

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
September 28, 2016**

6:00 PM

The Executive Session Meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Sean Gable, Deputy Mayor Robert Semptimphelter, Committeeman Arthur Puglia, Committeewoman Laverne Cholewa, Committeeman Robert J. Higgins** (arrived at 6:21pm), **Attorney Michael Magee, Clerk Linda Semus, and Administrator Michael Fitzpatrick.**

Mayor Gable called the meeting to order followed by the following opening statement.

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 in the annual notice, which was adopted by the Mansfield Township Committee on January 4, 2016. Said 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, 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, 2016.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to go into Executive Session by adoption of the following Resolution. Motion carried.

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: pending litigation and personnel issues.
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 by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adjourn the Executive Session and open the Regular Session. Motion carried.

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Sean Gable, Deputy Mayor Robert Semptimphelter, Committeewoman Laverne Cholewa, Committeeman Robert J. Higgins, Committeeman Arthur Puglia, Engineer Richard Brown, Attorney Michael Magee, CFO Joseph Monzo, Township Administrator Michael Fitzpatrick, Clerk Linda Semus, and Deputy Barbara Crammer.**

Attorney Magee stated that the executive session was to discuss pending litigation, potential litigation, contract negotiations, and personnel issues.

Mayor Gable opened the meeting with the Salute to the Flag and a moment of silence.

PRESENTATION

Paul Forlenza from the Burlington County Joint Insurance Fund, reviewed a booklet he distributed entitled "Renewing Your JIF Membership". He explained how Mansfield Township is doing in the JIF program and said he appreciates the continuation for funding for the next three years.

PROCLAMATION

Clerk Semus read the following Proclamation.

***PROCLAMATION SUPPORTING THE THE "PUT THE BRAKES ON FATALITIES DAY"
October 10, 2016***

WHEREAS, October 10, 2016, has been declared Put the Brakes on Fatalities Day by the Township of Mansfield, County of Burlington, State of New Jersey; and

WHEREAS, across the nation, traffic crashes caused 35,092 fatalities in 2015, and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, in New Jersey, 562 individuals lost their lives in traffic crashes in 2015; and,

WHEREAS, alcohol-related crashes accounted for 28.0 percent of the State's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and,

WHEREAS, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 50 motorcyclists, 17 bicyclists and 173 pedestrians were killed in New Jersey in traffic-related crashes in 2015; and,

WHEREAS, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee, of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby proclaim October 10, 2016, Put the Brakes on Fatalities Day, and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

ENGINEER'S REPORT

Engineer Brown referred to his Project Status Report dated September 28, 2016. He said he met with **Administrator Fitzpatrick, Mayor Gable, Committeeman Puglia** regarding the project list in general and which projects the township should forward with one of which is the drainage improvements for the firehouse and there is a continuing icing problem in the winter. Quotes are being solicited for this project and they will be combined with the Hedding Road project. Hopefully this will be determined at this meeting. An analysis is being done on the fire protection riser. Authorization is being requested for the expenditure of \$5,250 for this work to be performed. This will determine whether we need a fire pump or not to operate the fire suppression system.

There hasn't been any significant change to Axe Factory Road as **Engineer Brown** is working with the County to finalize their portion of their work. Plans will be submitted to the DOT for their review approval with anticipation of early spring bidding and construction date.

The DOT defunded the project on Mansfield Road East so, at this point in time, the project is on hold.

After a pre-construction meeting that was held, a contractor is working on the Municipal Building Second Floor Accessibility and is about 90 to 95% complete. There is an invoice on this meeting's agenda with two change orders, one of which is to enclose the existing water heater, the other change order to modify some of the conduit in the restrooms.

The Contractor has completed the work on White Pine Road. Site improvements for the project will probably not start until spring of 2017. The property owner does have some responsibilities on this site.

An elimination of the erosion problem at 959 Mansfield Road West has been discussed. **Engineer Brown** has provided **Administrator Fitzpatrick** with a proposal from a construction firm to construct a concrete curb from Mr. Mihalik's driveway to the existing inlet and to do a regrading behind the curb to eliminate the drainage problem.

The Burlington County Soil Conservation District has submitted their letter of compliance for the Mansfield Logistics Park. The applicant's engineer will be submitting as built drawings of the 6 storm water outfalls.

A test on several areas on the pavements at Four Seasons was conducted with personnel from SealMaster as well as some Public Works personnel. Their personnel provided training for

our personnel so, going forward in the future, the Township will rent the equipment from SealMaster and our Public Works Department will perform the crack filling operation.

With respect to Covington Manor, **Administrator Fitzpatrick** has had discussions with Mr. Daley as well as Mr. Albanesi. He deferred to **Administrator Fitzpatrick** said, because of litigation issues, if anyone has questions, he will answer them.

Engineer Brown said they are coordinating the installation of trees and the final paving at the Legends of Mansfield. The Homeowners Association is concerned about the location of trees. He will agree with the residents on a case by case basis.

The Public Road pipe is complete.

There has been a recurring standing water problem at the Pulte/Centex property on Petticoat Bridge Road. Correspondence has been sent to the Pulte group in July. Their personal did a regrading after **Engineer Brown's** inspection. The re-grading was approved and the area was stabilized and seeded. He will continue to monitor it to make sure there is no recurring standing water.

Engineer Brown met with **Administrator Fitzpatrick** and Michael Wiley from General Recreations, Inc. who had previously submitted a proposal under the state contract to provide playground equipment. **Engineer Brown** is preparing a proposal for a site plan and grading plan for the installation of the equipment. This should be completed in the spring of 2017.

The NJDOT has announced the 2016 TAP Grant Program. A previous application had been submitted for a connecting walk along Columbus Road to Petticoat Bridge Road which was denied. **Mr. Brown** listed the type of projects that are applicable and asked for direction from the Committee.

Mayor Gable spoke of the quote for the next phase of the fire sprinkler system pump in the amount of \$5,250 to determine whether a pump is necessary. **Engineer Brown** explained what would be done including a fire flow test (already conducted earlier this year) to determine the residual and static pressure available on the system outside based by the installation done by NJ American Water. The next phase would be to inventory the entire sprinkler system, size of the distribution lines and location of sprinklers. Once these are determined, they will do a hydraulic analysis of the system in the building, both existing and new addition in the rear and utilizing that information together with the hydrant flow testing. This will determine if a pump is needed. However, he doesn't believe we want this. A pump would cost about \$190,000. **Committeeman Higgins** said that spending over \$5,000 to find out would don't need a pump would be disappointing. A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to authorize the expenditure of \$5,250. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, HIGGINS, SEMPTIMHELTER, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

Administrator Fitzpatrick, referred to drainage issues on the back driveway, said the figure we have for \$4,750 and whether it was for the back driveway of Hedding Road. **Engineer Brown** said this is just for the Hedding Road area for a headwall, inlet, piping, swale. They are soliciting quotes for the firehouse drainage. **Mayor Gable** felt the Hedding Road access would be safer for entrance to the Municipal Complex. A motion was offered by **Committeeman Puglia** made a motion second by **Deputy Mayor Semptimphelter** to authorize this expenditure. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMHELTER, CHOLEWA, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: HIGGINS

Administrator Fitzpatrick said the Mahalik Project on Mansfield Road East has been a problem for quite a while. Hopefully, we can take care of it. It consists of a vertical concrete curb as well as perforating the bottom of the inlet to allow for percolation. The total price for the project will be \$4,455. This will allow water to drain properly and no longer cause problems to the Mahalik property. Mr. Mahalik had contacted to DEP who asked how were are going to

eliminate the drainage problem. A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimpelster** to authorize the \$4,455 expenditure. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, CHOLEWA, HIGGINS
NAY: NONE ABSENT: NONE ABSTAIN: GABLE

Mayor Gable questioned whether we want to participate in the Transportation Grant Program. We had tried to make an improvement between Country Walk and the town and asked if we want to try this again. **Committeeman Puglia** felt it was a good idea. **Mayor Gable** said we had spoken to the County who felt it was a good idea and offered to help with need and benefit for the Township. **Engineer Brown** said we do need letters of support from the County as well as residents of Country Walk. A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to authorize this idea. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSTAIN: SEMPTIMPHELTER ABSENT: NONE

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to accept the Engineer's Report. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, HIGGINS (except areas where he abstained)
SEMPTIMPHELTER, GABLE
NAY: NONE ABSTAIN: (see above) ABSENT: NONE

ORDINANCES

ORDINANCE NO. 2016-14 AN ORDINANCE TO AMEND CHAPTER 50, ENTITLED "SUBDIVISION OF LAND", SECTION 58

WHEREAS, Chapter 50 entitled Subdivision of Land has specific requirements regarding Certificate of Occupancies and payment schedules for inspection fees in connection with the same; and

WHEREAS, the current ordinance provides for the collection of an initial inspection fee for said Certificate of Occupancies, but does not address any reinspection fees when needed; and

WHEREAS, Mansfield Township has decided to Amend Chapter 50 to provide for the collection of an inspection fee and a reinspection fee that may be necessary and required prior to the issuance of a final certificate of occupancy; and

NOW, THEREFORE, BE IT RESOLVED be it resolved Chapter 50, Section 58B is hereby amended by adding Section 58B(1) as follows:

B (1) The applicants will submit a fee of \$375.00 when applying for a Temporary Certificate of Occupancy (TCO) which allocates \$250.00 for initial inspection and the premium charge of \$125.00 for the re-inspection (second Inspection) when applying for final Certificate of Occupancy (CO).

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.

Mayor Gable opened the public hearing on Ordinance 2016-14. With no questions or comments, the public hearing was closed.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Ordinance 2016-14. Motion carried on a Roll Call Vote, recorded as follows:

AYE: CHOLEWA, PUGLIA, HIGGINS, SEMPTIMPHELTER, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE 2016-15 AN ORDINANCE TO CORRECT ORDINANCE 2012-5 AMENDING CHAPTER 65 OF THE CODE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY FOR ZONING AMENDMENTS TO IMPLEMENT THE MASTER PLAN

WHEREAS, as per Ordinance 2012-5, the Township Committee determined it is in the best interest of the Township to amend Chapter 65 of the Land Use Regulations for zoning amendments and implementation to the Master Plan; and

WHEREAS, The Table of Zoning Map Amendments included descriptions of amendments to the Zoning Map of the Township of Mansfield; and

WHEREAS, Due to a typographical error, the description of Block 47.01, Lots 2, 3.01 and 4 was inadvertently listed as Block 47.02, Lots 2, 3.01, and 4 and should be corrected to reflect the correct Block Number, which remains effective since March 3, 2012, as R-1 (FLP) Farmland Preservation.

AND BE IT FURTHER ORDAINED AND ENACTED that this Ordinance shall take effect twenty (20) days following adoption and publication according to law.

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.

Mayor Gable opened the public hearing on Ordinance 2016-15. Colleen Herbert questioned clarification of the ordinance which was addressed by **Clerk Semus**. With no further questions or comments, the public hearing was closed.

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt Ordinance 2016-15. Motion carried on a Roll Call Vote, recorded as follows:

AYE: CHOLEWA, PUGLIA, HIGGINS, SEMPTIMHELTER, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTIONS

RESOLUTION 2016-9-2

A RESOLUTION TO REPLACE RESOLUTION 2016-4-16 CONDITIONALLY DESIGNATING FLORENCE-COLUMBUS ROAD, LLC AS A REDEVELOPER FOR A PORTION OF THE FLORENCE/COLUMBUS REDEVELOPMENT PLAN

WHEREAS, Block 10.02 was inadvertently listed as property owned by Alan Margolis and is hereby excluded from the property referred to in the **Redevelopment Plan**; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the “**LRHL**”) **THE TOWNSHIP OF MANSFIELD** (hereinafter referred to as the “**Township**”) adopted a Resolution duly designating an area in the Township as an area in need of redevelopment, referred to as the Florence/Columbus Redevelopment Area (the “**Redevelopment Area**”); and

WHEREAS, via Ordinance No. 2016-4 the Township Committee adopted the Florence/Columbus Redevelopment Plan for the Redevelopment Area (the “**Redevelopment Plan**”); and

WHEREAS, on April 21, 2016, the Township received a request from Florence-Columbus Road, LLC, having offices at 1911 South Federal Highway, Suite 800, Delray Beach, Florida 33483, to be conditionally designated redeveloper of the portion of the Florence/Columbus Redevelopment Area consisting of property which is owned by Alan Margolis and is located on Florence/Columbus Road and designated as Block 47.01, Lots 3.02, 9.01, 9.02, 11 and 12 (the “**Property**”); and

WHEREAS, Florence-Columbus Road, LLC has met with representatives of the Township Redevelopment Committee and staff to discuss the details of developing the Property in accordance with the Redevelopment Plan; and

WHEREAS, the Township Redevelopment Committee has conveyed its summary of discussions with Alan Margolis of Florence-Columbus Road, LLC to the Township Committee, and the Township Committee finds it desirable to conditionally designate Florence-Columbus Road, LLC as the redeveloper of the Property; and

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Mansfield conditionally designates Florence-Columbus Road, LLC as the redeveloper of the Property provided the following actions are taken within 6 months from the adoption of this resolution:

1. Ownership of the Property is legally organized as an Urban Renewal Entity pursuant to LRHL and all applicable laws of the State of New Jersey.
2. Florence-Columbus Road, LLC submits to the Township a written proposal consisting of a project description and site plan.
3. Florence-Columbus Road LLC submits to the Township a draft redevelopment agreement for Township review.

AND IT BE FURTHER RESOLVED, upon receiving evidence of the execution of the three (3) conditions set forth above, the Township Committee of the Township shall designate the Urban Renewal Entity, Florence-Columbus Road, LLC, formed by Alan Margolis, as the redeveloper of the Property.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Resolution 2016-9-2. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, HIGGINS, SEMPTIMHELTER, GABLE

NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-3

RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

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

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

WHEREAS, N.J.S.A. 40A:12-13 and 40A:12-13.1 permit the Township to dispose of surplus personal 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 personal property and no longer needed for public use:

2011 Mazda– VIN#JM1BL1VG4B1380212

2004 PONTIAC Vibe - VIN: 1G2NF52EX4C256777

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 by public sale via the internet.

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

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimpelter** to adopt Resolution 2016-9-3. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, CHOLEWA, HIGGINS, PUGLIA

NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-4

RESOLUTION AWARDING A CONTRACT TO EXCLUSIVE SERVICES AND MAINTENANCE COMPANY D/B/A GARDEN STATE REMOVAL COMPANY FOR RESIDENTIAL SOLID WASTE AND RECYCLING COLLECTION SERVICES

WHEREAS, the Township of Mansfield has advertised for bids for residential solid waste and recycling collection services and bids were received, opened and reviewed on August 12, 2016; and

WHEREAS, the lowest responsible bidder was Exclusive Services and Maintenance Company, d/b/a Garden State Removal Company, 1961 Jacksonville- Jobstown Rd, Springfield, NJ 08022 for Solid Waste Collection in accordance with the terms and conditions included in the bid specifications; and

WHEREAS, the bids were reviewed by the Township Solicitor and Purchasing Agent and same were found to be in order; and

WHEREAS, the Township Purchasing Agent has recommended that a contract be awarded to Exclusive Services and Maintenance Company, d/b/a Garden State Removal Company, for Solid Waste Collection and in accordance with the specifications and their proposal as set forth in the annexed Schedule A; and

WHEREAS, the bid specifications indicated that the Township of Mansfield would award a contract for a period of up to three years; and

WHEREAS, the contract is to run from November 4, 2016 to November 3, 2019; and

WHEREAS, the availability of funds is contingent upon adoption of the temporary and permanent budgets for the years 2016, 2017, 2018, 2019 and

WHEREAS, certification of availability of funds will be provided by the Township Chief Financial Officer, following adoption of said budgets;

NOW, THEREFORE, BE IT RESOLVED on this 14th day of September, 2016, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that:

1. A contract for three years, commencing November 4, 2016, be and is hereby authorized with Exclusive Services and Maintenance Company, d/b/a Garden State Removal Company for collection of solid waste in accordance with the terms as set forth above and in the contract documents.
2. The Township Committee hereby awards a Contract to Exclusive Services and Maintenance Company, d/b/a Garden State Removal Company, in accordance with the specifications and their proposal as set forth in the annexed Schedule A.
3. This expenditure, subject to the adoption of temporary and permanent budgets for each contract year, shall be charged to the appropriate accounts at the time services are needed and prior to liability being incurred.
4. The Township Clerk and Mayor are hereby authorized to execute the contract.

CFO Monzo explained that the Township had gone out to bid for the expiring solid waste contract. A three year contract was due to expire November 3 of this year. The bid was published in June and, after the 60 day requirement, bids were accepted on August 12th of this year. Three bids for the same exact services were received. The lowest bidder was our current vendor which is Exclusive Services doing business as Garden State. The bid for the first year was \$199,180, the second year was \$201,801 and the third year, \$203,905. The increases year to year are 1.6% to 1.3% and to 1%. The other two bidders were not competitive in terms of their prices. The contract will commence on November 4, 2016 and expire on November 3, 2019.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimpelster** to adopt Resolution 2016-9-4. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHALTER, CHOLEWA, HIGGINS, PUGLIA
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-5
RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD
DESIGNATING CERTAIN PARCELS LOCATED WITHIN THE TOWNSHIP
AS “NON-CONDEMNATION REDEVELOPMENT AREAS”
PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW
PURSUANT TO N.J.S.A. 40A-12A

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the “Act”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment in accordance with the Act, including Sections 3, 5 and 6 thereof; and

WHEREAS, the Township has determined that the designation of redevelopment areas will foster the investment of private capital, the construction of projects and businesses that will benefit the Township, its residents and property owners; and

WHEREAS, on July 13, 2016, the Township Committee adopted Resolution 2016-7-3 which referred certain parcels in the Township, a copy of which is attached as Exhibit A, to the Planning Board to investigate whether all or a portion of those parcels within the Study Area would qualify as “Areas in Need of Non Condemnation Redevelopment” under the Act; and

WHEREAS, on August 22, 2016, following due notice in accordance with the Act, the Planning Board held a public hearing pursuant to the Act and Resolution 2016-7-3 to investigate and determine whether the parcels within the Study Area satisfy the statutory criteria as a "Non-Condemnation Redevelopment Area" under the Act; and

WHEREAS, during the hearing, the Planning Board considered testimony of various interested parties and Township officials and examined a report, dated August, 2016 and prepared by Barbara Fegley, AICP, PP of Environmental Resolutions, Inc., and entitled "Preliminary Investigation for the Determination of Areas in Need of Non-Condemnation Redevelopment, Mansfield Township, New Jersey" (the "Planner's Report") which evaluated the parcels within the Study Area collectively and individually to determine whether the individual parcels could be included within a "Redevelopment Area"; and

WHEREAS, the Planner’s Report a copy of which is attached as Exhibit B, contained a map, dated August 4, 2016, which delineated the physical boundaries of the Study Area; and

WHEREAS, following an evaluation of the Planners' Report and testimony received, the Planning Board adopted Resolution No. 2016-8-10, a copy of which is attached as Exhibit C, recommending which parcels identified in the Planners' Report be designated by the Township Committee as Non-Condemnation Redevelopment Areas under the Act; and

WHEREAS, the Planner’s Report recommended that that the recommended properties be designated as a Non-Condemnation Redevelopment Areas; and

WHEREAS, the Township Committee has reviewed the Planners' Report and desires to accept the recommendation of the Planning Board and to resolve that (i) the parcels set forth in Exhibit D (the “Non Condemnation Redevelopment Areas”) satisfies the criteria set forth in the Act, including *N.J.S.A.40A:12A-3, N.J.S.A.40A:12A-5* and *N.J.S.A.40A:12A-6*, and (ii) that such parcels be designated as Non-Condemnation Redevelopment Areas, respectively;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mansfield as follows:

1. **DESIGNATION OF AREAS IN NEED OF NON CONDEMNATION REDEVELOPMENT.** The Township Committee hereby determines that the parcels set forth in Exhibit A satisfy the criteria set forth in the Act, including *N.J.S.A.40A:12A-3*, *N.J.S.A.40A:12A-5* and *N.J.S.A.40A:12A-6*, and therefore are “areas in need of redevelopment” and are hereby designated as Non-Condemnation Redevelopment Areas, respectively pursuant to the Act. These areas shall be known collectively as Block 47.02, Lots 3.01, 5,6 and Block 45.02, Lot 4.

2. **RESOLUTION TO BE FILED WITH DEPARTMENT OF COMMUNITY AFFAIRS.** The Clerk of the Township is hereby directed to file a copy of this resolution, including all exhibits, with the Commissioner of the Department of Community Affairs ("DCA"), in accordance with the requirements of *N.J.S.A. 40A:12A-6(b)(5)*.

3. **NOTICE OF ADOPTION.** Notice of Adoption of this resolution shall be published in the Official Newspaper of the Township within a week of its date of adoption. Such Notice shall clearly state that (i) a copy of this resolution has been filed with the Commissioner of the Department of Community Affairs, (ii) when this resolution shall become effective and (iii) that anyone wishing to contest the validity of this resolution shall have 45 days from the date of publication of the notice.

4. **NOTICE OF DETERMINATION.** Notice of the determination from the Commissioner of the Department of Community Affairs shall be served, within 10 days after the determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of determination may be sent, in accordance with the requirements of *N.J.S.A. 40A:12A-6(b)(5)*.

5. **SEVERABILITY.** If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

6. **AVAILABILITY OF THE RESOLUTION.** A copy of this Resolution shall be available for public inspection at the offices of the Township Clerk.

7. **EFFECTIVE DATE.** As the Non-Condemnation Redevelopment Areas are located in areas in which development, redevelopment are to be encouraged, this Resolution shall become effective upon the filing with DCA as set forth in Section 2 hereof.

A motion was offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adopt Resolution 2016-9-5. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, CHOLEWA, HIGGINS, SEMPTIMHELTER, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-6

AUTHORIZING AWARD OF CONTRACT FOR UPDATING A REAL ESTATE MARKET ANALYSIS PREVIOUSLY PREPARED FOR THE TOWNSHIP FOR USE IN THE IMPLEMENTATION OF A TDR PROGRAM WITHIN THE TOWNSHIP OF MANSFIELD

WHEREAS, there exists a need to update a Real Estate Market Analysis previously prepared for the Township for use in the implementation of a TDR program within the Township of Mansfield, and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Township of Mansfield has requested and received a quote for the provisions of the services required; and

WHEREAS, this contract has been awarded to Urban Partners based on the merits and the abilities of Urban Partners to provide services as described herein. This contract is not awarded through a “fair and open process” pursuant to **N.J.S.A.** 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Urban Partners, its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to Election Law Enforcement Commission pursuant to **N.J.S.A.** 19:44A-8 or 10:44A-16, in the one (1) year preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in Mansfield Township if a member of that political party is serving in an elective public office of Mansfield Township when the contract is awarded, or to any candidate committee of any person serving in an elective public of Mansfield Township when the contract is awarded.

WHEREAS, the Township Solicitor has certified that procedures used meets the statute and regulations governing the award of said contract.

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

1. The Township Committee hereby awards a Contract to Urban Partners, 325 Chestnut Street, Philadelphia, PA for the services outlined in their proposal which is annexed hereto in an amount not to exceed \$9,800.00.
2. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award
3. This award is made available through account numbers: 0120121190299

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeewoman Cholewa** to adopt Resolution 2016-9-5. Motion carried on a Roll Call Vote, recorded as follows:

AYES: SEMPTIMHELTER, CHOLEWA, PUGLIA, HIGGINS, GABLE
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

RESOLUTION 2016-9-7

RESOLUTION APPOINTING SPECIAL COUNSEL FOR CONSTRUCTION

WHEREAS, there exists a need for a Special Counsel for construction/litigation issues; and

WHEREAS, the area of construction litigation is a highly specialized area of the law requiring a particular expertise in the area of construction litigation;

WHEREAS, this contract has been awarded to Bradley K Sclar, Esq., based on the merits and the abilities of Bradley K. Sclar, Esq., to provide services as described herein. This contract is not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4 et seq. As such, the undersigned does hereby attest that Sclar & Sclar, LLC., its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 10:44A-16, in the one (1) year preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in Mansfield Township if a member of that political party is serving in an elective public office of Mansfield Township when the contract is awarded, or to any candidate committee of any person serving in an elective public of Mansfield Township when the contract is awarded.

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

1. **Bradley K. Sclar, Esq.** of Sclar & Sclar, LLC, Marlton, NJ be and is hereby appointed as Special Counsel to represent the Township’s interests in the aforementioned matters.
2. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award.
3. This award is made available through account numbers **0421520150499**

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt Resolution 2016-9-7. Motion carried on a Roll Call Vote, recorded as follows:

AYES: PUGLIA, SEMPTIMPHELTER, CHOLEWA, HIGGINS, GABLE
NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-8

CANCELLATION OF TAXES DUE TO EXEMPT VETERAN STATUS CORRECTION

WHEREAS, the property listed below was receiving a 100% Disabled Veteran Exemption in 2015; and

WHEREAS, this status was removed in error in 2016; and

WHEREAS, taxes were billed incorrectly for the year 2016; and

WHEREAS, the error resulted in open balances for the year 2016.

NOW, THEREFORE, BE IT RESOLVED, as recommended by the Tax Assessor in accordance with N.J.S.A.54:4-54, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 28, 2016 hereby authorizes the cancelation of the following by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
42.10	14	Leo Clement	\$4,920.20

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman Puglia** to adopt Resolution 2016-9-8. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-9

REFUND OF TAX DUE TO VETERAN EXEMPTION

WHEREAS, the homeowner listed was declared to be a Disabled Veteran; and,

WHEREAS, the homeowner, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

WHEREAS, the homeowner paid the Taxes for 2015;

NOW, THEREFORE, BE IT RESOLVED, that the Township of Committee of the Township of Mansfield, County of Burlington and State of New Jersey at their Regular Meeting held on September 28, 2016 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to December 14, 2015.

Block	Lot	Property Owner	Amount
42.08	116	Marguerite Foltermann	\$208.99

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman Puglia** to adopt Resolution 2016-9-9. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

**RESOLUTION 2016-9-10
REFUND OF TAX OVERPAYMENT**

WHEREAS, Property Taxes were overpaid on the property listed below; and
WHEREAS, this overpayment was due to a duplicate payment by Evergreen Environmental, and they are requesting a refund is;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey at their regular meeting held on September 28, 2016 hereby authorizes the refunding of the following to **Evergreen Environmental** by the Tax Collector.

Block	Lot	Property Owner	Amount
10	2	Kristopher & Halina Zdybel	\$93.71

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman Puglia** to adopt Resolution 2016-9-10. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

**RESOLUTION 2016-9-11
CANCELLATION OF PROPERTY TAXES DUE TO ASSESSOR'S ADJUSTMENT**

WHEREAS, Assessed Values were changed in accordance with a Burlington County approved Compliance Plan; and

WHEREAS, the assessments listed below were changed in error; and

WHEREAS, taxes were billed for the year 2016 and amounts for the 3rd and 4th Quarters of 2016 were changed to reflect the correct assessed value; and

WHEREAS, those corrections resulted in open balances for the year 2016.

NOW, THEREFORE, BE IT RESOLVED, as recommended by the Tax Assessor in accordance with N.J.S.A.54:4-54, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on September 28, 2016 hereby authorizes the cancelation of the following by the Tax Collector.

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
13.06	1.03	Armando & Diane Amendola	\$1,091.30
24	42.08	Megan & Manjula Patel	\$ 810.68
47.01	10.02	Wayne & Kathleen Lisehora	\$9,070.26

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman Puglia** to adopt Resolution 2016-9-11. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

**RESOLUTION 2016-9-12
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY**

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

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

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

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

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

2004 Pontiac -VIN # 41G2NF 52EX4 C2567 77
2011 Mazda -VIN # JM1BL 1VG4B 13802 12

The Chief Of Police and Township Clerk are directed to arrange for the public auction of the vehicles 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.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt Resolution 2016-9-12. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMPHELTER, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-13

RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO TRANSFER A JUNK TITLE OF A 1992 LEXUS, VIN: 5JT8VK13TON0020167 TO BMS TOWING & RECOVERY, LLC, BURLINGTON, NJ WHEN ISSUED BY THE NEW JERSEY MOTOR VEHICLE COMMISSION

WHEREAS, Mansfield Township offered for public auction a certain vehicle identified as a 1991 Lexus - VIN: 5JT8VK13TON0020167 pursuant to Resolution No. 2015-5-20; and

WHEREAS, the GovDeals site conducted the subsequent public auction which ended on March 11, 2016; and

WHEREAS, the minimum bid threshold was not met; and

WHEREAS, NJSA 39:10A-3, allows a public agency, under certain circumstances, to apply for a Junk Title; and

WHEREAS, in August, 2016, the Mansfield Township Police Department, on behalf of Mansfield Township, filed for a Junk Title since the vehicle did not sell at auction; and

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

1. The Township Committee hereby transfers its junk title to BMS Towing & Recovery, LLC, when issued by the New Jersey Motor Vehicle Commission, the following vehicle:
1992 LEXUS, VIN: 5JT8VK13TON0020167

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to adopt resolution 2016-9-13. Motion carried on a Roll Call Vote, recorded as follows:

AYE: CHOLEWA, PUGLIA, HIGGINS, SEMPTIMHELTER, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-14

RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO TRANSFER A JUNK TITLE OF A 2001 FORD TAURUS, VIN: 21FAFP55U21A289253 TO FLYNN'S TOWING, INC. EASTAMPTON, NJ WHEN ISSUED BY THE NEW JERSEY MOTOR VEHICLE COMMISSION

WHEREAS, Mansfield Township offered for public auction a certain vehicle identified as a 2001 Ford Taurus, VIN #: 21FAFP55U21A289253 pursuant to Resolution No. 2015-10-7; and

WHEREAS, the GovDeals site conducted the subsequent public auction which ended on March 11, 2016; and

WHEREAS, the minimum bid threshold was not met; and

WHEREAS, NJSA 39:10A-3, allows a public agency, under certain circumstances, to apply for a Junk Title; and

WHEREAS, in August, 2016, the Mansfield Township Police Department, on behalf of Mansfield Township, filed for a Junk Title since the vehicle did not sell at auction; and

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

1. The Township Committee hereby transfers its junk title to Flynn's Towing, Inc., Eastampton, NJ, when issued by the New Jersey Motor Vehicle Commission, the following vehicle:
2001 FORD TAURUS- VIN: 21FAFP55U21A289253

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt Resolution 2016-9-14. Motion carried on a Roll Call Vote, recorded as follows:

AYE: PUGLIA, SEMPTIMHELTER, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2016-9-15

RESOLUTION ACCEPTING THE PRELIMINARY INVESTIGATION REPORT AND MAP PREPARED BY ENVIRONMENTAL RESOLUTIONS, INC., ACCEPTING THE BOUNDARIES OF THE PROPOSED AREAS IN NEED OF NON- CONDEMNATION REDEVELOPMENT AREAS, CONCERNING BLOCK 47.02, LOTS 3.01, 5, 6 AND BLOCK 45.02, LOT 4, IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, the Township of Mansfield has received a preliminary report and map from Environmental Resolutions Inc. providing to the Township with an initial determination regarding areas in need of redevelopment; and

WHEREAS, Environmental Resolutions, Inc., has provided the report supporting the determination on areas in need of redevelopment concerning block 47.02, lots 3.01, 5, 6 and block 45.02, lot 4, in a letter dated July 22, 2016, which is attached hereto and made a part hereof; and

WHEREAS, as required by law the Preliminary Investigative report and map were received, reviewed and approved by the Mansfield Township Board on August 22, 2016 under Resolution 2016-8-10 which is attached hereto and made a part hereof.

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

1. The Township Committee hereby accepts the preliminary report and map from Environmental Resolutions, Inc. accepting the boundaries of the proposed Non-Condemnation Redevelopment Area; and

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman**

Puglia to adopt Resolution 2016-9-15. Motion carried on a Roll Call Vote, recorded as follows:

AYES: PUGLIA, SEMPTIMHELTER, CHOLEWA, HIGGINS, GABLE
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

RESOLUTION 2016-9-16

RESOLUTION ACCEPTING THE CHANGE ORDER OF JOSEPH PORRETTA BUILDERS INC., 551 ANDERSON AVENUE, HAMMONTON, NEW JERSEY 08057, FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-MUNICIPAL BUILDING SECOND FLOOR ACCESSIBILITY IMPROVEMENTS

WHEREAS, the Township of Mansfield has awarded a contract to Joseph Porretta Builders, Inc.. on August 10, 2016; and

WHEREAS, Carroll Engineering has provided proposed change orders to the contract as follows:

Number 1. ****Provide an enclosure around existing water heater per sketch**
****Paint exterior of closet walls only & door frame.....\$4,134.04**

Number 2. **** (not accepted by Township Committee)**

Number 3. ****Electrical Work: conduit reconfigured to accommodate new openings...\$471.24**

NOW, THEREFORE BE IT RESOLVED that the Township of Mansfield, County of Burlington, State of New Jersey authorizes the above listed change orders, which total \$4,605.08, are made available through the following account: **04-215-20-121-810**

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Semptimphelter** to adopt resolution 2016-9-16. Motion carried on a Roll Call Vote, recorded as follows:

AYES: PUGLIA, SEMPTIMHELTER, CHOLEWA, HIGGINS, GABLE
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

MINUTES: AUGUST 10, 2016

A motion was offered by **Committeewoman Cholewa** and second by **Committeeman Puglia** to approve the minutes of the August 10, 2016 meeting. Motion carried on a Roll Call recorded as follows:

AYE: CHOLEWA, PUGLIA, HIGGINS, GABLE
NAY: NONE ABSTAIN: SEMPTIMHELTER ABSENT: NONE

BILL LIST

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

AYE: CHOLEWA, PUGLIA, HIGGINS(see below),
SEMPTIMHELTER (see below) GABLE (see below)
NAY: NONE ABSENT: NONE
ABSTAIN: HIGGINS (on #5682) SEMPTIMHELTER (on 5711, 5758)
GABLE (on \$5735, 5738)

DISCUSSION/ACTION:

a. Recreation:

Park Permits approved by Recreation Committee on August 16, 2016 and September 20, 2016:

1. Dodgers Travel Baseball, Brian Guire, use of 50/70 or Civic Club field for practices and games for various dates in September and October 2016. Insurance certificates are attached to application and field charges may apply.
2. Northern Burlington Soccer Club, Dave Grupp, requesting use of the soccer fields at MCP, Civic Club, and Georgetown Park for soccer practices and games. All practices and games are scheduled around availability of the fields in regards to the rec teams. Insurance certificate is attached.
3. Jersey Outlaws 03, Brian Stinglen, requesting use of the softball field at MCP and

the indoor facility for softball practices and games. Insurance certificate is attached to application and field charges may apply. Indoor facility fees apply. Scheduling is based on availability of fields and indoor facility.

4. Jersey Outlaws 05, Christopher Jackson, requesting use of the baseball and softball fields at MCP and Civic Club, and use of the indoor facility for softball practices and games. Insurance certificate is attached to application and field charges may apply. Indoor facility fees apply. Scheduling is based on availability of fields and indoor facility.

The above four applications for use of the facilities have been approved by the Recreation Committee and all insurance is in place.

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeeman Puglia** to approve the above four applications. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, PUGLIA, CHOLEWA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

b. recommending updating the fee schedule to include a fee for outside organizations looking to host tournaments of \$500 for the weekend, which will include the availability of fields for Friday night, Saturday and Sunday.

Committeewoman Laverne explained this request to increase the fee schedule to be competitive with neighboring communities. Colleen Herbert explained how some tournaments pay per game and others per day. The Recreation Committee felt they want to be more organization taking into consideration on wear and tear on the fields as well as upkeep. The fee schedule they set makes it more consistent across the board. She further explained how the money is utilized for the fields. **Committeeman Higgins** asked if the fees allocated go to the specific sport. Mrs. Herbert explained that indoor facility fees go toward any necessary repairs. The money for the fields goes into a general line item to help pay for items such as needed equipment or seeding. Mrs. Herbert said they have seen an increase in outdoor organizations using the fields. They felt it was only fair to charge for the fields, something that had not been done. **Committeeman Higgins** asked **CFO Monzo** if we got a special exclusion from the state for the funds we use for maintenance inside. **CFO Monzo** explained that we have no exclusions as they approved our rider the way we requested it. He further explains that rent from fields goes into a trust fund. Money for any item for recreation will come from the general fund. **Committeeman Higgins** asked if there was a method to use the funds being generated through the charges directly to the upkeep, etc. of the facilities. **CFO Monzo** explained that money from rent has to be appropriated properly. Certain money can be used for the fields. Mrs. Herbert stressed the desire of the Recreation Committee to have the renters pay their share and the burden is not on the township. She felt this should be addressed. **CFO Monzo** suggested addressing the Recreation issues in 2017.

A motion was offered by **Deputy Mayor Semptimphelter** and second by **Committeewoman Cholewa** to authorization the change in the fee schedule. Motion carried on a Roll Call Vote, recorded as follows:

AYE: SEMPTIMPHELTER, CHOLEWA, PUGLIA, HIGGINS, GABLE
NAY: NONE ABSENT: NONE ABSTAIN: NONE

c. allotting of \$100.00 to the Special Events Committee for the Township's Wagon Ride and Tree Lighting event on December 3,2016. Said fund allocation was approved by Township Committee during budget adoption.

Mrs. Herbert said the Recreation Committee is donating money to Special events for the tree lighting event. No action is needed.

d. Recreation Rental and Insurance for fields ..(seniors) Mrs. Herbert said Recreation Committee is trying to make consistent the use of their fields. In recognizing the senior

community who plays softball, she felt they should fill out a permit so it can go on their schedule. She said she wants to make sure there are no conflicts. **Mayor Gable** felt that Recreation events are scheduled and, any time the field is being used for Recreation, the other groups will have to come back another time.

PUBLIC COMMENT

Colleen Herbert commented that she realizes there is a grant approved for the Georgetown Park area. Because she felt the Recreation Committee likes to take the entire township into consideration, she wants to make sure everyone is sharing the wealth. They have several suggestions they would like to have seen done with some money from the grant. In the future, she wishes the Committee would consult Recreation. **Mayor Gable** noted that input had come from Recreation and we also had a list of concerns and needs that came from residents. **Clerk Semus** said that park has been put off for the past four years. Mrs. Herbert said the Recreation Committee would like to know what is going on as they have their own list of needs.

Fred Gottesman, 29 Harrington Drive, referred to the signage at the entrance of Four Seasons. However, he felt that the signs did not include Ambrose Road which he felt was important as he compared that sign to the one at Legends which does indicate the name of the road. **Mayor Gable** explained that the sign installed at Four Seasons was our standard sign that we install as a township. The one at Legends was installed by the developer.

Mr. Gottesman then asked if the white line could be continued to Ambrose. **Mayor Gable** said he would look into this and with Mr. Jones to determine safety concerns and the possibility of extending the line if funds are available. Mr. Gottesman then referred to deep cracks in Four Seasons roads. He said certain areas have voids in the cracks, as the areas are deeper and the sealers sank. **Administrator Fitzpatrick** explained this was a one day test. If the sealer sinks in, we will do a second run and top it off to make sure it is flat. **Mayor Gable** said the feedback they got from the residents was good, and, since it has gone so well, we may do additional work this year to address these areas. **Committeeman Higgins** said we hope to address by the end of October prior to the temperature is above 40 degrees.

Mr. Gottesman said he noticed about 4 families under the overhang at the Columbus Inner. He questioned whether it was secure and whether there is the possibility it might cave in. **Mayor Gable** said the owner addressed the issues with the overhang.

Mr. Gottesman said they had a problem with Four Seasons with droans and asked if the Township was addressing any permits with regard to the flying of droans. **Attorney Mage** said he is looking into it but so, found nothing in our ordinance to address the droans. We will continue to look into it at local and county levels to see what they are do. However, the droan is air apace we can pass a land use ordinance but there is little we can do. We can limit height. Mr. Gottesman said they have passed rules at Four Seasons that droans are not allowed on the premises.

Mr. Grottesman said the mortar on their Belgium Blocks at Four Seasons are deteriorating very rapidly and the blocks are falling. He wanted to bring this to our attention. **Mayor Gable** said someone will have to visit the site and inspect.

James Carricato, 39 Hilltop Lane West, did not like the manner in which the recent reassessment of his home was completed. His assessment went from \$129,600 to \$149,200 and in doing some research, he found 13 Andover models similar to his assessed in the \$120,000. He said he didn't understand. Although he contacted Mr. Burd, he was told his appeal period was February 1. Mr. Carricato felt there is something wrong. **Mayor Gable** suggested he meet with Mr. Burd and advised him to see **Administrator Fitzpatrick** after the meeting to plan a meeting.

Sean Oliver, 25291 Mount Pleasant Road said he filed for a permit for solar panels but it was denied based on the capacity. He felt this is not associated with the ordinance. Upon speaking to Zoning Officer Mahon, he was advised to go before the Zoning Board. **Deputy Mayor Semptimphelter** noted that Mr. Oliver had attended the Zoning Board Monday night

and was advised to get his information to the Secretary of the Zoning Board as he is to appear before that board. **Attorney Magee** said he was aware of the situation and reviewed a memo prepared by Tom Coleman's Office today. If the zoning officer denies his request, he can go to the state and file an appeal or go to the Zoning Board for an interpretation. He felt the permit was denied because Mr. Oliver is going to sell electricity. Mr. Oliver said he was going to provide it to his neighbors at no cost. **Attorney Magee** said Mr. Oliver is in the residential zone which raises another question as to how he can provide a commodity beyond that which he is using on his own. This raises another questions as to, if he is in a residential zone, how can he operate a retail business without appropriate approval, something the Zoning Board can do. He was advised to file for an interpretation of the ordinance and, in the alternative, seek approval for a variance in order to allow him to sell it.

Mark Semus, 82 Greenbrook Drive, said he spoke to Mr. Magee today in reference to the illegal dumping in Mapleton. It is his understanding the Police Department is not going to pursue any charges against the private contractor doing this. Mr. Semus wanted the Committee to know this changes his perspective on what is it what the people are supposed to do as tax payers when it comes to community policing. He said he will look the other way if something happens again whether in his development or not as he won't pursue something he believes is wrong when the Police Department feels they do not have enough evidence to pursue the charge. There is an issue and it needs to be address but obviously the Chief of Police feels that Mr. Semus' witness to a crime is not enough evidence to pursue a complaint. Mr. Semus did not want to file a civil complaint. Mr. Semus said he will look the other way from now on. He said he will never do community policing for this community again. He said he was a witness and will be a witness but not if the Chief doesn't want to be bothered.

Mayor Gable said the Chief handled it by warning and putting the Contractor on notice and, if he is caught doing this, they will take care of it. However, this time they didn't press charges. He said he understands Mr. Semus but also appreciates when Mr. Semus sees something and brings it forward. These things are worthwhile and good information. **Mayor Gable** said he would hope Mr. Semus would report anything wrong. The Police Chief knows about the situation and, if this is continued and additional information becomes available, it is taken care of. **Committeeman Higgins** added that he doesn't believe Mr. Semus will turn away if he sees something wrong. He asked Mr. Semus to continue to be a part of this community.

With no more comments or questions from the public, the Public Comment was closed.

MAYOR AND COMMITTEE

Committeewoman Cholewa referred to an interesting article about the Grange in the newspaper and encouraged everyone to support the Grange as well as the Fire Department and EMT's.

Mayor Puglia thanked the people for attending. **Deputy Mayor Semptimphelter** said he was glad to see people attend the meeting and make comments as there are a lot of things the Committee is unaware of.

Mayor Gable appreciated the people in attendance and thanked them for their comments.

MOTION TO ADJOURN

A motion as offered by **Committeeman Puglia** and second by **Committeewoman Cholewa** to adjourn at 9:20pm. Motion carried.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk

Approved: October 12, 2016