

JUNE 15, 2009

The regularly scheduled meeting of the Mansfield Township Land Use Board was called to order by Chairman John Barton at 7:30 PM.

The meeting was opened by stating that adequate notice of this public meeting had been provided in accordance with the Open Public Meetings Act by:

1. posting a notice of this regular meeting on the bulletin board of the Municipal Building;
2. causing said notice to be published in The Star Gazette;
3. furnishing said notice to those persons requesting it pursuant to the Open Public Meetings Act; and
4. filing said notice with the Township Clerk.

Present: Barton, Myers, Mayor Jewell, Watters, Mannon, Hazen, Vaezi (arrived at 7:35 PM), Spender, Smith.

Absent: Creedon, Mills, Hight, McGuinness.

Also present: Douglas Mace, P.E.; William Edleston, Esquire.

The Pledge of Allegiance was recited.

MOTION was made by **HAZEN** to approve the minutes of the May 18, 2009 meeting, as written.

SECONDED: MYERS.

Those in favor: Myers, Mayor Jewell, Watters, Hazen, Spender, Smith.

Opposed: None.

Abstained: Mannon, Barton.

MOTION was made by **MYERS** to approve the resolution for Case #09-01, WalMart Real Estate Business Trust, as amended.

SECONDED: HAZEN.

Those in favor: Watters, Hazen, Spender, Smith, Myers.

Opposed: None.

Abstained: None.

Case #09-02, Linda A. Burk

Edleston explained the applicant requested the matter be carried to the July meeting. Edleston further explained the tax exempt status the applicant seeks should be the sole decision of the tax assessor, and not this board. Edleston stated he researched the matter thoroughly, and related his findings to the board.

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Mace agreed with Edleston, and stated the board shouldn't be put in the position of deeming an operation as a religious organization. Mace stated the applicant has been conducting her operation at the property for years with no trouble or violations.

MOTION was made by **MYERS** to direct Edleston to write a letter to the applicant instructing her to produce documentation recognizing her religious organization as a non-profit, tax exempt organization (which is typically done through the tax assessor). Further, the letter is to inform the applicant the application will be removed from the July agenda, and will formally be postponed until the Land Use Board has received and has the opportunity to review the documentation mentioned above.

SECONDED: SMITH.

Those in favor: Myers, Mannon, Hazen, Vaezi, Spender, Smith Barton.

Opposed: None.

Abstained: Mayor Jewell, Watters.

MOTION was made by **MYERS** to cancel the July meeting for lack of business.

SECONDED: WATTERS.

Those in favor: Mayor Jewell, Watters, Mannon, Hazen, Vaezi, Spender, Smith, Myers, Barton.

Opposed: None.

Abstained: None.

MOTION was made by **MYERS** to authorize payment by the Township Committee invoices submitted by the professionals.

SECONDED: VAEZI.

Those in favor: Watters, Mannon, Hazen, Vaezi, Spender, Smith, Myers, Mayor Jewell, Barton.

Opposed: None.

Abstained: None.

MOTION was made by **MANNON** to adjourn the meeting at 8:10 PM.

SECONDED: MYERS.

Voice vote: ALL IN FAVOR.

Respectfully submitted,

Patricia D. Zotti, Secretary
As Written

