

**MANSFIELD TOWNSHIP
BURLINGTON COUNTY
SPECIAL MEETING
June 6, 2012
5:30 pm**

A special meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Arthur R. Puglia, Deputy Mayor Robert J. Higgins, Committeeman Alfred W. Clark, Committeeman Sean Gable, Committeewoman Janice A. DiGiuseppe, Attorney Michael Magee, and Municipal Clerk Linda Semus.**

Mayor Puglia called the meeting to order at 4:30 PM followed by the following opening statement, Flag Salute and Moment of Silence:

“Adequate Notice” has been provided for this Special Meeting and has been posted on the Official Bulletin Board of the Township of Mansfield, noticed to the Burlington County Times on June 3, 2012 and filed with the Municipal Clerk of the Township of Mansfield, notice of which contained the date, time, place, and purpose of this meeting stating that formal action may be taken on any and all subjects involving Mansfield Township, as so noted in NJSA 10:4.-8(d), Amended 1981, by including Section 10:4-18 which addresses Regular Meeting of a Public Body, which is addressed under “Annual Notice”.

ORDINANCE 2012-6 - First Reading/Introduction

ORDINANCE NO. 2012-6

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR REFURBISHING AND REMOUNTING OF AN EMERGENCY MEDICAL VEHICLE IN AND FOR THE TOWNSHIP, APPROPRIATING \$85,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$80,750 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

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) **AS FOLLOWS:**

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Mansfield, in the County of Burlington, New Jersey (the “Township”) as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$85,000, including the sum of \$4,250 as the down payment for the improvement and purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$80,750, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the remounting and refurbishing (generally consisting of removal of a modular body from an existing chassis, performance of body work as required to allow for re-use, repainting of the module body and mounting it onto a new chassis to extend the useful life of the modular body) for an Emergency Medical Vehicle owned by the Township.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefore.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8 (a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

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 Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not current expenses. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(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 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$80,750, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law

(PUBLIC HEARING SCHEDULED FOR JUNE 27, 2012 AT 7:30 PM)

Mayor Puglia stated that he believed that Deputy Mayor Higgins and Committeewoman DiGiuseppe had a few questions pertaining to this Ordinance so he had asked Mr. Archer to be present to hopefully answer their questions.

Committeewoman DiGiuseppe stated that her comments and questions are addressed to the Township Attorney. Her first comment was that the first she had heard of this request to refurbish/remount an ambulance was at the last regular township meeting and after re-reading all the minutes in 2011 and 2012, she did not see any requests of the Township to refurbish/remount an ambulance. She is a bit confused and addressed the following to Mr. Magee, Township Attorney. There exists three regulations relevant to this special meeting's subject matter; the Rescue Squad is a non-profit association, correct? Mr. Magee and Mr. Archer both nod their heads in the affirmative. There are three documents that relate and she needs some clarification. One is NJSa 40:5-2 which provides the municipality voluntary contribution rules to a first aid squad and emergency squad. She spoke to CFO Monzo about this statute and he told her that because a contract exists between the Township and the First Aid Squad, the Statute does not apply. However, the contract is either voided or expired because we have already exceeded the amount that is in the contract and the Division of Local Government Services (DLGS) has stated that because the contract has a specific amount of money in it, it overrides the statute. Her question is, whether the contract is voided or expired? She knows that there has to be a new contract executed. The other is, the Administrative Code of the Township, Article 3, Chapter 39A, which provides the rules for funding to non-profits, which states the financial accounting must be submitted to the CFO by May 15th for the previous year.

Committeewoman DiGiuseppe states that she is not against what is being requested, she just needs clarification and she needs to ask the Township Attorney what rule of law prevails in supporting the introduction of this bond ordinance.

Attorney Magee states that he agrees, as he saw the different e-mails that had gone back and forth between her and CFO Monzo, the voluntary contributions statute does not apply since there is a contract. He also agrees that the contract needs to be amended to reflect more accurately, 1) the funding, and 2) the services that are being provided. There have been a number of instances that he does recall by Committee member to amend the contract and so the time has come and it really needs to be done to more accurately reflect the dollars and the services provided. He again states that the statute does not apply because it is a contract and it is not a voluntary contribution, but he further agrees that the contract needs to be amended.

Deputy Mayor Higgins asks of the Mayor, "correct me if I am wrong, but we have instructed Mr. Monzo to amend the contract, and I do not know why it has not been done?" **Mayor Puglia** was unable to provide an answer at this time. **Deputy Mayor Higgins** states that the contract was initially written with 8 hours of service paid and the balance was volunteer. **Mayor Puglia** interjects that it is no longer that way, it is 24 hours paid. **Deputy Mayor Higgins** agrees with the Mayor's statement but says that the funds given them through the current fund have nothing to do with the Ordinance. Chapter 39 also states that we are permitted to buy equipment and that is what we are doing here. It really does not have anything to do with the contract. He would rather focus on whether we (the Township) need the equipment. **Deputy Mayor Higgins** stated he spoke to CFO Monzo and that the First Aid Squad did provide an accounting in February and the Squad had received their 2011 Audit yesterday. **Deputy Mayor Higgins** asked that Mr. Archer get a copy to the Township with a balance sheet and a P&L. **Committeewoman DiGiuseppe** stated she has not seen anything. **Deputy Mayor Higgins** said because it goes directly to CFO Monzo. **Committeewoman DiGiuseppe** stated that CFO Monzo is supposed to submit to the Committee with approval. Deputy Mayor Higgins had no knowledge to explain why the Committee had not received this information. **Deputy Mayor Higgins** stated that since he saw all the e-mails pertaining to this topic, he had contacted Mr. Archer and he submitted a copy to Deputy Mayor Higgins for review. He asks Mr. Archer to be sure to get a copy to CFO Monzo immediately. The next question is, "do we really need this equipment"...he states in questions format, we have four (4) ambulances? Mr. Archer speaks from the audience (not clear enough to be picked up by all of his conversation in the microphones). It is believed that he said "there are two ambulances based here in the Township and two in Wrightstown." The two in the Township are 2008s and the two in Wrightstown are 13 years old, they are 2000s. The one the request of refurbishing/remounting is for, has had \$6,000.00 worth of repairs and by doing this work to it, they will get 10 more years of service out of it. The refurbishing/remounting cost is \$75,000.00 to \$78,000.00 versus \$208,000.00 to \$220,000.00 for a new vehicle. This vehicle has an engine issue right now, they just replaced the rear end, it has a severe oil leak, the transmission can go at any time now, and they are nursing that along right now. It is at the point that it is costing more to do the repairs than the actual vehicle is worth, as well as, the depreciation of the vehicle has its worth down to \$0.

The reason there are four (4) vehicles is that they have three (3) vehicles in service everyday; seven (7) days a week, twenty-four (24) hours a day. The State requires them to keep one vehicle as a standby in the event one goes out of service, they would need to notify the State of New Jersey, Department of Health that they are not in service and then it gets complicated because then once the vehicle is repaired, we would have to wait for them to come and inspect it to put it back in service. This could take quite a bit of time. That is the reason that there are spares.

Committeewoman DiGiuseppe asks where the vehicle being retrofitted is being kept right now. **Mr. Archer** responds with Wrightstown. We have a contract with them; they have a new firehouse there, which enables us to leave the vehicle there in their building as part of their contract to store the vehicle for us. The spare vehicle is used every Wednesday under a contract with NADE, so it is used and a revenue making vehicle. It brings in somewhere in the vicinity of about \$7,000.00 or \$8,000.00 a year. It also supplies us with the spare in the event a vehicle is down. The other day the rear end went out on one vehicle and it provided us as the spare for three (3) days and we did not have to contact the State.

Committeeman Gable asked once it is retrofitted, where it will be in service. **Mr. Archer** stated probably Wrightstown. It could be anywhere though. They could move vehicles back and forth between either one of the stations. **Committeeman Gable** whether they rotate the vehicles between stations. **Mr. Archer** stated that the two newer vehicles (2008s) are kept here in the Township. He feels they are the primary vehicles for the residents of this Township. The contract that they have with Chesterfield, we do not supply them with an ambulance. We only supply them with manpower.

Committeewoman DiGiuseppe asks who is responsible for initiating a new contract? Is it our Attorney or our Purchasing Agent? **Attorney Magee** assured Committeewoman DiGiuseppe that he will make sure that between himself and CFO Monzo, it will be done as soon as he is back from his vacation. She thanks Attorney Magee, and she would appreciate that. The cost to retrofit is approximately three times the money than purchasing a new vehicle

Deputy Mayor Higgins apologizes, he was having trouble hearing. He asks again the number of vehicles we have and the ages of the ambulances. Mr. Archer reiterates..two (2) are 2000s and two (2) are 2008s. One will be thirteen (13) years old in September the other in January, 2013. Once the one is retrofitted, it will give ten (10) more years of service. There are no issues with the box. When doing a retrofit, they take out the strobe lights and put in LEDs, which has a ten (10) year warranty. It does reduce some of the electrical load. **Deputy Mayor Higgins** asks how it actually works when one of our vehicles are down for repairs or on another call somewhere. **Mr. Archer** states that if one of the Township's vehicles is out on a call, the ambulance in Wrightstown come over to the park in Mapleton to cover should any calls come through. If the Wrightstown vehicle and the Mansfield vehicle are both in use, then the unit in Chesterfield comes to the park in Mapleton. This leaves Mansfield with three (3) ambulance coverage for at least 12 hours every day. The other two are being financed by the other Townships, not ours. Mr. Archer suggests that a five (5) year budget should be looked into to have a building over at Mapleton. They looked at the Recreation Building there, and he believes it looks like an addition could be added to allow a fire truck and an ambulance to help cover that side of the Township.

Mayor Puglia stated that he and Mr. Archer did talk about that and there are grants coming up that could be applied for to do the addition. Mr. Archer stated that the residents of Four Seasons, within the next 7 to 10 years, will be in the same age bracket that they are dealing with Homestead now. They are in Homestead on an average of 3 times a day, 7 days a week, if not 4 times a day, 7 days a week. The average age in Homestead that they do services for, are in their 80s. They do 150 public assist calls a year in Homestead, where they just go out to pick people off the floor. No transportation needed, thereby no revenue generated. It depends on how the call is called in by the resident. If it comes in as a lift assist, no injury, they go out with the ambulance on a non-emergency. If they say it is a fall victim, they go out as an emergency.

Committeewoman DiGiuseppe has no other questions and is agreeable to the introduction of the Ordinance but states that she wants the contract executed accurately before any further requests for funding/ money requests are made of the Township Committee. **Deputy Mayor Higgins reiterates** that there should be no more contributions made until that contract gets corrected. **Mr. Archer** asked for clarity as to future funding requests versus the request to go ahead with the bonding for the retrofiting. **Attorney Magee** stated that Committeewoman DiGiuseppe is not implying holding up this bond ordinance. **Committeewoman DiGiuseppe** reiterates, no, no more further funding for other things until the contract is corrected. **Mr. Archer** is 100% in favor of that. **Committeewoman DiGiuseppe** said that it causes too much confusion because there are so many rules and regulations and no one knows what the accurate one that will cover the expenditure is. **Mr. Archer** stated that he has been trying to get this corrected for a while now with the \$160,000.00 on the contract and they have to keep coming back for \$40,000.00/\$50,000.00 more as a donation part to help offset that contract. They have been doing twenty-four (24) hours service now for about ten (10) years. **Mayor Puglia** said that the Township gave that money prior to the Squad going twenty-four (24) hours. There was a contract with Virtua because the volunteers in Mansfield could not keep up with the calls so Virtua was paid \$160,000.00 a year to provide eight (8) hours of services five days a week and the rest of the hours were done by the volunteers. Somewhere around 2000, he came before the Township asking to take over that contract because of the way the Virtua people were treating our vehicles and that they could do the same thing for the same amount of money.

Deputy Mayor Higgins asked if he was correct that the squad used to by their own ambulances. Mr. Archer confirmed. Deputy Mayor Higgins then stated that in 2008 you became fully paid services and then the Township purchased the equipment. During the time you took over the contract you had been saving for the purchase of a new ambulance but since that time you have gone through that money and that is why you need additional money. **Committeewoman DiGiuseppe** stated it was fine so long as you have a contract in place that is explained clearly.

Motion was offered by **Deputy Mayor Higgins and seconded by Committeeman Gable** to introduce Ordinance 2012-6 with a public hearing set for June 27, 2012 at 7:30 pm. Motion was carried by the following roll call vote:

MOTION: HIGGINS SECOND: GABLE
ROLL CALL VOTE:
AYES: HIGGINS, GABLE, CLARK, DIGIUESEPPE, PUGLIA
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

PUBLIC COMMENT:

Mayor Puglia opens the meeting for public comment. Seeing none, Mayor Puglia closes public comment.

There were no comments by Mayor and Committee.

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to adjourn the meeting. Motion carried.

RESPECTFULLY SUBMITTED:

LINDA SEMUS, RMC, CMR
Municipal Clerk

Approved: June 27, 2012