

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY**

**RESOLUTION 2021-5-17**

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

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

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

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

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

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

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

**WHEREAS**, Turnpike Crossings IV, LLC (“TC IV”), the developer of an office/warehouse facility in the Township of Mansfield on Block 45.01, Lot 2.0, paid for a portion of the VA Sewer Improvements and will connect to the VA Sewer Improvements through a small

pump station and lateral connection to be constructed and maintained at TC VI's sole cost and expense; and

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

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

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

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

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

**MOTION: TALLON**

**SECOND: OCELLO**

**ROLL CALL VOTE**

**AYES: GOLEND, HIGGINS, TALLON, OCELLO, MAGEE**

**NAYS: NONE**

**ABSTAIN: NONE**

**ABSENT: NONE**

**CERTIFICATION**

**I, LINDA SEMUS, RMC**, Municipal Clerk of the Township of Mansfield, do hereby certify the foregoing to be a true and accurate copy of the resolution adopted by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at a meeting held on May 19, 2021 at 7:00 PM.

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