

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
REGULAR MEETING MINUTES
January 7, 2021
7:00 PM**

The Regular Meeting of the Mansfield Township Committee was held on the above mentioned date with the following in attendance: **Mayor Magee, Deputy Mayor Tallon, Committeeman Higgins, Committeeman Golenda, Committeeman Ocello, Solicitor Prime, Engineer Johnson, Administrator Michael Fitzpatrick, CFO Grouser Deputy Clerk Ashley Jolly and Municipal Clerk Linda Semus.**

Clerk Semus called the meeting to order at 7:00 PM. It was noted that this meeting is being conducted during the current National Emergency with remote participation in accordance with guidance provided by the New Jersey Division of Local Government Services, Department of Community Affairs, as set forth in the Public Notice of this meeting.

The following Opening Statement was read by **Clerk Semus** followed by the flag salute.

“Adequate Notice” has been provided for this Special Meeting and has been posted on the Official Bulletin Board of the Township of Mansfield, Noticed to the Trenton Time and the Burlington County Times on August 24, 2020, placed on the official website for the Township and filed with the Municipal Clerk of the Township of Mansfield, notice of which contained the date, time, place, audio conference call number and pin/participant code for telephonic access to said meeting and purpose of this meeting stating that formal action may be taken on any and all subjects involving Mansfield Township, as so noted in NJSA 10:4.-8(d), Amended 1981, by including Section 10:4-18 which addresses Regular Meetings of a Public Body, which is addressed under “Annual Notice”.

ENGINEER REPORT:

Engineer Johnson questioned the Township Committee on whether they would like to continue to receive the Engineer Reports before the second meeting of the month.

The Township Committee agreed to receive the reports before the second meeting.

Engineer Johnson discussed the 2021 CDBG Grant that was submitted on December 16, 2020. Once the resolution and meeting minutes are approved the same should be sent to the County as back up.

Engineer Johnson talked about the FY 2021 NJDOT Trust Fund Municipal Grant Application for Mansfield Road East. The Township has received \$185,000 and at the request of the Committee he could prepare a scope of services to do some design work and move forward on this project.

Engineer Johnson then mentioned the White Pine Road and Railroad Avenue DOT projects which have been completed in regards to construction; currently, coring is being done as required by DOT.

Lastly, **Engineer Johnson** explained that the 2019 CDBG Grant was utilized to construct an ADA compliant walkway and some landscaping. The work was completed the last week of December.

As per **Solicitor Prime** no vote is required because there was no physical report.

ORDINANCE:

First Reading/Introduction:

ORINANCE 2021-1

**REFUNDING BOND ORDINANCE PROVIDING FOR THE
REFUNDING OF PRIOR BONDS ISSUED BY THE TOWNSHIP OF
MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY,
APPROPRIATING NOT TO EXCEED \$3,100,000 THEREFOR AND
AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,100,000
BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST
THEREOF.**

WHEREAS, the Township of Mansfield, in the County of Burlington (the "*Township*"), on April 12, 2011, issued its \$5,886,000 General Obligation Bonds, Series 2011 (the "**2011 Bonds**") to permanently finance capital improvements undertaken by the Township; and

WHEREAS, on January 1, 2021, there were \$2,936,000 in 2011 Bonds are outstanding and mature on April 1, 2022 through April 1, 2028 (the "**2011 Bonds to be Refunded**"), which are callable at 100% of the principal amount to be redeemed (the "Redemption Price") on or after April 1, 2021 (the "**Redemption Date**"); and

WHEREAS, the Township desires to authorize, under the Local Bond Law, an issue of refunding bonds to (i) currently refund the 2011 Bonds to be Refunded and (ii) to pay the costs to be incurred through the issuance of the Refunding Bonds (as hereinafter defined);

NOW THEREFORE, 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) AS FOLLOWS:

The Township is hereby authorized to refund the 2011 Bonds to be Refunded at the Redemption Price due on the Redemption Date, together with interest due thereon from the defeasance date (as defined below) through the Redemption Dates and to pay the costs related to the issuance of the Refunding Bonds (as defined below) and the expenses related to refunding the Refunded Bonds.

An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not in excess of \$3,100,000 (the "**Refunding Bonds**") pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding 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 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, but all such notes including renewals shall mature and be paid no later than the fifth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond

anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the notes from time to time 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 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 chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. 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 \$3,100,000, and the obligations authorized herein have been authorized in accordance with that Law.

Section 7. The full faith and credit of the Township are 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 of rate or amount.

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted

CFO Grouser was prepared to make a statement to explain the above however, she was asked to wait until the public hearing.

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

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

RESOLUTIONS:

**RESOLUTION 2021-1-24
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY
OF BURLINGTON, NEW JERSEY, SETTING THE 2021
TEMPORARY BUDGET**

WHEREAS, Section 40A-4-19 provides that temporary appropriations may be made to provide for the period between the beginning of the budget year and the date of adoption of the budget; and

WHEREAS, the date of this resolution is within the first thirty days of the 2021 budget year; and

WHEREAS, the total of the following temporary appropriations does not exceed 26.25% of the total amount of the appropriations made for all purposes in the 2020 budget (exclusive of Debt Service, Capital Improvement Fund and Public Assistance).

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at a meeting held January 7, 2021 that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer after adoption.

Current Fund

<u>Department</u>	<u>Amount</u>
A&E: Salary and Wages	28,750.00
A&E: Miscellaneous	5,000.00
M&C: Salary & Wage	8,500.00
CLERK: Salary & Wage	31,250.00
CLERK: Miscellaneous	7,500.00
FIN: Salary & Wage	42,000.00
FIN: Miscellaneous	8,500.00
AUDIT: Miscellaneous	5,000.00
TAX C: Salary & Wage	18,500.00
TAX C: Miscellaneous	4,000.00
TAX A: Salary & Wage	10,000.00
TAX A: Miscellaneous	5,000.00
LEGAL: Miscellaneous	30,000.00
ENG: Miscellaneous	25,000.00
PLAN: Miscellaneous	4,000.00
LAND USE: Salary & Wage	8,500.00
LAND USE: Miscellaneous	700.00
OCE: PM: Salary & Wage	2,000.00
OCE: PM: Miscellaneous	100.00
ZONING OFFICER: Salary & Wage	2,075.00
ZONING OFFICER: Miscellaneous	1,000.00
LIABINS: Liability Insurance	20,000.00
WCOMP: Workers Compensation	40,000.00
EMPLOYER GROUP Health Insurance	100,000.00
POLICE: Salary & Wages	175,000.00
POLICE: Miscellaneous	18,000.00
EMGMT: Salary & Wage	1,250.00
EMGMT: Miscellaneous	1,900.00
AID TO FIRE COMPANIES: Miscellaneous	20,000.00

AID TO AMBULANCE: Miscellaneous	23,350.00
EMS: Salary & Wage	17,500.00
EMS: Miscellaneous	1,500.00
OCE: FIRE: Salary & Wage	9,500.00
OCE: FIRE: Miscellaneous	3,500.00
PROS: Other Professional	7,000.00
ROAD: Salary & Wage	48,000.00
ROAD: Miscellaneous	13,000.00
SWASTE: Miscellaneous	56,000.00
RECYCLING: Salary & Wage	2,350.00
B&G: Miscellaneous	24,250.00
VMaint: Miscellaneous	15,000.00
COMMUNITY SERVICES: Miscellaneous	15,250.00
PHEALTH: Salary & Wage	400.00
PHEALTH: Miscellaneous	700.00
ANIMAL: Miscellaneous	950.00
RECREATION: Salary & Wage	3,000.00
RECREATION: Miscellaneous	6,000.00
PARKS: Miscellaneous	16,500.00
CPEVNT: Miscellaneous	750.00
ELEC: Miscellaneous	25,000.00
SLIGHT: Miscellaneous	33,000.00
TELE: Miscellaneous	12,000.00
WATER: Miscellaneous	15,000.00
PETRO: Gasoline	7,500.00
LANDFILL: Miscellaneous	40,000.00
FICA: Employer Liability	50,000.00
DCRP: Miscellaneous	2,000.00
COURT: Salary & Wage	50,000.00
COURT: Miscellaneous	7,500.00
INTERLOCAL: SW Springfield Court	8,175.00
INTERLOCAL: SW Southampton Court	12,500.00
INTERLOCAL: Miscellaneous	2,500.00
PUBD: Other Professional	2,500.00
CAPITAL IMPROVEMENT FUND	10,000.00

\$1,165,700.00

TOTAL

Utility Fund

Operating Expenses \$ 15,000.00

CFO Grouser explained that before the Township is allowed to spend any funds in the budget year there needs to be an approved temporary budget. Said temporary budget cannot exceed 26.25% of the total amount of appropriations that were in the 2020 budget.

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

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

RESOLUTION NO. 2020-1-25
RESOLUTION RE-AUTHORIZING, FOR THE YEAR 2021, THE ASSISTANCE AND GUIDANCE FOR
THE TOWNSHIP'S NEWLY APPOINTED TAX COLLECTOR

WHEREAS, there is a need to provide guidance and support to the newly appointed Tax Collector; and

WHEREAS, Elaine Fortin is willing to continue to provide such services and has been instrumental with the assistance and guidance she has provided to the Tax Collector;

WHEREAS, the Township Committee, for the year 2021, wishes to re-authorize Ms. Fortin's appointment, on an "as needed basis", utilizing her assistance and guidance to the newly appointed Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that the Township Finance Officer and Township Tax Collector are re-authorized to utilize Elaine Fortin to provide assistance and guidance to the Township within the Tax Collector's Office on an "as needed" basis during calendar year 2021 as an independent contractor at the hourly rate of \$35.00 dollars per hour, and a total amount not to exceed \$5,000.00.

Administrator Fitzpatrick explained that Ms. Fortin was the previous Tax Collector and she still comes in to assist the current Tax Collector with certain items. This resolution would allow Ms. Fortin to come in with a not to exceed \$5,000 for the year.

Committeeman Higgins stated that Ms. Fortin is more than willing to do this. He believes we have a very good Tax Collector however, history is very important.

Deputy Mayor Tallon had a concern for Ms. Fortin in regards to her pension.

Administrator Fitzpatrick stated the Township has ensured that nothing will effect Ms. Fortin's pension.

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

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

**RESOLUTION 2021-1-26
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY**

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

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

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

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

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

2014	Chrysler	Town & Country	VIN: 2C4RC 1BG4E R3974 34
2006	Dodge	Charger	VIN: 2B3KA 53H36 H4103 79

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

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

Clerk Semus explained that these are the vehicle that are impounded and were not claimed therefore, the Chief of Police is asking for authorization for the sale of same.

CFO Grouser added that the money will go into the general fund.

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

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

MINUTES:

Amended Regular Meeting: May 28, 2020

Regular Meeting: December 16, 2020

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

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

Reorganization Meeting: January 4, 2021

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

AYE: Ocello, Higgins, Golenda, Tallon, Magee

NAY: None ABSENT: None ABSTAIN: None

DISCUSSION/ACTION:

A. Joint Land Use Board: Deputy Mayor Tallon expressed that he had some misunderstandings regarding board member appointments. He would like to have the two people who are currently listed as alternate members moved up to regular members. He is asking the Committee to consider this.

Committeeman Higgins stated that in his personal experience with the Planning Board normally all nine members do not show up to each meeting; usually the alternates have the ability to vote. He believes the people that Deputy Mayor Tallon had appointed will have the ability to vote a majority of the time.

Mayor Magee explained that he agreed with Committeeman Higgins. It has not been the practice in the past to make brand new board members regular members prior to becoming alternates. There are two current members whose terms were up who have been on the board for a number of years and both have expressed interest on remaining on the board. He is not inclined to remove the two people who have been extremely dedicated volunteering on the board and are interested in returning. There was an opportunity for a regular member because of a vacancy however, that position was filled by the first alternate as was done in the past. He thinks it is important for new members to start as alternates and work their way up.

Deputy Mayor Tallon added that he thought it would be an act of good faith to put the two members into regular member positions. He explained that both individuals have past experience on the board as well.

Committeeman Higgins added that the Planning Board appointments are controlled by the Mayor. In his opinion it is disrespectful to ask someone who has been volunteering their time on the board to step down into an alternate position.

Committeeman Golenda questioned if the size of the board could be expanded.

Solicitor Prime stated that the board is already at its maximum size according to Land Use Law.

Committeeman Golenda believes the Committee needs to make this change and that this is the change that people want. He would like to revisit the board appointments.

Solicitor Prime explained that it is the Mayor's appointment and the appointment has already been made. At this point, there would need to be a reason to change it since these individuals were already appointed.

Deputy Mayor Tallon added that he just wanted to change the current regular board members designation; he was not asking for them to be removed from the board.

Some discussion took place in regards to Committeeman Higgins appointment to the board. It was reiterated that the Class III appointment is chosen by the Mayor.

Deputy Mayor Tallon stated that he will agree to disagree on this matter.

B. Double Line Petticoat Bridge Road: Administrator Fitzpatrick explained that several individuals on Petticoat Bridge Road reached out to him with concerns of speeding issues down that particular roadway as well as the passing zone. It was asked if the Township could make the lines on the roadway double line, which would not allow for passing.

Committeeman Ocello recommended the double lines, for no passing seeing the concerns for speeding and passing on that roadway.

Mayor Magee questioned the speed limit on Petticoat Bridge Road.

Administrator Fitzpatrick explained that it is 40mph coming out of Springfield Township and goes up to 50mph in Mansfield Township. In speaking with Al Litwornia, Traffic Engineer, he believes it would be more difficult to change the speed limit because the road goes between two towns.

Deputy Mayor Tallon added that he has experienced the dangers of that road as a school bus driver.

Mayor Magee agreed with doing the double yellow lines on Petticoat Bridge Road.

Administrator Fitzpatrick explained that he would have the Public Works Foreman get quotes to complete the work and he will return to the Committee with the pricing.

The full Township Committee agreed to move forward with getting quotes for double lines on Petticoat Bridge Road.

C. Township Official Facebook Page: Administrator Fitzpatrick explained that many residents seem interested in an official Township Facebook page to get correct and accurate information disseminated to the residents efficiently. He has had a conversation with Colleen Herbert and Brian Seisz who have both offered their time to help with the Facebook page.

Deputy Mayor Tallon stated that he is fine with it.

Committeeman Higgins would like the full Committee to be able to view items prior to them being posted.

Administrator Fitzpatrick explained that it would take too much time to get approval for every post.

Committeeman Higgins added that as long as it's facts being posted and not opinions then he is satisfied with it.

Mayor Magee stated as long as it does not cost anything he does not have an objection however, he does not know much about Facebook or any other form of social media.

Committeeman Ocello agreed that everything that goes out must be factual however, he does not want to put the responsibility on anyone in the office.

Committeeman Golenda added that Facebook does not cost anything and he assumed that items like agendas, meetings times and announcements would be added to the page.

Administrator Fitzpatrick stated that those items would not be included because they are located on the Township's website.

Clerk Semus questioned if there would be comments going back and forth and if so who would monitor.

Administrator Fitzpatrick stated there would be no commenting or banter back and forth. He added that he would like to bring Colleen and Brian in to speak on this as they will be able to provide more information.

PUBLIC COMMENT:

Colleen Herbert, 2 Millennium Drive – She stated that social media is how many people get their information and there are other Townships that have social media pages that are purely outbound information. She feels her and Brian maintain the page however, it would only be factual information provided by the Township. She explained how recreation handles their Facebook page and further explained how she would like to make the information easier for people to find.

Committeeman Golenda thanked Ms. Herbert for her explanation adding that is how he would like to see the Facebook paged developed.

Ms. Herbert explained that they have reached out and spoken with other towns who have Facebook pages and she believes this is a good thing to try and see if it works out.

Based on Ms. Herbert's comments all Township Committee members agreed to move forward with developing an official Township Facebook page.

Ms. Herbert brought up the topic of the Land Use Board and discussed how members start on the board as alternates. Being part of the Land Use Board has given her the ability to expand her knowledge and serve the community. As an alternate you're putting the time in to learn in hopes of working your way up. She further added when she chooses to serve on a committee/board she does so for the greater good of the community not to align with a particular party, vote or person. She was a bit offended with the discussion in regards to changing the status of certain Land Use Board members.

Tony Quinto, 27 Waverly Drive- In regards to the Facebook matter, he thinks it is a great idea and thanked the Committee for bringing up this issue and community members for volunteering their time. He then questioned whether the Committee would be willing to consider fixing the assessments and going through with reassessments.

Solicitor Prime explained that to his knowledge there is no formal revaluation scheduled or required at this time.

Mayor Magee questioned how many appeals there were in 2020.

Solicitor Prime stated there were very few.

Mayor Magee explained that if it is not County initiated, when the Assessor is performing routine maintenance on the tax book, if he finds certain percentages that have fallen out of the acceptable range, he would then go to the board and suggest or recommend a revaluation; however, that does not usually happen very often.

Solicitor Prime stated that the ratio is still in the acceptable range.

Mr. Quinto stated that Mansfield Township is one of the worst in the County and it's his opinion that reassessments should be completed.

Committeeman Higgins mentioned that there was a question a few years back that certain areas were under assessed, but the County overruled and stopped the revaluation. He does think this is something the Township will need to do in the very near future.

Carl Schwartz, 40 Fitzgerald Lane – He had a question regarding Ordinance 2021-1 and whether a description and/or information pertaining to an Ordinance being introduced can be given to the public prior to the public hearing for same.

Committeeman Higgins explained in regards to Ordinance 2021-1 there is an opportunity to reduce interest rates and the savings could be substantial.

Mr. Schwartz further explained that in general he would like more information on an ordinance up front so the public has the opportunity to read and understand prior to any public hearing.

Solicitor Prime stated that he prefers to limit discussion during introduction because there are two readings which give the public the opportunity to review the ordinance between the introduction and second reading so they would be prepared to ask any questions during the public hearing. Substantive discussion should really be saved for the public hearing because that is really the reason behind it however, he is not against someone explaining in more detail what a specific Ordinance is in order to provide more understanding.

John O'Callaghan, 53 Oak Lane, New Egypt – He mentioned during the last Land Use Board meeting there was an application for a warehouse on the agenda and during public comment he had mentioned that he had read the redevelopment plan and found a potential flaw. Specifically,

the plan had stated that the land was vacant and unimproved however, he had proof that the land was not vacant. He believed that he was ignored by the Professionals. Additionally, another member of the public asked whether the EC had any input and he was informed that the EC was not available at the time the application was put in. The Township Planner had made such statement and in fact the EC was in place when the application was submitted. Furthermore, the Township Ordinances do not allow Preliminary and Final approval if the preliminary plans needed to be changed. The Professionals mentioned that state ordinances however, they ignored the local ordinances. Many residents were upset that this application moved forward and when he had questioned what recourse he would have he stated that he was advised to sue the Township. He questioned what recourse he would have to address his complaints.

Solicitor Prime explained that the redevelopment designation and the adoption of the redevelopment plan is beyond appeal. As far as the designation of the redevelopment plan, there is case law that the fact there is a farmhouse on the property or anything similar would not disqualify it from being designated as a redevelopment area.

Mr. O'Callaghan questioned the fact that the EC was in effect when the Segme application was submitted, as well as, the granting of preliminary and final approval on the same night. He asked why those local ordinances were not addressed appropriately.

Solicitor Prime explained that Municipal Land Use Law requires the board to grant final approval if the plans have been revised or can be revised to reflect the conditions of preliminary approval. Many times, plans are revised prior to the hearing which is when preliminary and final approval can be granted at the same time.

Mr. O'Callaghan questioned if local law is more restrictive why the township isn't following local instead of state.

Solicitor Prime explained that he does not believe that the ordinance is a prohibition against the granting of both approvals however, he will check the code. As far as the EC review of the application he is not aware of when the application was submitted.

Mr. O'Callaghan questioned how this would be addressed without litigation.

Solicitor Prime stated that the redevelopment area designation is beyond appeal however, the board approval is not. The resolution will be on for memorialization and there is a 45 day appeal period from when the notice of decision is published. He did not advise Mr. O'Callaghan on what he should or should not do.

Administrator Fitzpatrick added that the board Attorney, Tom Coleman, had explained that he is not there to give legal advice or information. If Mr. O'Callaghan and felt that he needed some legal assistance he should then contact an attorney.

Mr. O'Callaghan questioned if the Township is willing to work with him.

Solicitor Prime stated that there is nothing the Township can do at this point.

Katherine Tallon, 53 Oak Lane, New Egypt – She is happy to hear that the Township is looking to start an official Facebook page. She runs the Friends of Mansfield Discussion Group and is willing to help share information. She questioned the meeting that took place on January 2nd and whether that meeting was advertised.

Solicitor Prime stated that to his knowledge it was not.

Ms. Tallon questioned if that was legal.

Solicitor Prime stated there are exceptions in the Open Public Meetings Act for meetings that do not result in any action. The exemption for the January 2nd meeting was in regards to contract negotiations with professionals, as well as, prospective appointments of township officials. This meeting was a preliminary discussion only with no official action taking place until the reorganizational meeting.

Ms. Tallon stated she had attended a few other reorganization meetings and there was some heated debates on who would be chosen for professional contracts. She did not get to hear that during Mansfield's reorganization and she felt robbed that there was a private meeting. She felt Mansfield Reorganization meeting was not genuine as everyone seemed to be on the same page and knew what they were going to do.

Solicitor Prime added that there was nothing to discourage any discussion from taking place during reorganization.

Steve Knezick, 323 Island Road – He is in support of an official Township Facebook page. As far as the JLUB he questioned how long a member can serve and if there is a maximum number of years.

Solicitor Prime stated that the Class IV members (residents), serve for a term of four years.

Mr. Knezick questioned if they can continue serving four years after each term is up.

Solicitor Prime explained that there is no term limitation on Land Use Board members.

Mr. Knezick added that it seems if the Mayor is pro development then he or she can continue to appoint board members with the same viewpoints. He moved onto questioning what is happening on Public Road as he sees some possible testing going on there. He asked if there were any plans submitted for this area.

Mayor Magee added that he is not aware of any development on Public Road. It is his understanding that the only documents the Township has received was a copy of Flood Hazard Verification from NJDEP.

Deputy Mayor Tallon confirmed that the Flood Hazard Verification was the only documentation he saw as well.

Committeeman Higgins questioned the property being discussed.

Mr. Knezick explained the property is commonly known as the Bradley Farm and runs with Route 206 by the gas station. He believes the property to be commercial in the front and residential in the rear.

Committeeman Higgins added that area is not in a redevelopment zone and the Township is not looking to rezone that area in the near future.

Mr. Knezick added that this is the type of information that he would like on the Township's Facebook page. He also agrees with Mr. Schwartz in regards to ordinances.

Solicitor Prime explained that there are notice requirements prior to public hearings for development.

Deputy Mayor Tallon would like to see vision meetings that were done in the past come back as these types of meetings keep the people involved and updated in the processes.

Committeeman Higgins stated that the Master Plan should be looked at and made public to help the public understand what the plans are moving forward.

Joseph Van Mater, 24964 Mount Pleasant Road – He is happy to hear the Township will be creating a Facebook page. He suggested that such page should include events for Township meetings and links to the meetings as well to make it easier for people to access.

Katie Cooney, 329 White Pine Road – She also agrees with a Facebook page. The townships website is an older template and can make it harder for some people to find information. She also questioned a letter she had received regarding wetlands on a property nearby (Route 68).

Solicitor Prime explained that she had received that letter because the property owner is asking NJDEP to approve where the wetlands are and what buffering shall be required. This is usually done prior to developing the property. NJDEP can be contacted to find out where this stands currently.

There were no further comments from the public.

A motion to close public comments was offered by **Committeeman Higgins** and seconded by **Committeeman Ocello**. All ayes. Motion carried.

MAYOR AND COMMITTEE UPDATES/COMMENTS:

Committeeman Golenda: He thanked the residents for their participation and asked that they keep doing so.

Deputy Mayor Tallon: He thanked the public for their questions. He questioned Solicitor Prime if it would be acceptable for him to ask the Committee a question for an individual in regards to a Land Use Board matter, if such question is answerable by the Committee.

Solicitor Prime stated that Mr. Tallon may ask any questions he would like at any time and may attend Land Use Meetings as a member of the public.

Committeeman Ocello: He thought the meeting was very informative and wished everyone a good night and good health.

Committeeman Higgins: He let Mr. Tallon know if he attends any Land Use Board meetings to make sure he does not put any pressure on the board members. He added that he enjoyed the meeting and looks forward to working with everyone.

Mayor Magee: He thanked everyone for their participation. He agrees with Mr. Tallon on many issues. He has family and grandchildren living here and he wants to do what is right for this community. He wished everyone a happy and healthy new year.

MOTION FOR ADJOURNMENT:

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Ashley Jolly, Deputy Clerk

Linda Semus, RMC, CMR