

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
REGULAR MEETING MINUTES
September 15, 2021
ZOOM MEETING**

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, Solicitor Julia Hahn, 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 Ocello** and second by **Committeeman Higgins** to go into executive session as per the following resolution. Motion carried.

RESOLUTION 2021-7-

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:
Personnel Matters 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 the executive session, a motion was offered to close the session by **Committeeman Ocello** and second by **Committeeman Higgins** to adjourn the Executive Session. Motion carried.

Attorney Prime explained the purpose of the executive session was approval of Extended hours for the public works department and a raise in salaries for the construction department due to increased work load.

REGULAR MEETING

The regular meeting was opened followed by the flag salute. A Roll Call was taken with the members in attendance as listed above. **Clerk Semus** read the opening statement as noted above.

ENGINEER'S REPORT

Engineer Johnson referred to storm water repairs with public works. Potential costs have been given to **Administrator Fitzpatrick** as well as Brandon from Public Works. More decisions in regard to the piping will be forthcoming before a decision is made.

In addressing flooding on Mansfield Road East as noted by a resident, Public Works has cleaned some of the roadside swales which has helped. More monitoring will be conducted.

Resurfacing of Mansfield Road East from Island Road to Route 206 has been advertised. Bids will be opened on September 22 at 10:30 in the Municipal Building.

The rooftop heater replacement design is under way. A progress plan review meeting will be set up later this month.

No capital projects are under construction at this time. Land Use Board Projects under construction are the Celestial Church's request for a bond reduction, work is on-going for the Mansfield Realty North Warehouse on Route 206. A preconstruction meeting had been held regarding the jug handles to be constructed on Route 206 starting in September. Construction is underway at the Margolis Phase II as well as the bridge connecting Phase I to Phase II. Light clearing and storm water control has begun at the Jones Farm site. Bond estimates and escrows have been prepared for other approved projects including PSE&G substation on Old York Road, Diocese of Trenton subdivision on Mansfield Road East and Island Road, APWC Worship House on White Pine Road and the west side warehouse on Mansfield Realty North.

Engineer Prime addressed a resident's concern about hours of construction indicating a meeting will be held with the Township Engineer and Police Chief to prohibit off hours unless specific relief is granted by the Township Committee.

Committeeman Higgins spoke of the two warehouses breaking ground and the roll back taxes which will be received this year. He felt it will be close to \$800,000. However, exact numbers were not available at this meeting. **Committeeman Higgins** recommended that, in the future, Roll Back taxes are not use to fund future operations but to hold the money in trust.

A motion was offered by **Committeeman Higgins** and second by **Deputy Mayor Tallon** to accept the Engineer's Report. A Roll Call Vote was taken as follows:

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

SECOND READING/PUBLIC HEARING/FINAL ADOPTION

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.

CFO Grouser said that Ordinance 2021-9 was adopted on May 19th approving an addition to the public works building and a fence around the recycling yard in the amount of \$189,000. The second purpose was improvements and repairs to various township parks at \$92,500. After the ordinance was adopted, there was an increase in supplies which were limited, both projects couldn't be funded. Therefore, it was decided to complete one of the purposes funding \$139,000 from the Public Works projects to parks to allow completion of the park project and revisit the addition to the public works building in the future. Therefore, \$50,000 is being designated to complete the fence around the recycling. \$231,000 will be funded for improvements and repairs to the Township Parks. Not addition funding is proposed. The money has been repurposed.

A motion was offered by **Deputy Mayor Tallon** and second by **Committeeman Golenda** to open the Public Hearing. Motion carried.

With no comments, the Public Hearing was closed on motion offered by **Committeeman Ocello** and second by **Committeeman Golenda**. Motion adjourned.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Golenda** to adopt Ordinance 2021-15. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2021-9-2

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, NEW JERSEY RATIFYING THE ISSUANCE AND SALE OF UP TO \$48,000 OF SPECIAL EMERGENCY NOTES OF THE TOWNSHIP OF MANSFIELD; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, *inter alia*, municipalities to adopt ordinances authorizing special emergency appropriations for the preparation of an approved tax map; and

WHEREAS, the Township Committee of the Township of Mansfield, County of Burlington, New Jersey ("Township"), has duly and finally adopted Ordinance 2019-13 ("Ordinance"), appropriating the sum of \$80,000 to pay the costs associated with the preparation of an approved tax map for the Township ("Project"); and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A. 40A:4-55*, authorizes the Township to issue special emergency notes to finance the costs of the Project and requires the Township to pay, at maturity, one-fifth of the total amount authorized under the Ordinance; and

WHEREAS, it is the desire of the Township to issue its special emergency notes in the principal amount of up to \$48,000, as further described in Exhibit "A", the proceeds of which will be used to finance the Project; and

WHEREAS, pursuant to the Local Budget Law and the Ordinance, it is the intent of the Township Committee to hereby authorize, approve and direct the issuance and sale of such special emergency notes for the Project as further described in Exhibit "A" attached hereto, to ratify and confirm certain actions heretofore taken by or on behalf of the Township, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, New Jersey (not less than two-thirds of the members thereof affirmatively concurring), pursuant to local budget law, as follows:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the Township, to be designated, substantially, "Township of Mansfield, County of Burlington, New Jersey, Special Emergency Notes, Series 2020 B ("Notes"), in an aggregate principal amount of up to \$48,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Malamut & Associates, Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the Township Committee after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the Township Committee, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, N.J.S.A. 40A:4-55(b).

Section 5. The Notes shall be issued in bearer form in denominations of \$10,000 or greater. The Notes shall be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the Township affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the Township Clerk or Deputy Township Clerk.

Section 6. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the Township without limitation as to rate or amount.

Section 7. The Township hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (i) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The Township hereby covenants as follows: (i) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The Township hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The Township hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the Township hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the Township during the period from January 1, 2021 to December 31, 2021, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the Township: (i) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)(c) of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the Township by the Mayor, Administrator, Chief Financial Officer, Township Clerk, other Township officials or by the Township's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Chief Financial Officer and Township Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or Township Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 15th day of September, 2021.

CFO Grouser explained that, in 2019, a special emergency appropriation was approved for the preparation of an approved tax map for \$80,000, a five year note. Every year, \$16,000 is appropriate in the budget to pay off the note which will be paid off in 2023. This is a formality.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to adopt resolution 2021-9-2. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2021-9-3

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain motor vehicles and equipment 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 Township owned 2001 pierce pumper is hereby declared to be surplus property no longer needed for public use:
2001 Pierce Saber VIN#: 4PICT02U61A001452
2. The Fire Chief and Township Clerk are directed to arrange for the public auction of the township owned fire vehicle through Brindlee Mountain Fire Appartus, a service used by various government agencies, allowing them to sell surplus property via the internet.

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

Administrator Magee explained that Mr. Borgstrom recommends the sale of the 2001 fire pumper, to start around \$40,000. The Fire Company would like to utilize the money to outfit a new pumper as well as other equipment although the pumper is owned by the Township. **Mayor Magee** recommended that Mr. Borgstrom lists his recommendation for the use of the money received to be discussed at a later time.

A motion was offered by **Committeeman Ocello** and second by **Deputy Mayor Tallon** to adopt Resolution 2021-9-3. Motion carried on a Roll Call Vote, recorded as follows:

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

Mayor Magee noted that the following four ordinances are all about the Pilot Program and discouraged the same dialogue on all four.

ORDINANCE: SECOND READING/PUBLIC HEARING/FINAL ADOPTION

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.

Attorney Prime explained that this and the following three ordinances, under the long term tax exemption law, have to be approved by ordinances. The Pilot Agreements provide for an annual service charge on the improvements on the property in lieu of regular property taxes. The land taxes are the same and paid by the owner but there is an annual service charge, instead of the regular property taxes on the improvements that are to be constructed by the developer. All of the four ordinances before the Committee this evening have the same financial terms and are the result of a lot of study by the CFO, Administrator, and his office and represent a significant increase in the annual service charge over the two existing pilot agreements that the Township already has on the Mansfield Realty East already under construction and the Margolis Phase I and II already under construction. All the projects have redevelopment agreements and approvals from the Land Use Agreement. **Attorney Prime** further explained the names of the warehouse applicants for each resolution being approved.

A motion was offered by **Deputy Mayor Tallon** and second by **Committeeman Ocello** to open the public hearing.

Joseph VanMater noted that all four pilots being discussed in the Ordinances are all traditional pilots where the amount they pay increases over time. In addition, the money comes in at the same rate over a period of time. He asked if there are any pro or con in having half of the pilots start at the higher rate followed by a decrease to prevent larger increases in money paid to the township at first. **Attorney Prime** said the goal is to give the developer a chance to get started to give the projects a chance to get up and running. Then the township will benefit kicking in, over a term of the pilot, percentages of what they would otherwise pay in taxes on the improvements. In the last 12 years of the Pilot, the developers pay 60 to 80 percent of what they would otherwise pay. The municipality keeps a much higher percentage of that than they would of regular taxes.

Administrator Fitzpatrick added that the long term implications of the projects have been factored in.

Mr. VanMater further questioned that, based on the pilots, in the 31st year, our budget would have to go back down unless the pilot was replaced. **Attorney Prime** the idea is to budget that the money and allocate the money intelligently. Extra money would be generated for special projects the township needs but doesn't have the funds to pay.

Committeeman Higgins further felt that this will provide financial planning for the future.

Josh Roser, 24739 East Main Street, questioned why we are giving PILOTs and not get all the money we can because he felt we were in a prime location. He felt it is of more benefit to them than to us. **Attorney Prime** said they do get a tax break on the improvements but the Township keeps 95% of that charge as opposed to about 13% of the regular taxes. The money paid to Mansfield Township is maximized with the Pilot Program. Mr. Roser noted that schools don't benefit to which **Attorney Prime** remarked that the projects don't generate school children. In addition, the Township can allocate funds to the school boards for special projects.

Administrator Fitzpatrick added that Mansfield Township gets only 13% of the taxes which really is difficult in protecting our residents to fix roads, basins, etc. The Pilot Program allows us to control our own destiny. The schools with get the tax dollars on the land values which will amount to a lot of money with no students added.

Mr. Roser questioned whether our infrastructure costs will go up such as first responders and etc. **Administrator Fitzpatrick** explained the PILOT program will provide for a stronger police department as well as EMS services.

Frank Pinto, 420 Island Road, questioned why the Township didn't ladder the agreements by having some short term and possibly some long term. He felt they do nothing for our taxes. Why didn't the committee consider some without PILOTS and some with shorter terms as there would be money for the municipal budget as well as the school system? He said we can allocate to the school system but that would pale to the comparison that they will get to the property paying full taxes. He felt this is questionable from a municipal budget prospective but, if they were laddered, they serve both purposes and he felt this is a mistake.

Administrator Fitzpatrick questioned why the school should get all the money as they do spend a lot. Maybe the school shouldn't spend so much with improvements. Just look at it. Now we have a chance to help our own people with improvements. He said he received many complaints about the condition of our town and it's about time we take care of our own folks.

Deputy Mayor Tallon felt that we should have staggered the PILOTS and this was not looked at thoroughly.

Administrator Fitzpatrick said this was discussed with prior committees.

Mayor Magee added that the inability to provide major services to our own residents has been a major problem and this is finally being addressed. We want to take care of our roads, stormwater management problems, state mandates, etc. With warehouses, no children are being generated. Previous Committees have reviewed this and a decision is being made in the best interest of our residents.

Attorney Prime questioned how to determine the staggering and put them to competitive disadvantage. In addition, the Township would end up with less money.

Mr. Pinto said, in his visit with many residents, the number one complaint is property taxes. He continued to feel that one or two of the PILOTs should be shorter term or even with no PILOT.

Carl Schwartz, felt that, without the PILOT, the schools get a tremendous windfall of money and questioned what they would do with it. The schools will get additional money and they will spend it although they could use it to reduce their expenses to us. The schools will receive more money from the change in the land use. By building the warehouse with or without the PILOT, they will get additional money, therefore they will benefit. The Township will have to manage the money they receive whether they put it in trust or use it for additional projects. This needs to be done with prudent financial planning.

Committeeman Higgins felt we should take care of the problems we have in the township and, if there is money left over, he felt it could be used for the schools. He further noted the amount of money our Township sends to Northern as compared to the other townships. The decision to make is whether we should improve services to the residents or give it to the schools to spend however they want. In the future, if we can reduce the taxes for the elementary schools, then we should go in that direction.

John O'Callaghan, 53 Oak Lane, New Egypt, NJ thanked the Committee for showing the numbers from the warehouses. He spoke of how the PILOT is more beneficial to the township. However, the school and county do not benefit as much. He felt the Township should consider exploring some PILOTS, not all.

Marcial Mojena, 26 Sherwood Lane, said, with respect to the schools, everyone should understand that, with the PILOTS, the schools are still getting a substantial amount of money on the change in the land values over the course of the next 30 years. It is a false narrative to say the schools are losing money. The County will also receive a substantial amount of money. This is a win for everyone.

Committeeman Higgins said, without the PILOTs, the schools will be getting nothing. They will receive money during the 30 years of the PILOT and then will receive significantly more after the PILOT ends.

Administrator Fitzpatrick said, as an experienced prior School Board member, he witnessed waste. He has seen what takes place and he said he has voted on budgets for the school board. The Committee is voting on what is good for Mansfield.

Committeeman Higgins said he is a Registered Municipal Accountant and has reviewed budgets. He agrees with **Administrator Fitzpatrick's** comments.

Deputy Mayor Tallon said he appreciated what has been done in the past but we have a duty to off-set taxes in any way we can. If we can do this with the warehouses, we should.

Committeeman Higgins felt this Committee is resolving the Township's financial position which he feels in under control and will even better when the projects kick in. This Committee is leaving this township in the strongest financial position it has ever been and will ever be.

In responding to **Committeeman Golenda's** question about the way the State comes up with the Affordable Housing Fees, **Attorney Prime** said it is based on a formula devised by a Judge where each region has a regional share it has to provide and the numbers are negotiated which are held up by the Court.

Kate Tallon, 53 Oak Lane, New Egypt, NJ, felt the warehouses were approved with no concern for the stormwater regulations.

Joseph VanMater, questioned **Committeeman Higgins** on his comments in regard to allocating some of the extra money in a savings account. **Committeeman Higgins** said that, when a developer starts a development, once he breaks ground, a Roll Back tax is assessed for the past three years. His concern is that we don't use that for operations and it is kept in a fund balance to be used in future years to help keep the local purpose tax under control.

Mr. VanMater asked if the township is allowed to offset taxes with the money and use it for the schools. He was told the township can pay for to fund a viable project for the schools to lower the taxes.

Kate Tallon 53 Oak Lane, New Egypt, NJ. spoke of stormwater management and the need for money for this purpose. She added that the warehouses were approved prior to the 2020 Stormwater Regulations which should have been rolled out in 2020. The stormwater basins being built for the warehouses are defunct. But they were allowed to be built, thus the township asked for problems. She felt there will be future issues.

A motion was offered by **Mayor Magee** and second by **Committeeman Higgins** to close the public hearing. Motion carried with an opposition from **Deputy Mayor Tallon**.

A motion was offered by **Committeeman Ocello** and second by **Mayor Magee** to adopt Ordinance 2021-16. Motion carried on a Roll Call Vote, recorded as follows:

AYE: OCELLO, MAGEE, GOLEND, HIGGINS, TALLON
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 **Deputy Mayor Tallon** and second by **Committeeman Ocello** to open the Public Hearing. Motion carried.

Joseph VanMater asked that, if the Township does approve a special project for the school, does that decrease Mansfield Township's resident's obligation toward the school, especially the Regional where Mansfield pays a certain percentage. He was told it has no impact on the local tax rate. However, as clarified by **Administrator Fitzpatrick**, it would give the school board an opportunity to lower the taxes as it is less money they would have to take from the taxpayer.

Joseph VanMater asks, if we didn't have a PILOT and, in referring to Northern Burlington where the township pays a portion of the money, when Mansfield Township fully funds its portion, if there is extra money, what does the school do with the money once they are fully funded. **Committeeman Higgins** answered that they can either reduce taxes or expand services.

Kate Tallon, 53 Oak Lane, New Egypt, NJ. referred to new data being revealed showing that the PILOT programs are actually harming communities because taxes are being raised due to the loss of money to support infrastructure that the warehouses are bringing in. She questioned whether the right decision is being made.

John O'Callaghan, 53 Oak Lane, New Egypt, NJ asked if the taxes will go down with the PILOT program. **Attorney Prime** said that, if the PILOT program were to be used for the operating budget, the taxes could be reduced if everything else remained the same.

Marcial Mojena said everyone will get revenue they didn't have before including the county, the school and the township. There is no reason why some of the money can't come back to the taxpayers. This is something to be considered.

Matt Garen, 372 New York Avenue, commented that Northern is receiving 4.5 million dollars for the first

time in military impact aid. Let's see if our taxes do, in fact, go down.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Ocello** to close the public hearing. Motion carried.

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

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

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 **Deputy Mayor Tallon** and second by **Committeeman Higgins** to open the public hearing. Motion carried.

There being no public comments, a motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to close the public hearing. Motion carried.

A motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to adopt 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 open the Public Hearing. Motion carried.

With no comments from the public, a motion was offered by **Committeeman Ocello** and second by **Committeeman Higgins** to close the public hearing. Motion carried.

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

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

FIRST READING/INTRODUCTION

Ordinance 2021-21

AN ORDINANCE AMENDING ORDINANCE 2021-12, THE “MANSFIELD TOWNSHIP AFFORDABLE HOUSING ORDINANCE” TO ADOPT TWO SUBCHAPTERS INCORPORATING THE TOWNSHIP’S “MARKET TO AFFORDABLE” AND “SUPPORTIVE AND SPECIAL NEEDS HOUSING” PROGRAMS.

WHEREAS, as part of Mansfield Township's affordable housing compliance, on July 21, 2021, the Township adopted Ordinance 2021-12, the “Mansfield Township Affordable Housing Ordinance”; and

WHEREAS, on September 8, 2021, Judge Covert, the Assignment Judge of the Burlington County Superior Court, conducted a final compliance hearing to consider Mansfield Township's compliance with its affordable housing obligation; and

WHEREAS, as part of the final compliance hearing conducted by Judge Covert, the Court Special Master, David J. Banich, PP/AICP, issued a third and final Compliance Report, dated September 7, 2021; and

WHEREAS, as part of said report, the Special Master recommended that the Township amend the Township's “Affordable Housing Ordinance” to include two subchapters further detailing the Township's “Market to Affordable” program and its “Supportive and Special Needs Housing” program; and

WHEREAS, after hearing the Special Master's testimony and accepting the Special Master Compliance Report, the Court ordered the Township to adopt to the following amendments.

NOW, THEREFORE, IT BE ORDAINED, by the Township of Mansfield, in the County of Burlington that Ordinance 2021-12, the “Mansfield Township Affordable Housing Ordinances” is hereby amended to add the two sub-chapters as set forth below:

Section 3A: Market to Affordable Rental Rehabilitation Write-down/buy-down Program:

Purpose. Mansfield Township's Third Round affordable housing Housing Plan Element and Fair Share Plan identifies a minimum of twenty-two (22) units of existing rental housing stock in Columbus village and in the area of Kinkora Road to address a portion of the Township's 265-unit Third Round new construction affordable housing obligation. These units are to be subsidized through the Township's affordable housing trust fund under the provisions of the NJ Council on Affordable Housing's Market-to-affordable regulations found at N.J.A.C. 5:93-5.11, “Write-down/buy down of previously owned units” and will be subject to a 30-year deed restriction and mortgage lien on each unit as per N.J.A.C. 5:80-26.11. The program shall create 22-units of affordable rental. At least 11 units shall be low-income units, of which three (3) shall be very low-income units at rents affordable to very low-income households, subject to the requirements of N.J.A.C. 5:80-26.1 et seq. and the following:

- a. A minimum of at least \$20,000 per unit shall be used to subsidize the cost of the buydown unit.
- b. Rents shall conform to the standards in N.J.A.C. 5:93-7.4.
- c. At least half of the units in each building shall be affordable to low-income households and rents shall be affordable to households earning an average 52 percent of median income for the region. or the range of affordability will be accommodated elsewhere in the housing plan. The sales prices shall be based on the number of bedrooms in accordance with N.J.A.C. 5:93-7.4.

- d. All rental units created through this program shall be affirmatively marketed in accordance with N.J.A.C. 5:93-11.
 - e. The units shall be exempt from bedroom mix requirements pursuant to N.J.A.C. 5:93-7.3.
 - f. All units shall have a 30-year deed restriction and mortgage lien on each unit as per Technical Appendix E, N.J.A.C. 5:93;
 - g. The program shall be administered by the Township’s Administrative Agent, who shall:
 - i. Maintain an up-to-date inventory of units that meet the requirements of a buy-down program.
 - ii. Qualify and place income eligible households in low- and moderate-income units upon initial occupancy.
 - iii. Place income eligible households in low- and moderate-income units as they become available during the 30-year term of affordability controls.
 - iv. Enforce the terms of the deed restriction and mortgage lien.
 - v. Sponsor a home ownership counseling program and post purchase session for prospective purchasers.
 - vi. Conduct annual household income surveys to ensure that occupancy remains available to affordable households in accordance with the deed restriction.
10. Encourage the dispersment of these units throughout the municipality if all 22 affordable rental cannot be completed within the Columbus village and Kinkora Road areas of the Township.

Section 3B: State Licensed Community Residences / Supportive and Special Needs Housing Program:

Mansfield Township’s State Licensed Community Residences / Supportive and Special Needs Housing Program is designed to respond to a portion of the Township’s Third Round affordable housing new construction obligation by creating a minimum of twelve (12) units of supportive and special needs housing (group homes) for the special needs population. The units shall conform to the following minimum standards identified at N.J.A.C. 5:93-5.8, “Alternative living arrangements.”

- a. The unit of credit for an alternative living arrangement shall be the bedroom.
- b. Alternative living arrangements that are age restricted shall be included with the 25 percent that may be age restricted pursuant to N.J.A.C. 5:93-5.14.
- c. A minimum subsidy of \$15,000 per unit (bedroom) shall be provided.
- d. Controls on affordability on a community residence / alternative living arrangement group home shall be provided and shall remain in effect for the maximum time period permitted by the State licensing agency providing on-going service costs for the State-licensed community residence.
- e. The agreement between the State-licensing agency and the service provider shall include a reversion clause providing a first right of refusal to the licensing agency for purchase of the community residence prior to any sale the community residence.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

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

A motion was offered by **Committeeman Ocello** and second by **Committeeman Golenda** to introduce Ordinance 2021-21. Motion carried on a Roll Call Vote, recorded as follows:

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

CONSENT AGENDA

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

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

RESOLUTION 2021-9-4

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

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

WHEREAS, the Township Committee realizes that certain At-Will and Statutory Township Employees have not received a Cost Of Living Increase for the year 2021; and

WHEREAS, the Township Committee has sufficient funds to approve a 2.5% increase in wages to be paid to certain At-Will and Statutory Township Employees, which will be retroactive to January 1, 2021; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey does hereby approve a 2.5% increase in wages paid to certain Statutory and At-Will Township Employees, retroactive to January 1, 2021.

RESOLUTION 2021-9-5

RESOLUTION AMENDING COMPENSATION FOR THE CHIEF AND LIEUTENANT OF THE MANSFIELD TOWNSHIP POLICE DEPARTMENT

WHEREAS, the Chief and the Lieutenant of the Mansfield Township Police Department perform a variety of duties and a range of functions not required from the lower ranking officers; and

WHEREAS, the Chief and Lieutenant are required to conduct these duties and services on an around the clock basis, along with the attendant administrative/supervisor role required of ranking officers; and

WHEREAS, the Township has determined that it is in its best interests to modify the compensation for both the Chief and Lieutenant while providing the service; and

WHEREAS, the Chief and Lieutenant are “Exempt” salaried employees, and thus are not eligible for overtime pay; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Chief is to be compensated at a rate of ten (10%) percent above the Lieutenant salary to compensate for all duties, and the Lieutenant is to be compensated at a rate of ten (10%) above the Sergeant’s base and holiday pay, retroactive to January 1, 2021.

RESOLUTION 2021-9-6

RESOLUTION FOR THE TRANSFER OF TAX OVERPAYMENTS TO 2022

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

WHEREAS, owners approved moving the 4th quarter 2021 overpayment; and

WHEREAS, the overpayment was applied to 1st qtr. 2022 property taxes.

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 September 15, 2021 hereby authorizes the transfer of the following by the Tax Collector.

Block	Lot	Property Owner	Amount
42.12	36	Hitchon, Robert & Jodi	\$ 25.99
42.16	16	Vitas, Misako	\$148.10
64	5.02	T Wang Investmetnts	\$ 18.41

RESOLUTION NO. 2021-9-7

RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE FOR THE CELESTIAL CHURCH OF CHRIST COLUMBUS-HEDDING ROAD, BLOCK 31, LOTS 6.05 & 6.06 PERFORMANCE BOND REDUCTION #2

WHEREAS, The Celestial Church of Christ has received an inspection of their project located at Columbus-Hedding Road, Block 31, Lots 6.05 & 6.06 by Remington & Vernick Engineers; and

WHEREAS, The Celestial Church of Christ has requested Reduction #2; and

WHEREAS, As per Resolution 2015-4-13 said Bond was previously reduced from \$1,186,558.80 to \$1,026,008.10

WHEREAS, Remington & Vernick Engineers, Inc., by letter dated August 31, 2021, inspected the improvements and recommends Reduction #2 to said Bond established and reduced in the amount of \$1,026,008.10, to a further reduced amount of \$982,249.20 and

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

1. The Township Committee agrees to Reduction #2 as indicated by the Township Engineer in the amount of \$982,249.20
2. The Municipal Land Use Coordinator is authorized and directed to forward a certified copy of this Resolution to the Celestial Church of Christ.

BE IT FURTHER RESOLVED, by the Township Committee, as aforesaid, that this reduction in the developer’s bonding obligation is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspection and report concerning the improvements covered by said bond or other performance guarantees; 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 fee shall be paid by the obligor directly, pursuant to N.J.S.A. 40:55D-53(2)h.

RESOLUTION 2021-9-8

RESOLUTION AUTHORIZING THE REFUND OF DRIVEWAY PERMIT FEE AND ESCROW FOR 10 FARMVIEW LANE (BLOCK: 42.01 LOT: 13)

WHEREAS, a driveway permit application was submitted on May 5, 2021 for the purpose of widening a driveway located at 10 Farmview Lane, Block 42.01, Lot 13, and

WHEREAS, a fee in the amount of \$25.00 was received for said permit together with an escrow fee of \$250.00 to cover costs of inspections by the Township’s Engineers; and

WHEREAS, the applicant, Victoria Cummings, did not utilize the aforementioned permit and is now requesting a refund for the same; and

WHEREAS, the Township Clerk, by way of correspondence dated August 27, 2021, has recommended a refund, from the general fund account, to the applicant in the amount of \$25.00 for the application fee and a refund, from the escrow account, the sum of \$250.00; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, that a refund in the amount of \$25.00 and \$250.00 respectively, to Victoria Cummings, is hereby approved and authorized.

RESOLUTION 2021-9-9

RESOLUTION AWARING CONTRACT TO ALCAR TENNIS COURT CONTRUCTION FOR THE REPAIRS TO ONE TENNIS COURT AND ONE BASKETBALL COURT AT GEORGETOWN PARK LOCATED IN THE MAPLETON DEVELOPMENT

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 one tennis court and one basketball court at Georgetown Park in the Mapleton Development 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 repair to one tennis court and one basketball court at Georgetown Park located in the Mapleton Development 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 \$42,000, 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 2021-9-10

RESOLUTION OF THE TOWNSHIP COMMITTEE APPOINTING A PART-TIME MANSFIELD TOWNSHIP ADMINISTRATIVE ASSISTANT TO THE PUBLIC WORKS' FOREMAN

WHEREAS, the Mansfield Township Public Works' Foreman is in need of a part-time Administrative Assistant at this time; and

WHEREAS, said part-time position is not to exceed seven (7) hours per week; and

WHEREAS, the compensation for the position is \$5,250.00 per year; and

WHEREAS, Jeannie E. Pompei, who has been employed by the Township since July 18, 2018 and has demonstrated exceptional work ethics and skills; and

WHEREAS, Ms. Pompei had expressed interest in assuming the duties and position of Administrative Assistant to the Public Works' Foreman and was found to meet the qualifications that best meet the needs of the department;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 15, 2021 at the Municipal Complex at 7:00 PM that **Jean E. Pompei** is hereby appointed as a part time Administrative Assistant to the Public Works' Foreman at the compensation of \$5,250.00 per year and not to exceed seven (7) hours per week, effective August 19, 2021.

RESOLUTION 2021-9-11

RESOLUTION APPOINTING CHARLES B. METZ AS ACTING PUBLIC WORKS MANAGER WITHIN THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON AND STATE OF NEW JERSEY

WHEREAS, under NJSA 52:27 there is a requirement under the Department of Community Affairs for Townships to have a Certified Public Works Manager (CPWM) or an Acting Principal Manager (APWM) to head the public works department; and

WHEREAS, the Township Committee has deemed it necessary to be compliant with the Department of Community Affairs' Regulations in the best interest of the community; and

WHEREAS, the CPWM or APWM oversees and assists in all Building and Grounds and the Township Recycling Programs and is considered an on-call, 24 hour per day, seven day a week position; and

WHEREAS, Charles B. Metz, has held the title of Public Works Foreman within the Mansfield Township's Public Works Department and has been performing the duties of this job since his appointment on July 15, 2020; and **WHEREAS**, Mr. Metz has already completed the necessary courses to obtain the certification necessary as the CPWM and will be scheduling to sit for the state exam;

WHEREAS, Mr. Metz has shown exceptional work ethics and the Township Committee is satisfied with the performance of Mr. Metz and wishes to appoint Mr. Metz as the Temporary Public Works Manager until said time that he has satisfactorily acquired said certification necessary;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington and State of New Jersey, that **Charles B. Metz** is hereby appointed as the Temporary Public Works Manager for the Township of Mansfield with no additional compensation for said title.

BILL LIST: Regular and Escrow

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

AYE: OCELLO, GOLEND, HIGGINS (See Below) **TALLON, MAGEE**(See Below)
NAY: NONE **ABSENT: NONE** **ABSTAIN: HIGGINS** (from Check #12113)
ABSTAIN: MAGEE(from Check #12113)

MINUTES: August 18, 2021

A motion was offered by **Committeeman Ocello** and second by **Mayor Magee** to approve the minutes of the August 18, 2021. Motion carried.

REPORTS: Clerk, Court, Construction, Zoning (July and August), Tax, Finance, EMS, Recreation, Police (July and August)

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

DISCUSSION

- a. Recycling Totes and Recycling Yard
Administrator Fitzpatrick reported that, at the request of the Public Works Foreman, since, there has been a run on requests for second and third recycling bins over the past year or so. Since cost to the township is \$55 for a 96 gallon toter, the Public Works Foreman felt this cost should be passed on to the residents as now they are free. **Committeeman Higgins** felt that, since recycling is every other week, we should give them a second one but charge for any more. **Committeeman Golenda** agreed. **Deputy Mayor Tallon** felt that we should charge for the third one but was questionable about the second. After discussion, it was decided to charge for the second toter.

Administrator Fitzpatrick said that there are many participants in the Saturday morning drop offs. Over 100 residents utilize the yard and the garbage overflows often causing the use of the recycling truck. **Administrator Fitzpatrick** suggested a meeting to determine how to handle this. He suggested determining that people are residents and also possibly having a fee for service. In addition, there are items that really don't belong in the recycling yard. **Mayor Magee** suggested additional hours and identification to make sure we are serving residents. He didn't recommend more charges to our residents. It was agreed that proof of residency should be started immediately. A brush pile can be started now. A meeting is to be held with **Mayor Magee, Committeeman Golenda**, and office staff to decide on any other restrictions, etc.

- b. Speed Limits on local streets
Deputy Mayor Tallon felt we need to evaluate our speed limits on many of our township roads. With the possibility of more traffic, he suggested more discussion to make more regulations. **Committeeman Higgins** felt **Administrator Fitzpatrick** should meet with our Police Chief to review the speed limits on Axe Factory Road for a possible speed reduction near the residents. **Attorney Prime** explained the process to take, road by road. Other roads include Mansfield Road East, Petticoat Bridge Road, Island Road, and White Pine Road. These streets are to be considered in a proposal to be prepared by Engineer Johnson.

- c. **Environmental Resource Inventory**
Deputy Mayor Tallon referred to an update to the inventory which would cost \$22,000. However, a partial grant could be obtained for about a half of the amount from the Delaware Valley Regional Planning Commission. He felt this could be included as part of the update to the Master Plan. More discussion should be held on the update.

Attorney Tim Prime explained that any paid fire person in the budget has to be approved through a referendum process to the public. He had provided a memo on other options such as shared services. Doug Borgstrom spoke of prior conversations in regard to the fire department's need for daytime staffing during the week as coverage during the day is a problem. More volunteers are needed. Mr. Borgstrom stressed the need for the referendum to ask the public to help by employing firefighters. Shared services seemed helpful if this is possible. Mr. Borgstrom is attending a recruitment seminar in Cleveland, Ohio for information in possible solutions including grant money. He felt a referendum is essential to seek help from our residents.

Administrator Fitzpatrick said he reached out to nearby municipalities in regard to shared services and found Bordentown interested whether in a shared service or taking over our services for some type of payment.

Bordentown is having their attorney looking into the two possibilities. **Deputy Mayor Tallon** said he preferred the referendum. **Committeeman Ocello** preferred shared services. **Administrator Fitzpatrick** was concerned over the cost having our own independent fire company. Mr. Borgstrom noted that no more equipment would be necessary and that we are talking about salaries for employees to work Monday to Friday from approximately 7am to 6pm. Volunteers would be continued for weekends and nights. This is a public safety issue and the residents should decide what they want. **Attorney Prime** explained that there would be a lot involved along with the referendum to be on the ballot. Mr. Borgstrom stressed the need to do something at this point. **Administrator Fitzpatrick** stressed the need to educate the public as to the expense, pensions, unions, etc. and whether there are companies that do this type of thing. **Attorney Prime** stressed the need to educate the public. It was decided that it would be best to hire a qualified company to do a study to provide options. This is a problem that has to be solved which should be presented to the taxpayers to see what they will absorb and what level of risk they will agree to. Again, Mr. Borgstrom stressed the need for volunteers as help is needed desperately.

PUBLIC COMMENT

Colleen Herbert, 2 Millennium Drive, encouraged the fire study and asked why the meeting is being zoomed now. **Administrator Fitzpatrick** said the Burlington County Health Department suggested either wear masks and, if not, the meeting would have to be zoomed. The Committee decided not to wear masks. Mrs. Herbert said she is disappointed and encouraged the Committee to re-visit that. In addition, she was unhappy with the looks of the recycling yard. **Administrator Fitzpatrick** said it has been cleaned up a lot. She then suggested adding Mansfield Road West to the study for the speed limit.

Frank Pinto, 42 Island Road, referred to drilling rigs on Route 206 property and questioned the purpose. **Engineer Johnson** said they may be drilling for a temporary well. Mr. Pinto asked on the progress of the Elion Pilot Agreement. He was told it is no longer an option at this point.

Carl Schwartz referred to the recycling totes and noted prior information from the County for people to receive a free app on their phone and the donation of money. He felt this should be considered again as he felt there are funds available.

Kate Tallon, 53 Oak Lane, New Egypt, NJ., questioned why John Gillespie was in the Municipal Building without a mask when no one was allowed. She was told he was asked to leave the building. **Attorney Prime** further explained the situation.

John O'Callaghan, 53 Oak Lane, New Egypt, NJ wanted an update on a public hearing. **Attorney Prime** said the court granted the township's application for a Final Order of Compliance and a Judgement of Repose including approval of our spending for the Affordable Housing Spending Plan. As soon as the order is signed, the Township's Affordable Efforts will be accomplished and will be protected from a Builder's Remedy Suite until July 2025. Mr. O'Callaghan said he was happy to hear the township will be working on the ERI and Master Plan. He then status of the stormwater study. He was told this is being included.

Joseph VanMater questioned a procedure in dealing with the fire administration setting the wheels in motion for the PILOT program. He asked if he was correct in thinking this could then not be stopped. **Mayor Magee** said the current committee in its current form approve the PILOT programs at this meeting. Mr. VanMater felt that when the meeting seems to be hurried along, not really hearing the public or hurrying them along, this discourages participation. This makes for an uncomfortable environment.

Steve Knezick, 26815 Mt. Pleasant Road, said he has heard Tower Gate can't build because of lack of sewer and the Pulte Farm will be preserved based on the historical factor. If this is so, he questioned what will happen to the affordable housing. **Mayor Magee** advised him that Tower Gate is involved with a law suite with Bordentown for sewer and has heard nothing about Pulte. **Attorney Prime** said both developers are proceeding with approvals to move forward with their projects by appearing before the Land Use Board.

Administrator Fitzpatrick thanked Steve Knezick for his help with the problem with bees and other and Don Knezick as well as Committeeman Golenda in their help in eliminating the pests.

A motion was offered by **Committeeman Higgins** and second by **Committeeman Golenda** to close the public portion of the meeting. Motion carried.

COMMITTEE COMMENTS

Committeeman Ocello felt this was a great meeting, things will be resolved. He thanked **Solicitor Prime** and Shana for their help.

Committeeman Golenda thanked all for participating. He felt **Clerk Semus** and **Administrator Fitzpatrick** prepared for this zoom meeting quickly and thanked them and Shana for her help.

Deputy Mayor Tallon thanked the public for their involvement. He made a motion to amend our zoning ordinance to prohibit any more warehouses/distribution centers until such a time the Master Plan is reviewed. This motion was second by **Committeeman Golenda**. A Roll Call vote was taken as follows:

AYE: TALLON, GOLEND,
NAY: HIGGINS (will consider at the next meeting)

Deputy Mayor Tallon amend his motion to read that this is to introduce an ordinance on first reading to prohibit any more warehouses/distribution centers in our zoning. The Roll Call Vote was taken as follows:

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

Committeeman Higgins thanked all for attending and participating.

Mayor Magee thanked all for attending and asked for a motion to adjourn.

MOTION TO ADJOURN

A motion was offered by **Committeeman Higgins** and second by **Committeeman Golenda** to adjourn. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC, CMR
Municipal Clerk