

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
REGULAR MEETING MINUTES
August 18, 2021**

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Michael Magee, Deputy Mayor Robert Tallon, Committeeman Rudy Ocello, Committeeman Robert Higgins, Committeeman Daniel Golenda, Township Solicitor Tim Prime, Engineer Doug Johnson, CFO Bonnie Grouser, Administrator Michael Fitzpatrick, Deputy Clerk Ashley Jolly and Clerk Linda Semus.**

Clerk Semus read the following opening statement. 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.

“Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given via Resolution 2021-1-8. Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, posted on the official website, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting and filing having been accomplished as of January 8, 2021.

EXECUTIVE SESSION

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to go into executive session as per the following resolution. Motion carried.

**RESOLUTION 2021-8-1
RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 213, P.L. 1975 [NJSA 10:4-12(B)] permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exists;

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

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows:
Contract Negotiations, Personnel and Attorney Client Privilege
3. It is anticipated at this time that the above subject matter will be made public when the matter has been resolved and approved for release by the Township Solicitor.

Upon conclusion of executive session, **Committeeman Ocello** made a motion to come out of executive session, seconded by **Committeeman Golenda**.

REGULAR MEETING

FINANCE:

A. Amended Bond Ordinance Summary

CFO Grouser, explained they were amending Bond Ordinance 2021-9 which was originally set for the Public Works building addition and fencing; however, the cost of the materials has gone up as the demand is high and the supplies are low. Therefore, that project could not be completed as funded. Instead of doing the addition to the Public Works building, it has been suggested that the monies be allocated to some projects for the parks as well as, still completing the construction of the fence for Public Works.

B. Audit Summary

CFO Grouser, explained that the 2020 audit was filed by our RMA with the Municipal Clerk and the Governing Body as received same. She added that there were no findings in the 2020 audit.

Committeeman Higgins added that he has been very impressed with CFO Grouser over the last two years.

ENGINEER REPORT:

Engineer Johnson went through the following matters on his August report:

Municipal Building RTU Replacement:

The project entails the replacement of the existing roof top units, which condition the air for the second floor of the municipal building. R&V office has conducted a field survey and investigation. The design is underway and is anticipated to be completed mid to late September.

Sheffield Drive & Greenbrook Drive:

Several areas along Sheffield and Greenbrook Drive are experiencing sinkholes above the existing storm sewer infrastructure. A field visit was performed with the Public Works Department and it seems the existing pipes may be structural sound, but are experiencing joint separation. R&V office is recommending trenchless technologies to make repairs to the joints. A scope of services and cost proposal in the amount of \$18,685.00 was submitted for consideration.

CFO Grouser stated that there is enough in the budget to cover the down payment and the remaining may be funded through a bond ordinance.

Committeeman Higgins suggested getting more information from our Public Works Director before making a decision at this meeting. **Administrator Fitzpatrick** felt all parties should be on a conference call to discuss this matter.

Other Updates

Engineer Johnson said the Mansfield Road East Phase III, the DOT project, from North Island Road to Route 206 with DOT funds was recently submitted to the State. Construction will start upon their approval. Land Use projects include progress on site work on the warehouses on Route 206, pre-construction meeting held regarding traffic signals and jug handles as part of that project, Margolis Phase II is underway including the work on the bridge, and a pre-construction meeting was held with Segme (Jones Farm on Route 130).

A motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to accept the Engineer's report. Motion carried.

ORDINANCE: FIRST READING/INTRODUCTION

ORDINANCE 2021-15

BOND ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING BOND ORDINANCE #2021-09, FINALLY ADOPTED MAY 19, 2021 TO AMEND PURPOSES AND USEFUL LIFE

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, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Bond Law"), AS FOLLOWS:

Section 1. Section 3(a)(6) of Bond Ordinance #2021-09, finally adopted May 18, 2021 (the "Prior Ordinance") is hereby amended to read as follows:

VI. Purpose. Construction of Capital Improvements for the Public Works Department, including but not limited to an addition to the existing Public Works Building and fencing around Public Works yard, 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>	\$50,000
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$47,500
<u>Period or Average Period of Usefulness:</u>	25.8 years
<u>Amount of Down Payment:</u>	\$2500.00

Section 2. Section 3(a)(7) of the Prior Ordinance) is hereby amended to read as follows:

VII. Purpose. Improvements and repairs to Township Parks and recreational assets, including but not limited to repairs to tennis, basketball and hockey facilities at Mapleton Park and repairs to basketball facilities and playground facilities, installation of fencing and improvements to Mansfield Community Park, 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>	\$231,500.00
<u>Estimated Maximum Amount of Bonds or Notes:</u>	\$219,925.00
<u>Period or Average Period of Usefulness:</u>	15 years
<u>Amount of Down Payment:</u>	\$ 11,575.00

Section 3. Section 6(b) of the Prior Ordinance) is hereby amended to read as follows:

(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 11.22 years.

Section 4. Except as set forth in Sections 1-3 hereof, the remainder of the Prior Ordinance remains unchanged and in full force and effect.

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 Township Clerk and is available there for public inspection.

Section 6. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to introduce Ordinance 2021-15 and hold the public meeting on September 15, 2021. Motion carried on a Roll Call Vote, recorded as follows:

AYE: HIGGINS, OCELLO, GOLEND, TALLON, MAGEE

NAY: NONE ABSTAIN: NONE ABSENT: NONE

ORDINANCE NO. 2021-16

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND EXIT 52 LOGISTICS SE URBAN RENEWAL LLC PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 et. seq.

WHEREAS, the Township of Mansfield (the "Township") is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, by the adoption of Ordinance No. 2016-4, on March 9, 2016, the Township Committee of the Township of Mansfield designated Block 45.01, Lots 2.01, 3.01 and 3.02 on the Township of Mansfield Tax Map (the "Property"), along with other properties, as an Area in Need of Redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Area"); and

WHEREAS, by the adoption of Ordinance No. 2017-11, on August 16, 2017, the Township Committee adopted a Redevelopment Plan for the Redevelopment Area, including the Property, entitled "The Interstate 295 and Florence-Columbus Road Redevelopment Plan" (the "Redevelopment Plan"); and

WHEREAS, Turnpike Crossings IV, LLC ("Redeveloper") submitted a proposal to the Township to undertake the redevelopment of the Property; and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township's Master Plan; and

WHEREAS, the Township Committee has been designated as the "Redevelopment Entity" (as said term is defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.) for the purpose of implementing the Redevelopment Plan; and

WHEREAS, the Redeveloper has obtained development approvals for the construction of an industrial facility of approximately 698,000 square feet (the "Project") on the Property and

WHEREAS, the Township, by adoption of Resolution 2021-7-2, on July 21, 2021 has designated Redeveloper as the Redeveloper of the Project and authorized the execution of the Redevelopment Agreement with Redeveloper for the Project; and

WHEREAS, in connection with the Project, Redeveloper has requested that the Township consider entering into a financial agreement pursuant to the LTTE Law; and

WHEREAS, in furtherance of such request, and in accordance with the LTTE Law, the Redeveloper submitted a written application, dated June 10, 2021, to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project (the "Improvements"). The Application and letter filing same is attached hereto as Exhibit A.

WHEREAS, the LTTE Law permits the Township to enter into financial agreements of the type proposed, exempting improvements of real property from tax assessment and accepting payments in lieu of taxes, where it is found that the property is qualified; and

WHEREAS, the Redeveloper has negotiated a Financial Agreement with the Township in order to effectuate redevelopment of the Property and the Project, which provides, *inter alia*, for payments in lieu of taxes. A copy of said Financial Agreement is attached hereto and made a part hereof as Exhibit B.

WHEREAS, the Township Committee finds and determines that the Project would not be feasible without a tax exemption for the Improvements, and

WHEREAS, the Township Committee finds and determines that granting Redeveloper an exemption from taxation of the Improvements pursuant to the Financial Agreement, and receipt by the Township of annual service charges in lieu of taxes, allows maximum redevelopment of the Redevelopment Area and is, therefore, in the best interests of the Township and, further, is in accordance with the provisions of the LTTE Law and the public purposes pursuant to which the redevelopment has been undertaken; and

WHEREAS, the Township Committee now deems it to be in the best interests of the Township to approve the Application and adopt an Ordinance authorizing the Township to enter into the Financial Agreement with Redeveloper on the terms and conditions stated in the Financial Agreement and as further set forth herein, including, *inter alia*, the granting of a tax exemption.

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

1. The Township Committee makes the determinations and findings contained herein by virtue of, pursuant to, and in conformity with the LTTE Law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the LTTE Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Application attached hereto as Exhibit A is hereby approved.
4. The Financial Agreement attached hereto as Exhibit B, with all exhibits thereto, is hereby authorized and approved.
5. The Improvements, when constructed and deemed completed, shall be exempt from real property taxation and, in lieu of real property taxes, Redeveloper shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.

6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

A motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to introduce the Ordinance 2021-16 and hold the public hearing on September 15, 2021. Motion carried on a Roll Call Vote, recorded as follows:

AYE: OCELLO, HIGGINS, GOLEND, TALLON, MAGEE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE NO. 2021-17
AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD
AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF
MANSFIELD AND CLPF URBAN RENEWAL 2 LLC PURSUANT TO THE LONG TERM TAX
EXEMPTION LAW, N.J.S.A. 40A:20-1 et. seq.

WHEREAS, the Township of Mansfield (the “Township”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, by adoption of Resolution 2015-4-5, the Township Committee of the Township of Mansfield designated Block 4701.01, Lot(s) 3.02, 9.01, 9.02, 11 and 12 (with other lands) on the Township of Mansfield Tax Map, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Area”); and

WHEREAS, thereafter, by adoption of Ordinance 2016-4, on March 9, 2016, the Township Committee adopted a Redevelopment Plan” for the Redevelopment Area entitled the “Interstate 295 and Florence-Columbus Road Area, Mansfield Township, Burlington County, New Jersey Redevelopment Plan (the “Redevelopment Plan”); and

WHEREAS, Block 47.01, Lots 11.01 and 11.02 (formerly known as Lots 3.02, 9.01, 9.02, 11 and 12) on the Township’s tax map (the “Overall Property”, with Lot 11.02 being referred to herein as the “Property”), are subject to the requirements of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township’s Master Plan; and

WHEREAS, the Township Committee has been designated as the “Redevelopment Entity” (as said term is defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.) for the purpose of implementing the Redevelopment Plan; and

WHEREAS, Florence Columbus Road Urban Renewal LLC (“Redeveloper”) has obtained development approvals for construction of an industrial facility of approximately 811,960 square feet, with a bridge to span Crafts Creek, along with customary site improvements such as roadways, drainage improvements, lighting, landscaping, and the like (the “Project”) on the Property; and

WHEREAS, Redeveloper was conditionally-designated as redeveloper of the Overall Property via Resolution 2018-5-7, and thereafter engaged in a collaborative design process for a proposed project for the Property; and

WHEREAS, the Township, by adoption of Resolution 2020-11-8, on November 18, 2020, has designated Redeveloper as the Redeveloper of the Project and authorized execution of the Redevelopment Agreement with Redeveloper for the Project; and

WHEREAS, the parties subsequently executed a Redevelopment Agreement for the Property, effective November 18, 2020; and

WHEREAS, in accordance with Part II, Section 8.f of the Redevelopment Agreement, Redeveloper assigned the Redevelopment Agreement to CLPF Urban Renewal Mansfield 2 LLC described in the Assignment of Redevelopment Agreement, dated December 22, 2020 (the “Assignment”); and

WHEREAS, in connection with the Project, Redeveloper has requested that the Township consider entering into a financial agreement pursuant to the LTTE Law; and

WHEREAS, in furtherance of such request, and in accordance with the LTTE Law, the Redeveloper submitted a written application dated September 10, 2020 (the “Application”) to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project (the “Improvements”). The Application is attached hereto as Exhibit A; and

WHEREAS, in connection with the Assignment of Redevelopment Agreement, Successor submitted an Amended and Supplement to Application for Long Term tax Exemption, dated April 29, 2021, attached hereto as a supplement to Exhibit A; and

WHEREAS, the LTTE Law permits the Township to enter into financial agreements of the type proposed, exempting improvements of real property from tax assessment and accepting payments in lieu of taxes, where it is found that the property is qualified; and

WHEREAS, the Successor has negotiated a Financial Agreement with the Township in order to effectuate redevelopment of the Property and the Project, which provides, *inter alia*, for payments in lieu of taxes. A copy of said Financial Agreement is attached hereto and made a part hereof as Exhibit B.

WHEREAS, the Township Committee finds and determines that the Project would not have been constructed without a tax exemption for the Improvements, and

WHEREAS, the Township Committee finds and determines that granting Successor an exemption from taxation of the Improvements pursuant to the Financial Agreement, and receipt by the Township of annual service charges in lieu of taxes, allows maximum redevelopment of the Redevelopment Area and is, therefore, in the best interests of the Township and, further, is in accordance with the provisions of the LTTE Law and the public purposes pursuant to which the redevelopment has been undertaken; and

WHEREAS, the Township Committee now deems it to be in the best interests of the Township to approve the Application and adopt an Ordinance authorizing the Township to enter into the Financial Agreement with Successor on the terms and conditions stated in the Financial Agreement and as further set forth herein, including, *inter alia*, the granting of a tax exemption.

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

1. The Township Committee makes the determinations and findings contained herein by virtue of, pursuant to, and in conformity with the LTTE Law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the LTTE Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Application and Supplement attached hereto as Exhibit A is hereby approved.
4. The Financial Agreement attached hereto as Exhibit B, with all exhibits thereto, is hereby authorized and approved.
5. The Improvements, when constructed and deemed substantially completed, shall be exempt from real property taxation and, in lieu of real property taxes, Successor shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.
6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

A motion was offered by **Committeeman Golenda** and second by **Committeeman Higgins** to introduce Ordinance 2021-17. Motion carried on a Roll Call Vote, recorded as follows:

AYE: HIGGINS, OCELLO, MAGEE

NAY: TALLON, GOLEND A ABSTAIN: NONE ABSENT: NONE

Deputy Mayor Tallon explained his no vote because he felt that the PILOT programs should be investigated and scrutinized more carefully.

ORDINANCE NO. 2021-18

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND SEGME MANSFIELD 130 URBAN RENEWAL LLC PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 et. seq.

WHEREAS, the Township of Mansfield (the "Township") is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, by adoption of Ordinance 2020-7 on June 17, 2020, the Township Committee of the Township of Mansfield designated Block 59, Lot(s) 7.01 & 7.02 ("Jones Farm") on the Township of Mansfield Tax Map, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Area"); and

WHEREAS, thereafter, by adoption of Ordinance 2020-7 on June 17, 2020, the Township Committee also adopted a Redevelopment Plan for the Redevelopment Area entitled the "Redevelopment Plan Jones Farm Redevelopment Area" (the "Redevelopment Plan"); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township's Master Plan; and

WHEREAS, the Township Committee has been designated as the "Redevelopment Entity" (as said term is defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.) for the purpose of implementing the Redevelopment Plan; and

WHEREAS, Segme Mansfield 130, LLC (“Redeveloper”) has obtained development approvals for construction of an industrial facility of approximately 610,000 square feet (the “Project”) on the Property; and

WHEREAS, the Township, by adoption of Resolution 2020-11-4, on November 18, 2020, has designated Redeveloper as the Redeveloper of the Project and authorized execution of the Redevelopment Agreement with Redeveloper for the Project; and

WHEREAS, in connection with the Project, Redeveloper has requested that the Township consider entering into a financial agreement pursuant to the LTTE Law; and

WHEREAS, in furtherance of such request, and in accordance with the LTTE Law, the Redeveloper submitted a written application (the “Application”) to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project (the “Improvements”). The Application is attached hereto as Exhibit A.

WHEREAS, the LTTE Law permits the Township to enter into financial agreements of the type proposed, exempting improvements of real property from tax assessment and accepting payments in lieu of taxes, where it is found that the property is qualified; and

WHEREAS, the Redeveloper has negotiated a Financial Agreement with the Township in order to effectuate redevelopment of the Property and the Project, which provides, *inter alia*, for payments in lieu of taxes. A copy of said Financial Agreement is attached hereto and made a part hereof as Exhibit B.

WHEREAS, the Township Committee finds and determines that the Project would not have been constructed without a tax exemption for the Improvements, and

WHEREAS, the Township Committee finds and determines that granting Redeveloper an exemption from taxation of the Improvements pursuant to the Financial Agreement, and receipt by the Township of annual service charges in lieu of taxes, allows maximum redevelopment of the Redevelopment Area and is, therefore, in the best interests of the Township and, further, is in accordance with the provisions of the LTTE Law and the public purposes pursuant to which the redevelopment has been undertaken; and

WHEREAS, the Township Committee now deems it to be in the best interests of the Township to approve the Application and adopt an Ordinance authorizing the Township to enter into the Financial Agreement with Redeveloper on the terms and conditions stated in the Financial Agreement and as further set forth herein, including, *inter alia*, the granting of a tax exemption.

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

1. The Township Committee makes the determinations and findings contained herein by virtue of, pursuant to, and in conformity with the LTTE Law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the LTTE Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Application attached hereto as Exhibit A is hereby approved.
4. The Financial Agreement attached hereto as Exhibit B, with all exhibits thereto, is hereby authorized and approved.
5. The Improvements, when constructed and deemed substantially completed, shall be exempt from real property taxation and, in lieu of real property taxes, Redeveloper shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.
6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

A motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to introduce Ordinance 2021-18. Motion carried on a Roll Call Vote, recorded as follows:

AYE: OCELLO, HIGGINS, MAGEE
NAY: GOLEND, TALLON ABSENT: NONE ABSTAIN: NONE

ORDINANCE NO. 2021-19

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND MANSFIELD NORTH URBAN RENEWAL LLC PURSUANT TO THE LONG TERM TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 et. seq.

WHEREAS, the Township of Mansfield (the “Township”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, by adoption of Resolution 2016-12-20 on November 28, 2016, the Township Committee of the Township of Mansfield designated Block 4, Lot(s) 6.01 & 7 (the “Property”), with other lands, on the Township of

Mansfield Tax Map, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Area”); and

WHEREAS, thereafter, by adoption of Ordinance 2017-4 on March 22, 2017, the Township Committee adopted a Redevelopment Plan for the Redevelopment Area entitled the “U.S. Route 206 Northern Area Redevelopment Plan” (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township’s Master Plan; and

WHEREAS, the Township Committee has been designated as the “Redevelopment Entity” (as said term is defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.) for the purpose of implementing the Redevelopment Plan; and

WHEREAS, Mansfield North Urban Renewal, LLC (“Redeveloper”) has obtained development approvals for construction of an industrial facility of approximately 120,120 square feet, on the Property; and

WHEREAS, the Township, by adoption of Resolution 2021-8-14, on August 18, 2021, has designated Redeveloper as the Redeveloper of the Project and authorized execution of the Redevelopment Agreement with Redeveloper for the Project; and

WHEREAS, in connection with the Project, Redeveloper has requested that the Township consider entering into a financial agreement pursuant to the LTTE Law; and

WHEREAS, in furtherance of such request, and in accordance with the LTTE Law, the Redeveloper submitted a written application dated April 30, 2021 (the “Application”) to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project (the “Improvements”). The Application is attached hereto as Exhibit A.

WHEREAS, the LTTE Law permits the Township to enter into financial agreements of the type proposed, exempting improvements of real property from tax assessment and accepting payments in lieu of taxes, where it is found that the property is qualified; and

WHEREAS, the Redeveloper has negotiated a Financial Agreement with the Township in order to effectuate redevelopment of the Property and the Project, which provides, *inter alia*, for payments in lieu of taxes. A copy of said Financial Agreement is attached hereto and made a part hereof as Exhibit B.

WHEREAS, the Township Committee finds and determines that the Project would not have been constructed without a tax exemption for the Improvements, and

WHEREAS, the Township Committee finds and determines that granting Redeveloper an exemption from taxation of the Improvements pursuant to the Financial Agreement, and receipt by the Township of annual service charges in lieu of taxes, allows maximum redevelopment of the Redevelopment Area and is, therefore, in the best interests of the Township and, further, is in accordance with the provisions of the LTTE Law and the public purposes pursuant to which the redevelopment has been undertaken; and

WHEREAS, the Township Committee now deems it to be in the best interests of the Township to approve the Application and adopt an Ordinance authorizing the Township to enter into the Financial Agreement with Redeveloper on the terms and conditions stated in the Financial Agreement and as further set forth herein, including, *inter alia*, the granting of a tax exemption.

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

1. The Township Committee makes the determinations and findings contained herein by virtue of, pursuant to, and in conformity with the LTTE Law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the LTTE Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Application attached hereto as Exhibit A is hereby approved.
4. The Financial Agreement attached hereto as Exhibit B, with all exhibits thereto, is hereby authorized and approved.
5. The Improvements, when constructed and deemed completed, shall be exempt from real property taxation and, in lieu of real property taxes, Redeveloper shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.
6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to introduce Ordinance 2021-19. Motion carried on a Roll Call Vote, recorded as follows:

AYE: HIGGINS, OCELLO, MAGEE
NAY: GOLEND, TALLON ABSENT: NONE ABSTAIN: NONE

ORDINANCE NO. 2021-20

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD
AUTHORIZING AND APPROVING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF
MANSFIELD AND ELION MANSFIELD URBAN RENEWAL LLC PURSUANT TO THE LONG TERM
TAX EXEMPTION LAW, N.J.S.A. 40A:20-1 et. seq.**

WHEREAS, the Township of Mansfield (the “Township”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, by adoption of Resolution 2019-4-10 on April 17, 2019, the Township Committee of the Township of Mansfield designated Block 30, Lot(s) 9.02, 10, 11, 12 & 13.02 on the Township of Mansfield Tax Map, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Area”); and

WHEREAS, thereafter, by adoption of Ordinance 2020-11 on July 15, 2020, the Township Committee adopted a Redevelopment Plan for the Redevelopment Area entitled the “U.S. Route 206 and Mansfield Road West: Southeast Corner Redevelopment Plan” (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Redevelopment Area for purposes of improving the conditions of same in a manner that is consistent with the Township’s Master Plan; and

WHEREAS, the Township Committee has been designated as the “Redevelopment Entity” (as said term is defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.) for the purpose of implementing the Redevelopment Plan; and

WHEREAS, ELION ACQ, LLC (“Redeveloper”) has obtained development approvals for construction of an industrial facility of approximately 350,000 square feet, together with traffic improvements to the Mansfield Road East and West/Route 206 intersection (the “Project”) on the Property; and

WHEREAS, the Township, by adoption of Resolution 2020-11-5, on November 18, 2020, has designated Redeveloper as the Redeveloper of the Project and authorized execution of the Redevelopment Agreement with Redeveloper for the Project; and

WHEREAS, in connection with the Project, Redeveloper has requested that the Township consider entering into a financial agreement pursuant to the LTTE Law; and

WHEREAS, in furtherance of such request, and in accordance with the LTTE Law, the Redeveloper submitted a written application (the “Application”) to the Township for approval of a tax exemption for the improvements to be constructed as part of the Project (the “Improvements”). The Application is attached hereto as Exhibit A.

WHEREAS, the LTTE Law permits the Township to enter into financial agreements of the type proposed, exempting improvements of real property from tax assessment and accepting payments in lieu of taxes, where it is found that the property is qualified; and

WHEREAS, the Redeveloper has negotiated a Financial Agreement with the Township in order to effectuate redevelopment of the Property and the Project, which provides, *inter alia*, for payments in lieu of taxes. A copy of said Financial Agreement is attached hereto and made a part hereof as Exhibit B.

WHEREAS, the Township Committee finds and determines that the Project would not have been constructed without a tax exemption for the Improvements, and

WHEREAS, the Township Committee finds and determines that granting Redeveloper an exemption from taxation of the Improvements pursuant to the Financial Agreement, and receipt by the Township of annual service charges in lieu of taxes, allows maximum redevelopment of the Redevelopment Area and is, therefore, in the best interests of the Township and, further, is in accordance with the provisions of the LTTE Law and the public purposes pursuant to which the redevelopment has been undertaken; and

WHEREAS, the Township Committee now deems it to be in the best interests of the Township to approve the Application and adopt an Ordinance authorizing the Township to enter into the Financial Agreement with Redeveloper on the terms and conditions stated in the Financial Agreement and as further set forth herein, including, *inter alia*, the granting of a tax exemption.

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

1. The Township Committee makes the determinations and findings contained herein by virtue of, pursuant to, and in conformity with the LTTE Law.
2. The development of the Project is hereby approved for the grant of a tax exemption under the LTTE Law by virtue of, pursuant to, and in conformity with the provisions of the same.
3. The Application attached hereto as Exhibit A is hereby approved.
4. The Financial Agreement attached hereto as Exhibit B, with all exhibits thereto, is hereby authorized and approved.
5. The Improvements, when constructed and deemed completed, shall be exempt from real property taxation and, in lieu of real property taxes, Redeveloper shall make payments to the Township of an annual service charge during the term and under the provisions set forth in the Financial Agreement.
6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

1 service charge during the term and under the provisions set forth in the Financial Agreement.

6. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be transmitted to the State of New Jersey Department of Community Affairs, Director of the Division of Local Government Services.

BE IT FURTHER ORDAINED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Financial Agreement, a true and correct copy of which is attached hereto as Exhibit B, together with any additional documents as are necessary to implement and carry out the intent of this Ordinance and the Financial Agreement.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED that in the event any clause section or paragraph of this Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Township Committee that the balance of this Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect after final adoption and publication according to law.

A motion was offered by **Committeeman Ocello** and second by **Mayor Magee** to introduce Ordinance 2021-20. Motion carried on a Roll Call Vote, recorded as follows:

AYE: OCELLO, MAGEE
NAY: GOLEND, TALLON
ABSENT: NONE ABSTAIN: HIGGINS

Committeeman Golenda explained he voted no on the above ordinance because he feels that active farmland is not an area in need of re-development and that is not what the PILOT program is designed for.

Committeeman Higgins said he abstained due to a conflict of interest and/or the appearance of a conflict of interest.

The motion did not carry.

CONSENT AGENDA

Committeeman Higgins asked for some resolutions to be voted upon separately. However, it was decided to have **CFO Grouser** explained the resolutions as requested by **Committeeman Higgins**.

CFO Grouser explained that Resolution 2021-8-20 relates to the complete collapse of the Civic Club Bridge and authorizes emergency appropriation in the 2021 budget for the amount of \$100,000. \$95,000 is for the contractor to repair the bridge. \$5,000 is for engineering services. This money will be raised in next year's budget. **CFO Grouser** explained that Resolution 2021-8-21 authorizes the award of an emergency contract for the bridge repair in the amount of \$91,889. Resolution 2021-8-22 authorizes an agreement with the engineers in the amount of \$5,000 for professional services relating to the Civic Club Bridge.

It was noted that the bridge will be repaired in 6 days. **Committeeman Higgins** felt the administrative offices of our township did an incredible job.

A motion was offered by **Committeeman Golenda** and second by **Deputy Mayor Tallon** to approve the following consent agenda. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GOLEND, TALLON, OCELLO, HIGGINS, MAGEE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2021-8-2

RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF MANSFIELD TOWNSHIP, BURLINGTON COUNTY, HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE 2020 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"

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

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

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

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

General Comments
Recommendations

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

General Comments
Recommendations

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

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

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

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

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

**RESOLUTION 2021-8-3
RESOLUTION PROMOTING KYLE L. BUCK
TO THE RANK OF SERGEANT FOR THE
MANSFIELD TOWNSHIP POLICE DEPARTMENT**

WHEREAS, a vacancies exist in the rank of Sergeant within the Mansfield Township Police Department; and

WHEREAS, promotional process was initiated to select the most qualified individual for said position; and

WHEREAS, Patrolman Kyle L. Buck had met all criteria necessary; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey that Patrolman Kyle L. Buck is hereby promoted to the rank of Sergeant effective August 18, 2021.

**RESOLUTION 2021-8-4
RESOLUTION MEMORIALIZING AN AWARD OF CONTRACT TO GENTILINI MOTORS FOR THE
ACQUISITION OF ONE (1) 2021 CHEVROLET SILVERADO SPECIAL SERVICE VEHICLE FOR THE
MANSFIELD TOWNSHIP CONSTRUCTION DEPARTMENT**

WHEREAS, the Township of Mansfield is desirous to acquire one (1) 2021 Chevrolet Silverado Special Service Vehicle to be used by the Mansfield Township Construction Department; and

WHEREAS, said vehicle is being purchased through the Mansfield Township's Construction Rider; and

WHEREAS, the State of New Jersey Division of Purchase and Property, Cooperative Purchase Program, has authorized vendors that can provide these services, materials, supplies or equipment under a "state contract" for eligible items pursuant to N.J.S.A. 40A: 11-12; and

WHEREAS, said purchase is authorized through State Contract Number #20-FLEET-01190 for Vehicle and State Contract Number #20-FLEET-01393 for Vehicle Equipment; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that sufficient funds are available through the Construction Rider to finance same; and

WHEREAS, the vehicles are to be titled to the Township of Mansfield.

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

1. The Township Committee hereby awards a Contract to Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 in accordance with the Mansfield Township's Construction Department's specifications and their proposal in the amount of \$36,251.87.
2. The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, does hereby authorize the Mayor and Township Clerk to execute on behalf of the Township any and all documentation necessary for said purchase. Said contract is being awarded retroactively to July 26, 2021.
3. The vehicles are to be titled to the Township of Mansfield.
4. This award is made available through the following account: 18-201-201-099.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

**RESOLUTION 2021-8-5
RESOLUTION MEMORIALIZING AN AWARD OF CONTRACT TO GENTILINI MOTORS FOR THE
ACQUISITION OF ONE (1) 2022 CHEVROLET TAHOE FOR THE MANSFIELD TOWNSHIP
CONSTRUCTION DEPARTMENT**

WHEREAS, the Township of Mansfield is desirous to acquire one (1) 2022 Chevrolet Tahoe to be used by the Mansfield Township Construction Department; and

WHEREAS, said vehicle is being purchased through the Mansfield Township's Construction Rider; and

WHEREAS, the State of New Jersey Division of Purchase and Property, Cooperative Purchase Program, has authorized vendors that can provide these services, materials, supplies or equipment under a "state contract" for eligible items pursuant to N.J.S.A. 40A: 11-12; and

WHEREAS, said purchase is authorized through State Contract Number #21-FLEET-01485 for Vehicle and State Contract Number #17-FLEET-00758 for Vehicle Equipment; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that sufficient funds are available through the Construction Rider to finance same; and

WHEREAS, the vehicles are to be titled to the Township of Mansfield.

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

1. The Township Committee hereby awards a Contract to Gentilini Motors, 2703 Fire Road, Egg Harbor Township, NJ 08234 in accordance with the Mansfield Township's Construction Department's specifications and their proposal in the amount of \$40,390.43.
2. The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, does hereby authorize the Mayor and Township Clerk to execute on behalf of the Township any and all documentation necessary for said purchase. Said contract is being awarded retroactively to July 26, 2021.
3. The vehicles are to be titled to the Township of Mansfield.
4. This award is made available through the following account: 18-201-201-099.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2021-8-6

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain motor vehicles 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:

2005	Ford	Crown Victoria	VIN # 2FAFP71W85X164807
2008	Ford	Crown Victoria	VIN # 2FAHP71V78X178623
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.

RESOLUTION 2021-8-7

RESOLUTION FOR THE RELEASE OF PERFORMANCE GUARANTEE MANHEIM SITE IMPROVEMENTS

WHEREAS, Manheim Remarketing, Inc. DBA Manheim New Jersey posted a Performance Guarantee, Number 016216658 in the amount of \$1,078,423.20 on July 20, 2018 and ;

WHEREAS, Bradd M. Devereux, President of State Environmental Resolutions and representing Manheim NJ, has requested the release of Performance Guarantee 016216658 and;

WHEREAS, Remington & Vernick Engineers has recommended the release of said Performance Guarantee in communication dated July 27, 2021.

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

1. Agrees to release the Performance Guarantee, Number 016216658 Manheim Remarketing in the amount of \$1,078,423.20
2. Remington & Vernick Engineers recommends a waiver of the maintenance guarantee, since the time from which this work was complete exceeds the two (2) year period, and since the area appears to be in good condition.
3. Authorizes the Land Use Coordinator to forward a certified copy of this Resolution to Manheim Remarketing, Inc. DBA Manheim New Jersey.
4. The Land Use Coordinator is authorized and directed to forward the Performance Guarantee to Manheim Remarketing, Inc. DBA Manheim New Jersey.

AND IT IS FURTHER RESOLVED by the Township Committee, as aforesaid, that this release is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspections and reports concerning the improvements covered by said bond or other performance guarantee; and if there be a sufficient sum held in escrow by the township for the purpose of paying for said inspections and reports, said escrow may be utilized for that purpose and in the absence of a sufficient escrow said fees shall be paid by the obligor directly, pursuant to N.J.S.A. 40:55D(2)h.

RESOLUTION 2021-8-8

RESOLUTION MEMORIALIZING AWARD OF CONTRACT TO GENTILINI MOTORS FOR THE ACQUISITION OF ONE 2022 CUSTOM TAHOE FOR FRANKLIN FIRE COMPANY #1

WHEREAS, the Township of Mansfield is desirous to acquire one (1) 2022 Custom Tahoe to be used by Franklin Fire Company #1; and

WHEREAS, the adopted Capital Ordinance 2021-9 contemplated this purchase; and

WHEREAS, the State of New Jersey Division of Purchase and Property, Cooperative Purchase Program, has authorized vendors that can provide these services, materials, supplies or equipment under a "state contract" for eligible items pursuant to N.J.S.A. 40A: 11-12; and

WHEREAS, said purchase is authorized through State Contract Number #21-FLEET-01485; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that sufficient funds are available through issuance of said Capital Ordinance adopted by the Township of Mansfield to finance the same; and **WHEREAS**, the vehicles are to be titled to the Township of Mansfield.

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

1. The Township Committee hereby memorializes award of Contract to Gentilini Motors in accordance with Franklin Fire Company #1's specifications and their proposal in the amount of \$41,262.35.
2. The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, does hereby authorize the Mayor and Township Clerk to execute on behalf of the Township any and all documentation necessary for said purchase. Said contract is being awarded retroactively to July 12, 2021.
3. The vehicles are to be titled to the Township of Mansfield.
4. This award is made available through the following account: 04-215-20-191-404.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2021-8-9

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, this overpayment was due to a payment by Corelogic Tax Service., and they are requesting a refund;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on August 18, 2021 hereby authorizes the refunding of the following to Corelogic Tax Service by the Tax Collector.

Block	Lot	Property Owner	Amount	
1	McNabb, Madison	\$ 1.72		32
42.06	24	Lombardo, Domenic	\$1,380.92	
42.08	86	Moore, Rupert & Daphne	\$1,088.21	
42.32	2	Rotondo, Dominic & Amanda	<u>\$3,472.55</u>	
			Total	\$5,943.90

RESOLUTION 2021-8-10

RESOLUTION FOR THE REFUND OF TAX OVERPAYMENTS

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

WHEREAS, this overpayment was due to a payment by Wells Fargo., and they are requesting a refund;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on August 18, 2021 hereby authorizes the refunding of the following to Wells Fargo by the Tax Collector.

Block	Lot	Property Owner	Amount
17	4	Stobie, John & Kelly	\$1,231.80

RESOLUTION 2021-8-11

RESOLUTION FOR THE REFUND OF ACH DIRECT WITHDRAWAL

WHEREAS, Property Taxes were paid by ACH Direct Withdrawal on the property listed below; and

WHEREAS, the property was sold and the seller, Edward Walsh did not notified the Tax Department to remove the ACH Direct Withdrawal in the system, so a refund is due back to Edward Walsh.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on August 18, 2021 hereby authorizes the refunding to Edward Walsh by the Tax Collector.

Block	Lot	Prior Property Owner	Amount
23.01	159	Edward Walsh	\$2,084.74
			Total \$1,231.80

RESOLUTION 2021-8-12

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH ALAIMO GROUP, FOR SURVEY SERVICES – MINOR SUBDIVISION, BLOCK 28, LOT 5.02 (FORMER RECYCLING YARD) 24548 EAST MAIN STREET IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, there currently exists the need to subdivide the 2.032 acre land-locked parcel behind the property formerly known as the Mansfield Township Municipal Complex; and

WHEREAS, the Township has requested a quote from our Township Engineer to provide survey services for said Minor Subdivision; and

WHEREAS, Alaimo Group had submitted a proposal dated August 11, 2021, (attached hereto and made a part hereof as Exhibit A) in an amount not to exceed \$10,000.00 to provide the engineering services requested.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey at their regular meeting held on August 18, 2021, at the Municipal Complex at 7:00 PM that:

1. The Township Committee hereby authorizes the execution of a contract to the Alaimo Group for the survey services for a minor subdivision at property known as Block 28, Lot 5.02

- (located behind the former Mansfield Township Municipal Complex for an amount not to exceed \$10,000.00, as set forth in detail in Exhibit A.
2. The Mayor and Township Clerk are hereby authorized to execute a contract and any related documents in a form substantially the same as that included in the specifications.

RESOLUTION 2021-8-13

AUTHORIZING PAID EXCUSED ABSENCE DURING REGULAR BUSINESS HOURS BY MUNICIPAL EMPLOYEES AS MEMBERS OF STATUTORY VOLUNTEER ORGANIZATIONS

WHEREAS, New Jersey Statute Title 40A: 9-160.1 entitled "Compensatory Time Off for Employees who are Members of Certain Volunteer Organizations" provides that "The governing body of any municipality shall grant time off from work with pay for municipal employees who are members of the volunteer fire company serving the municipality, volunteers in first aid or rescue squads serving the municipality or volunteer drivers of municipally owned or operated ambulances when such employees are called to respond to alarms occurring during the hours of their employment."

WHEREAS, Mansfield Township has municipal employees who are members of Township volunteer organizations and who would be subject to the statutory exemption.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that, pursuant to N.J.S. 40A:9-160.1, any municipal employee who is a member of the volunteer fire company serving the municipality, a volunteer in first aid or rescue squads serving the municipality or is a volunteer driver of municipally owned or operated ambulances shall be granted time off with pay when such employee is called to respond to alarms occurring during the hours of his or her employment."; and

BE IT RESOLVED, that the Township Clerk, Administrator and CFO shall maintain a list of municipal employees eligible for the statutory exemption granted herein.

RESOLUTION 2021-8-14

RESOLUTION DESIGNATING MANSFIELD REALTY NORTH URBAN RENEWAL, LLC AS REDEVELOPER OF PROPERTY IN THE U.S. HIGHWAY ROUTE 206 NORTHERN REDEVELOPMENT AREA KNOWN AS BLOCK 4, LOTS 6.01 AND 7 ON THE TAX MAP OF MANSFIELD TOWNSHIP AND AUTHORIZING THE EXECUTION OF A REDEVELOPMENT AGREEMENT WITH REDEVELOPER

WHEREAS, by adoption of Resolution No. 2016-12-20 on December 28, 2016, the Township Committee of the Township of Mansfield designated Block 3, Lots 3.01, 3.02, 4, 5.01, 6.01, 6.02, 6.03, 6.05, 6.06, 6.07, 6.08, 6.09, 9 and 10.01, and Block 4, Lots 4.01, 4.02, 4.03, 5, 6.01, 6.02, 7, 8.01, 8.02, 8.03, 9, 10.01, 10.02 and 11, as designated on the Township of Mansfield Tax Map, as an area in need of redevelopment in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "Redevelopment Area"); and

WHEREAS, thereafter, by adoption of Ordinance No. 2017-4 on March 22, 2017, the Township Committee adopted a redevelopment plan for the Redevelopment Area entitled the "Redevelopment Plan U.S. Highway Route 206 Northern Area" and dated February 2, 2017 (the "Redevelopment Plan"); and

WHEREAS, Mansfield Realty North, LLC obtained preliminary and final site plan approval from the Mansfield Planning Board on April 15, 2020, by Resolution 2020-2-6, for a 722,800 square feet warehouse on Block 3, Lot 5.01 and 10.01 on the east side of Route 206 ["Phase 1"] and a 120,120 square feet warehouse on Block 4, Lot 6.01 and 7 on the west side of Route 206 ["Phase 2"] (both the "Project") on the portion of property in the Redevelopment Area described above (the "Property"); and

WHEREAS, by adoption of Resolution 2020-7-11 on July 15, 2020, the Township designated Mansfield Realty North LLC and its successor Mansfield 206 East Urban Renewal LLC as Redeveloper of Phase 1 of the Property, and Phase 1 of the Project is currently under construction; and

WHEREAS, Mansfield Realty North Urban Renewal LLC ("Redeveloper") has negotiated a Redevelopment Agreement with the Township in order to effectuate redevelopment of Phase 2 of the Property on the west side of Route 206 on Block 4, Lots 6.01 and 7 of the Property and the Project, a copy of said Redevelopment Agreement attached hereto and made a part hereof as Exhibit A; and

WHEREAS, the Township Committee finds and determines that it is in the best interest of the citizens and taxpayers of Mansfield Township to approve the Redevelopment Agreement for the redevelopment of Phase 2 of the Project and the construction of the Project,

NOW, THEREFORE, BE IT RESOLVED, in accordance with the Local Redevelopment and Housing Law at N.J.S.A. 40A:12A-7, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that the Township hereby designates and approves Mansfield Realty North Urban Renewal LLC ("Redeveloper") as Redeveloper of Phase 2 of the Project on the west side of the Property on Route 206 on Block 4, Lots 6.01 and 7 on the Mansfield Township Tax Map; and

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Township of Mansfield, and any other officials of the Township of Mansfield, as may be applicable, are hereby each authorized to execute and deliver the Redevelopment Agreement that has been negotiated with Redeveloper, a true and correct copy of which is attached hereto as Exhibit A, pursuant to which Phase 2 of the Project on the west side of the Property on Route 206 on Block 4, Lots 6.01 and 7 on the Mansfield Township Tax Map will be redeveloped.

RESOLUTION 2021-8-15

RESOLUTION MEMORIALIZING THE AWARD OF CONTRACT TO BEN SHAFFER RECREATION INC. FOR THE PURCHASE AND INSTALLATION OF KAYPARK BENCHES AND TABLES FOR MANSFIELD COMMUNITY PARK PURSUANT TO ESCNJ CO-OP #65MCESCCPS – ESCNJ 20/21-22

WHEREAS, The Township of Mansfield, Burlington County has the need for a contractor to perform the services of supply and installation of ADA compliant picnic tables and benches at the Mansfield Township Community Park, to assist in ADA regulations through the 2021 Community Development Block Grant funding; and

WHEREAS, the Township of Mansfield, Burlington County, is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey (ESCNJ), a cooperative purchasing program organized pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11; and

WHEREAS, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be a fair and open process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq; and

WHEREAS, the Township of Mansfield, Burlington County, desires to purchase for installation KayPark Benches and Tables from Ben Shaffer Recreation Inc. pursuant to ESCNJ CO-OP #65MCCESCCPS – ESCNJ 20/21-22 with funding through the 2021 CDBG: removal and replacement of existing benches and tables with ADA compliant benches and picnic tables at the Mansfield Township Community Park; and

WHEREAS, Ben Shaffer Inc. has submitted a proposal dated July 22, 2021 indicating they will provide and install the KayPark Benches and Tables for the proposed amount of \$51,893.06; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has certified that sufficient funds are available to award said contract; and

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

1. The Township Committee hereby awards a contract for the purchase and installation of KayPark Benches and Tables in accordance with the specifications described in the proposal, by and between Mansfield Township, Burlington County and Ben Shaffer Recreation Inc., PO BOX 844, Lake Hopatcong, New Jersey 07849, pursuant to the terms and conditions of the ESCNJ CO-OP #65MCCESCCPS – ESCNJ 20/21-22, be and is hereby approved and authorized. Said contract is being awarded retroactively to July 26, 2021.
2. Funds for this purchase: 02 286 54 000 291

BE IT FURTHER RESOLVED that the Mayor and Township Clerk, as necessary, are hereby authorized to execute said contract with Ben Shaffer Recreation Inc.; and

RESOLUTION 2021-8-16

RESOLUTION AUTHORIZING EXECUTION OF SECTION A-1 NJDEP FORM WQM-003 CONSENT BY GOVERNING BODY TO SUBMISSION OF APPLICATION FOR TREATMENT WORKS APPROVAL FOR THE JONES FARM/SEGME MANSFIELD 130 LLC DEVELOPMENT PROJECT, BLOCK 59, LOT 7.01 & 7.02 MANSFIELD TOWNSHIP

WHEREAS, Mansfield Township has received a written request for execution of New Jersey Department of Environmental Protection (DEP) Form WQM-003, Section A-1 Consent by Governing Body for Treatment Works Approval (TWA) for the Jones Farm/Segme Development Project, Block 59, Lots 7.01 & 7.02 (“Development”); and

WHEREAS, the Development will be served by a private, on-site sewer treatment facility to be constructed, maintained and operated by the Developer at the Developers sole cost and expense; and

WHEREAS, the Township previously adopted Resolution 2021-7-20 pursuant to N.J.A.C. 7:15-3.5(g) consenting to municipal consent consenting to a Tri-County Water Quality (WQM) Amendment to establish a 43.7 acre sewer service area (SSA) for the Development; and

WHEREAS, DEP requires a Treatment Works Approval (TWA) of the actual design and construction of the private, on-site sewer treatment facility.

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

1. The Mayor, as an “Authorized Representative of the Governing Body” on behalf of Mansfield Township, is hereby authorized to execute the New Jersey Department of Environmental Protection (DEP) Form WQM-003, Section A-1 Consent by Governing Body for Treatment Works Approval (“TWA”) for the Jones Farm/Segme Mansfield 130 LLC development project, Block 59, Lots 7.01 & 7.02 (“Development”).
2. A certified copy of this resolution shall be submitted to the NJDEP.

RESOLUTION 2021-8-17

RESOLUTION AWARDED CONTRACT TO RICH TREE SERVICE FOR TREE REMOVAL AND TREE MAINTENANCE (PRUNING) IN ACCORDANCE WITH THE MANSFIELD TOWNSHIP’S PUBLIC WORKS DEPARTMENT SPECIFICATIONS

WHEREAS, the Township of Mansfield is desirous to award a contract for tree removal and tree maintenance in accordance with the Mansfield Township’s Public Works Department specifications; and

WHEREAS, the State of New Jersey Division of Purchase and Property, Cooperative Purchase Program, has authorized vendors that can provide these services, materials, supplies or equipment under a “state contract” for eligible items pursuant to N.J.S.A. 40A: 11-12; and

WHEREAS, said purchase is authorized through State Contract Number 18-DPP-00645; and

WHEREAS, the Chief Financial Officer, Bonnie Grouser, has determined that there are sufficient funds for said services; and

WHEREAS, this award is made available through the following Streets and Road Line Item: 01-201-26-290-299; and

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

1. The Township Committee hereby awards a Contract to Rich Tree Service, 333 Bergen Street, South Plainfield, New Jersey 07080 in accordance with the Mansfield Township's Public Works Department's specifications and their proposal in the amount of \$9,920.00. Said contract is being awarded retroactively to August 10, 2021.
2. The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, does hereby authorize the Mayor and Committee to execute any and all documentation necessary for said services.
3. This award is made available through the following Road Improvements Capital Line Item: 01-201-26-290-299.

RESOLUTION 2021-8-18

RESOLUTION AWARDING CONTRACT TO ALCAR TENNIS COURT CONSTRUCTION FOR THE REPAIRS TO TWO BASKETBALL COURTS AT MANSFIELD COMMUNITY PARK AND FOR THE REPAIRS TO TWO TENNIS COURTS AT COUNTRY WALK PARK

WHEREAS, P.L. 2011, c.139 allows local contracting units to utilize national cooperative contracts as a method of procurement of goods and services; and,

WHEREAS, Sourcewell (formerly NJPA) is a service cooperative created by the Minnesota legislature as a local unit of government (Minn. Const. art. XII, sec 3); and,

WHEREAS, pursuant to the Act, Sourcewell is authorized to contract with eligible entities to perform governmental functions and services, including purchase of goods and services; and,

WHEREAS, in reliance on such authority, Sourcewell has instituted a cooperative purchasing program under which it contracts with eligible entities under the Act; and,

WHEREAS, Mansfield Township Burlington County has joined and is a member of the Sourcewell cooperative purchasing program and is eligible to purchase goods and services available under contracts that have been duly awarded by Sourcewell; and,

WHEREAS, Sourcewell has awarded a contract that was publicly advertised and bid to AstroTurf Corporation under contract #060518-AST for Athletics & Playgrounds and Alcar Tennis Court Construction being an authorized contractor partner of the AstroTurf Cooperation allows Alcar Tennis Court Construction to directly market and sell to the members of all cooperative purchasing organizations for which AstroTurf Cooperation has been awarded; and,

WHEREAS, the Qualified Purchasing Agent, in accordance with the requirements of P.L. 2011, c. 139 has recommended to the Governing Body the use of the contract awarded by Sourcewell for the repairs to two basketball courts at Mansfield Community Park and for the repairs to two tennis courts at County Walk Park for the reasons of efficiency and economy; and,

WHEREAS, The New Jersey Department of Community Affairs in LFN 2012-10, sets forth that the contracting unit must engage in a procedure that assert that cost savings benefits will be achieved, and further that the national contract entity has demonstrated that it has met appropriate New Jersey requirements; and,

WHEREAS, the Qualified Purchasing Agent has engaged in a process wherein such requirements have been satisfied; and,

WHEREAS, funds have been authorized for this purchase by adopted Capital Ordinance 2021-9;

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

1. The Township Committee hereby awards a contract for the repairs to two basketball courts at Mansfield Community Park and for the repairs to two tennis courts at Country Walk Park in accordance with the specifications described in the Proposal, by and between Mansfield Township Burlington County and Alcar Tennis Court Construction, 1 Branchville Lawson Road, Newton, NJ 07860, pursuant to the terms and conditions of the AstroTurf Corporation contract #060518-AST for Athletics & Playgrounds, be and is hereby approved and authorized.
2. The total amount authorized for this purchase shall not exceed \$81,000, less any eligible discounts that may be applied for prompt progress payments.
3. Funds for this purchase have been authorized against Capital Ordinance 2021-9, as approved by the Township Committee at the Regular Meeting that was held on May 19, 2021, in the total amount of \$1,980,600.00.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2021-8-19

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE PURCHASE AND INSTALLATION OF FENCING FOR THE MANSFIELD TOWNSHIP RECYCLING YARD FROM FOX FENCE ENTERPRISES, INC. PURSUANT TO ESCNJ CO-OP #65MCECCPS – ESCNJ 20/21-37

WHEREAS, the Township of Mansfield, Burlington County, is a party to a cooperative purchasing agreement with the Educational Services Commission of New Jersey (ESCNJ), a cooperative purchasing program organized pursuant to N.J.S.A. 40A:11-10 and N.J.A.C. 5:34-7.11; and

WHEREAS, the Local Public Contracts Law authorizes a municipality to purchase goods and services through duly-formed cooperative purchasing system without advertising for bids; and

WHEREAS, the procurement of goods and services through a cooperative purchasing program is considered to be a fair and open process under the New Jersey Pay-To-Play Law N.J.S.A. 19:44A-20.4 et seq; and

WHEREAS, the Township of Mansfield, Burlington County, desires to purchase for installation approximately 400LF 6H All Black Chain Link Fence from Fox Fence Enterprises, Inc. pursuant to ESCNJ CO-OP #65MCECCPS – ESCNJ 20/21-37; and

WHEREAS, Fox Fence has submitted a proposal dated August 9, 2021 indicating they will provide and install the approximately 400LF 6H All Black Chain Link Fence for the proposed amount of \$37,246.00; and

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

1. The Township Committee hereby awards a contract for the purchase and installation of the approximately 400LF 6H All Black Chain Link Fence in accordance with the specifications described in the proposal, by and between Mansfield Township, Burlington County and Fox Fence Enterprises, Inc., 417 Crooks Avenue, Clifton, New Jersey 07011, pursuant to the terms and conditions of the ESCNJ CO-OP #65MCECCPS – ESCNJ 20/21-37, be and is hereby approved and authorized.
2. Funds for this purchase have been authorized against Capital Ordinance 2021-9, as approved by the Township Committee at the Regular Meeting that was held on May 19, 2021, in the amount of \$1,980,600.00

BE IT FURTHER RESOLVED that the Mayor and Township Clerk, as necessary, are hereby authorized to execute said contract with Fox Fence Enterprises, Inc.; and

RESOLUTION 2021-8-20

RESOLUTION AUTHORIZING AN EMERGENCY APPROPRIATION IN THE 2021 BUDGET

WHEREAS, an emergency has arisen with respect to the collapse of the Civic Club Bridge and, no adequate provision was made in the 2021 budget for the aforesaid purpose, and NJSA 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$100,000.00 and three (3) percent of the total operating appropriations in the budget for 2021 is \$185,200.58; and

WHEREAS, the forgoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2021; and

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJSA 40A:4-48:

1. An emergency appropriation is hereby made for Building & Grounds: Other Expenses in the amount of \$95,000.00.
2. An emergency appropriation is hereby made for Engineering Services: Other Expenses in the amount of \$5,000.
3. That said emergency appropriation shall be provided for in full in the 2022 budget, and is requested to be excluded from CAPS, pursuant to NJSA 40A:4-53.3c(1).
4. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2021-8-21

RESOLUTION AUTHORIZING AN AWARD OF AN EMERGENCY CONTRACT PURSUANT TO N.J.S.A. 40A:11-6 FOR THE EMERGENCY BRIDGE REPAIR AT THE CIVIC CLUB

WHEREAS, an emergency has arisen with respect to the collapse of the Civic Club Bridge (“Bridge”); and

WHEREAS, the Township Superintendent has notified the Township Committee in writing that the collapse of the Bridge is an emergency affecting the public health, safety or welfare, requiring immediate repair; and

WHEREAS, N.J.S.A.40A:11-6 authorizes an award of an emergency contract without advertisement for bids and bidding therefore when an emergency affecting the public health, safety or welfare requires the immediate performance of the services; and

WHEREAS, the Township Engineer, Alaimo Engineering Group, has obtained a proposal and has recommended the award of an emergency contract for the emergency Bridge repair at the Civic Club to Sparwick Contracting, Inc. in the amount of \$91,889; said proposal attached hereto and made a part hereof as Exhibit A; and

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

1. An emergency exists with respect to the immediate need to repair the collapsed Bridge at the Civic Club, which emergency requires the issuance of an emergency contract, without advertisement for bids and bidding therefore, for the immediate performance of services in order to protect the public health, safety or welfare.
2. As recommended by the Township Engineer, Alaimo Engineering Group, the Township Committee hereby authorizes the award of an emergency contract to Sparwick Contracting, Inc., 21 Sunset In Road, Lafayette, New Jersey, 07848 in accordance with the Township Engineer’s specifications and the proposal in the amount of \$91,889.00 attached hereto as Exhibit A.
3. The Mayor and Township Clerk are hereby authorized to execute any and all documentation necessary to effectuate the award of the emergency contract and this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

RESOLUTION 2021-8-22

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT WITH ALAIMO GROUP ENGINEERS, FOR THE ENGINEERING/DESIGN SERVICES FOR THE EMERGENCY BRIDGE REPAIR AT THE COLUMBUS CIVIC CENTER BRIDGE LOCATED IN MANSFIELD TOWNSHIP

WHEREAS, Alaimo Group has submitted a proposal for professional services on August 13, 2021 (attached hereto and made a part hereof as Exhibit A) in an amount not to exceed \$5,000.00 to provide the engineering/design services for the emergency bridge repair at the Columbus Civic Center Bridge.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey at their regular meeting held on August 18, 2021, at the Municipal Complex at 7:00 PM that:

1. The Township Committee hereby authorizes the execution of a contract to Alaimo Group Engineers for the Engineering/Design Services for the emergency bridge repair at the Columbus Civic Center Bridge for a sum not to exceed \$5,000.00, as set forth in detail in Exhibit A.
2. This award is made available through the following account:
01-201-20-165-127
3. The Mayor and Township Clerk are hereby authorized to execute a contract and any related documents in a form substantially the same as that included in the specifications.

**RESOLUTION 2021-8-23
RESOLUTION AMENDING RESOLUTION 2021-1-6, "APPOINTMENT OF MUNICIPAL
POSITIONS/BOARDS/EMPLOYEES" TO ADD AND REVISE POSITIONS OF RECREATION
COMMITTEE MEMBERS**

WHEREAS, there still remains vacant positions within the Recreation Committee Roster; and

WHEREAS, the Recreation Committee has actively been seeking members to complete their membership roster and has hereby recommended Kristen Mederos be appointed as a member.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Resolution 2021-1-6 which was adopted by the Mansfield Township Committee at their Reorganization Meeting of January 4, 2021 is hereby amended by adding Kristen Mederos to the Membership Roster of the Mansfield Township Recreation Committee.

BILL LIST: Regular and Escrow

A motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to approve the bill list as submitted. Motion carried on a Roll Call Vote, recorded as follows:

AYE: OCELLO, HIGGINS, GOLEND, TALLON, MAGEE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

MINUTES: July 21, 2021

A motion was offered by **Committeeman Golenda** and second by **Committeeman Ocello** to approve the minutes of the July 21, 2021 meeting. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GOLEND, OCELLO, HIGGINS, GOLEND, TALLON, MAGEE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

REPORTS: Clerk, Court, Construction, Zoning, Tax, EMS, Recreation, Finance

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to accept the reports as submitted. Motion carried.

DISCUSSION

a. Mr. Laino's Correspondence

Administrator Fitzpatrick explained the correspondence inasmuch as Mr. Laino claims they are having trouble renting to tenants because of the restrictions in the C-1 zone. He would like to speak to the township in regard to broadening out the restrictions in that zone to provide him the opportunity to bring in new tenants. A meeting is to be scheduled with **Attorney Prime, Committeeman Golenda, Mayor Magee**, and Mr. Laino who is to post escrow fees prior to the meeting.

b. NFI Meeting re: Signage

A meeting has been requested from NFI to discuss signage on their building. **Deputy Mayor Tallon** and **Committeeman Golenda** are to meet with NFI regarding signage on Wednesday, August 25th, time to be discussed.

c. Doug Borgstrom Correspondence regarding sidewalks

Administrator Fitzpatrick referred to an email from Mr. Borgstrom written in 2016 relating to a sidewalk trust fund created through developers throughout the years. Currently there is \$154,904. Mr. Borgstrom is requesting the sidewalks on East Main Street on both sides, continue from their end to the exit of the park. Mr. Borgstrom also requested sidewalks be continued out of town toward the Meadows development. In addition, he requested sidewalks on Locust Street, from the location of the school to Cherry Lane and then to East Main Street. In addition, Mr. Borgstrom suggested extending the sidewalks on West Main Street from the current end to the Country Walk Park. It was suggested to contact the county since it is a county road. **Administrator Fitzpatrick** is to speak with Mr. Borgstrom, contact the county and report back.

d. Active Acquisitions

Attorney Prime spoke of the correspondence from Active Acquisitions in regard to a possible revision to the affordable housing site to substitute three warehouses for the market rate housing in Tower Gate. They want to meet with several township professionals at their expense. **Mr. Prime** asked the Committee for advice as to how to proceed. **Mayor Magee** felt there is no interest at all proceed with warehouses and made that into a motion. The motion was second by **Deputy Mayor Tallon**. **Committeeman Higgins** felt this developer needed sewer from Bordentown and questioned why action was needed. **Mayor Magee** responded that he didn't want our current plans jeopardized. A Roll Call Vote was taken on the motion as follows:

AYE: MAGEE, TALLON, GOLEND, OCELLO, HIGGINS

NAY: NONE ABSENT: NONE ABSTAIN: NONE

e. **Committee Conduct**

Mayor Magee referred to phone calls he received in regard to a meeting held in this building on August 3, 2021. Since he was not aware of this meeting, he suggested a policy moving forward for this committee that, any time a meeting is called in the municipal building which is intended to be a public meeting is listed as such, where the public is invited and attendance is not limited to just a few residents. A motion was offered by **Mayor Magee** that, any meetings are held in the municipal building with the public in attendance should be advertised.

PUBLIC COMMENT

Kristianna Goodenough, 28126 Gaunt's Bridge Road, referred to large ruts on the turning lane off Mansfield Road East. In addition, she referred to a section of route 206 where there are ruts. Ms. Goodenough asked for an update on the emergency signal at the exit of the Municipal Complex since there is signage up stating there is an emergency signal. **Administrator Fitzpatrick** will reach out to the state.

Carl Schwartz, 40 Fitzgerald Lane, suggested having the traffic engineer in attendance at the signage meeting for NFI. **Administrator Fitzpatrick** explained he will speak to Attorney Prime about the attendees at the meeting. Mr. Schwartz asked who will own the sidewalk if Mr. Borgstrom's proposal is acted upon. He was told it would be the property owner. Mr. Schwartz felt the property owner should be contacted prior to a sidewalk being installed.

Marcial Mojina, 26 Sherwood Lane, questioned the township's plan for a situation where the vote was tie. **Attorney Prime** explained a problem does exist and he will discuss this with the committee. Mr. Mojina asked for explanation of a Resolution which Mr. Prime explained.

Leah DeFlippo, 2225A Old York Road, asked why more Pilot Programs are being given out since she referred to prior discussion wherein the Committee has said there is enough money from the Pilot program to last for the next 50 years. She felt the warehouse developers should not get preferential treatment since they are just taking away farmland.

Frank Pinto, 420 Island Road, asked if approval was given to the warehouses for early morning pours as they violated the noise ordinance. Mr. Johnson explained there should be limited noise as trucks will be coming off Route 206. Concrete pour is not usually noisy. **Administrator Fitzpatrick** felt the early morning pours should be addressed. Mr. Pinto recommended looking at the State Model Noise Ordinance which implies construction activities be limited to certain hours of the day. **Attorney Prime** felt the noise should be addressed through hours of operation limitation because of the equipment needed for noise control.

Mr. Pinto referred to discussion on signage for NFI and said he had stressed, during the NJLB Meeting, deterring trucks from going toward the town center.

Mr. Pinto asked who was directing Attorney Prime in negotiating the length of time for the PILOT programs with the warehouse developers. **Administrator Fitzpatrick** said it was the prior committee. Attorney Prime said the tax assessor and bond counsel were also involved. Mr. Pinto referred to future developments which are being proposed and questioned where the money will come from to offset our school taxes. **Administrator Fitzpatrick** added that we can give money to the schools. **Committeeman Higgins** said a lot of thought has gone into the decisions being made as services will be increased for our tax payers without an increase in taxes.

Dom Marchetti, 386 Mansfield Road East, asked if the resurfacing of Mansfield Road East would incorporate the storm drains because the drain between his property and the neighbor is malfunctioning as most of the water floods into the yards. He questioned whether any type of sidewalk would be included which may incorporate a drain system. **Engineer Johnson** felt that the DOT could be contacted to see if the current plans could be changed during construction to address some areas. **Administrator Fitzpatrick** felt that we should try to figure out how to alleviate the problem rather than have the DOT involved.

Colleen Herbert, 2 Millennium Drive, asked if the schools will be contacted considering the road work being planned with the warehouse roadway changes. The road is heavily traveled by parents and students and, if there will be an impact to the traffic, the school should know. **Engineer Johnson** responded by saying the school representatives have been invited to pre-construction meetings. Mrs. Herbert complimented Brandon for work completed in other parts of the community. Mrs. Herbert then referred to signage of the warehouses and recommended visiting other communities such as Florence to see what they have done. Mrs. Herbert agreed with Mr. Borgstrom in regard to sidewalks. She felt Aaronson Road is disgraceful and dangerous with the shrubbery and/or branches hanging over hitting the tops of cars. She then spoke of a meeting held which was exclusive. She found it hurtful and disrespectful. As far as Route 206, she thinks it is pathetic. When sewer pipes are extended down the side of her house, she said it better be a better job than the paving on Route 206. Mrs. Herbert felt that property maintenance "stinks" in this town and needs to be better. She asked the Committee a way to enforce property maintenance. **Administrator Fitzpatrick** said property maintenance is being conducted but is hard to enforce as it winds up in court where it is lost.

Tony Quinto, 27 Waverly Drive, referred to the PILOT program and suggested that numbers are presented to the public for their information.

Megan Wolf, 18 Stratton Avenue, thanked the Committee for listening to the public in regard to the Active Acquisitions proposal. She spoke of an incident in regard to traffic where tractor trailers were

involved at the intersection of Kinkora Road and Route 130, a dangerous intersection. The addition of more trucks at the Jones Farm will make it even more dangerous.

Tom Knezick, 25346 Mt. Pleasant Road, referred to the meeting held on August 3rd, and asked how this meeting came about. **Committeeman Golenda** responded explaining the discussion about warehouses where only a certain amount of people could attend. Mr. Knezick then questioned meetings held “behind closed doors”. **Mayor Magee** responded that he has never participated in any meetings of this type.

John O’Callaghan, 53 Oak Lane, New Egypt, asked for clarification of Resolution 2021-8-14. **Attorney Prime** responded it is about a redevelopment agreement for the smaller warehouse on Route 206 which has been approved by the JLUB. He questioned the Fairness Hearing on September 8th and whether it will be a public hearing. **Attorney Prime** responded saying, unless there is an objection, it will be accomplished by paper. Mr. O’Callaghan asked if there is movement on the stormwater plan. **Attorney Prime** explained work is progressing but not complete. Mr. O’Callaghan questioned why a PILOT program was considered for Elion who has not received final approval. **Attorney Prime** explained his procedure. Mr. O’Callaghan asked if there was any movement on the Master Plan to which he was told no. Mr. O’Callaghan then asked who sets procedures for **Attorney Prime** to work on. He was told the Township Committee. In addressing the fact that Mr. O’Callaghan does not live in this community, **Committeeman Ocello** questioned why Mr. O’Callaghan repeats his concerns and we should be listening to our own residents. Mr. O’Callaghan responded and then said he felt personally insulted.

Joe VanMater asked what will be posted on line in regard to the PILOT programs. **Attorney Prime** said, although all of the PILOT programs have the same terms, one will be posted on the website along with the 5 ordinances. Mr. VanMater then commented on the exchange between Mr. O’Callaghan and **Committeeman Ocello** and felt it was inappropriate as he felt Mr. O’Callaghan presents informative information. He was very displeased with **Committeeman Ocello** treatment of Mr. O’Callaghan.

Marcial Mojina, 26 Sherwood Lane, referred to a safety issue on Aaronson Road and felt the developer was required to address the problem. **Mayor Magee** explained that the forester identified some trees to be native and felt they should not be removed. Therefore, the developer was not going to remove anything. It was decided to address this issue at a future meeting.

Carl Schwartz, 40 Fitzgerald, commented that, after 30 years, the township goes back to 15% of the taxes. The benefit of the PILOT decreases every year. He felt we should have a financial plan and 30 years from now, our revenue stream goes down, we better have a plan to maintain and support everything we did in the prior 30 years. There has to be a financial plan.

With no more comments from the public, a motion was offered by **Committeeman Golenda** and second by **Deputy Mayor Tallon** to close the public hearing. Motion carried.

COMMITTEE COMMENTS

Committeeman Golenda referred to the August 8th meeting and explained how it occurred, with a limited amount of people. It was in regard to fighting warehouse development. It was discussions of Senate Bill 3688 and the desire to close the loophole that redevelopment has with taking farmland and deeming it in need of reassessment which he felt was done inappropriately in this township. There was no decision made. He apologized that some people were upset.

Committeeman Ocello wished everyone good health and advised the wearing of masks.

Committeeman Higgins said the meeting did cause reaction in the township. In addition, he was contacted by a resident who questioned behavior of one of the Planning Board Members who was communicating with Committee people during the meeting in regard to the Elion application. There were two members of the Committee in attendance at the meeting although he had recused himself and he questioned whether this was legal. This was a concern of a resident who asked this to be brought to the attention of the committee. He asked **Attorney Prime** to report back on this issue.

Deputy Mayor Tallon thanked **Committeeman Golenda** for planning the August 8th meeting that he felt was education as he was in attendance. He said he didn’t realize the problem created and apologized.

MOTION TO ADJOURN

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to adjourn the meeting.

PREPARED BY:

RESPECTFULLY SUBMITTED BY

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC, CMR
Municipal Clerk

