeting, and

WHEREAS, Mr. Singh has requested release of the remaining escrow money in the amount of \$1,537.00.

NOW THEREFORE BE IT RESOLVED that the outstanding escrow amount of \$1,537.00 is hereby refunded to Mr. Baljit Singh.

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

AYE: Magee, Cain, Higgins, Ocello, DiGiuseppe

NAY: None ABENST: None

BILL LIST: Regular and Escrow

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

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

NAY: None ABSTAIN: Higgins check no. 10445, Magee check no. 10445 ABENST: None

MINUTES:

February 19, 2020 Budget Meeting: A motion to approve was offered by **Committeeman Magee** and seconded by **Deputy Mayor Cain**. Motion carried on a roll call vote recorded as follows:

AYE: Magee, Cain, Ocello, DiGiuseppe

NAY: None ABSTAIN: Higgins ABSENT: None

February 19, 2020 Regular Meeting: A motion to approve 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

March 5, 2020 Regular Meeting: A motion to approve was offered by **Committeeman Magee** and seconded by **Deputy Mayor Cain**. Motion carried on a roll call vote recorded as follows:

AYE: Magee, Cain, Higgins, DiGiuseppe

NAY: None ABSTAIN: Ocello ABSENT: None

March 23, 2020 Special Meeting: A motion to approve was offered by **Mayor DiGiuseppe** and seconded by **Deputy Mayor Cain**. Motion carried on a roll call vote recorded as follows:

AYE: DiGiuseppe, Cain, Magee, Ocello

NAY: None ABSTAIN: Higgins ABSENT: None

DISCUSSION/ACTION:

A. Recreation: Increase in Soccer Fees

Committeeman Magee stated he has no problem with the request for increase as it seems reasonable.

Administrator Fitzpatrick explained that the recreation committee is asking permission to increase the soccer fee from \$85 to \$95 due to the cost of the portable lighting.

All agreed with the above request for increase. **Clerk Semus** asked for a roll call vote, which was recorded as follows:

AYE: DiGiuseppe, Cain, Ocello, Higgins, Magee

NAY: None ABSENT: None

B. Opening of Township Parks:

Mayor DiGiuseppe stated the Township Committee along with the Recreation Committee have determined to open the parks. In accordance with what the Governor has approved, outdoor sports can begin on June 22nd. The only issue brought up by Recreation are the restrictions.

Administrator Fitzpatrick stated some of the legalities have been discussed in regards to opening up outdoor sports. There was an NBIAA meeting which Ms. Herbert had attended thereby, he asked if she could go over what had took place during that meeting.

Ms. Herbert explained that the meeting took place in Springfield. She had taken pictures of how the field was laid. Parents will need to be 6 feet off the fence although they are trying to do 10 feet. Only immediate family will be able to attend games/practices and hand sanitizers will be provided. She is going to talk with Paul Narwid in regards to all of the details.

Administrator Fitzpatrick added there is a lot of responsibility on the parents/individuals who are playing. There will be a plan in place and will be moving forward per the Executive Orders which are in place.

Deputy Mayor Cain questioned the playground equipment whether it can be opened up to the public.

Mayor DiGiuseppe explained that as per the Governor's guidance the playground equipment cannot be open.

Administrator Fitzpatrick added that the portable toilets were pulled from the parks at the beginning of the pandemic. He questioned if the Township Committee would like to put them back in or leave them out.

Mayor DiGiuseppe stated that the Executive Order states that public bathrooms may be open, if the portable toilets are considered public bathrooms then they should be able to open; however, they must be held to restrictions.

Deputy Mayor Cain asked how the portable toilets will be cleaned and how often they will be serviced.

Administrator Fitzpatrick explained the old contract for the portable toilets does not state that someone will be coming out daily to clean.

More discussion ensued on the portable toilets for the parks. It was determined that more information is needed prior to a decision being made.

PUBLIC COMMENT:

Bob Tallon, 2454 Axe Factory Road – He had a concern with the Margolis project and the sewer line that will run to Burlington City as well as the pump stations that will feed that line. He had asked if the Township was responsible for the hook up and distribution line.

Solicitor Prime stated it was his understanding that it is the responsibility of the developer however, he will look into this and to ensure this is correct.

John O’Callaghan, 53 Oak Lane, New Egypt – He understands he is not a resident of the Township however, in the past he was and his wife grew up in Mansfield. In his opinion he feels personally attacked and stated that what the Township is doing is in disregard of the Master Plan.

Karen Perry, 1203 Jacksonville Road – She noticed the flag at Mansfield Park was not flying half-staff. Additionally, she has not heard back from the Township regarding an email she had sent. She was upset about the letter written by the Mayor in regards to the vigil that was being held in the Township Park. She added that people should be listened to respectfully by members of the Township Committee.

MAYOR AND COMMITTEE COMMENT:

Committeeman Magee: No comments.

Committeeman Higgins: Thanked everyone for their participation and all comments are appreciated.

Committeeman Ocello: No comments.

Deputy Mayor Cain: Thanked everyone for their participation. He feels that even though some individuals may not like the decisions the Committee is doing what they feel is best for the residents and the Township. He asked everyone to remain safe.

Mayor DiGiuseppe: Donations of face masks, shields and hand sanitizers have been received from Cooper Hospital, Capital Health, as well as, the County for the employees to utilize. Windows have been installed for protection when the building opens up to the public. Another important issue that has been finalized is the approval from DCA of Temporary Purchasing Agent, Bonnie Grouser, which is required by the State. Said approval has been extended for another year due to the pandemic. This allows the Township to procure a higher threshold for bids. She thanked everyone for their comments.

MOTION FOR ADJOURNMENT:

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

ASHLEY JOLLY, CMR
Deputy Clerk

LINDA SEMUS, RMC, CMR
Municipal Clerk