

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
November 15, 2012  
Executive Session  
6:00 PM**

The regular executive session meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Arthur Puglia, Deputy Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Alfred Clark, Committeewoman Janice DiGiuseppe, Deputy Treasurer Bonnie Grouser, Solicitor Michael Magee, and Clerk Linda Semus.**

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

“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 November 8, 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”.

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to go into executive session by adoption of the following Resolution. Motion carried.

**RESOLUTION 2012-11-1**

**RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows: on-going negotiations, pending litigation and personnel..
3. It is anticipated at this time that the above subject matter will be made public when the matters have been resolved and approved for release by the Township Solicitor.

Regular Meeting  
7:30PM

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance **Mayor Arthur Puglia, Deputy Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Fred Clark, Committeewoman Janice DiGiuseppe, Engineer Tim Staszewski, Attorney Michael Magee, CFO Joseph Monzo, Clerk Linda Semus, and Deputy Clerk, Barbara Crammer.**

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to come out of executive session. Motion carried.

**Attorney Magee** explained that matters discussed in executive session were on-going negotiations, pending litigation, and personnel.

The regular meeting was opened by **Mayor Puglia** followed by the flag salute and a moment of silence.

**OFFICE OF EMERGENCY MANAGEMENT REPORT:**

**Douglas Borgstrom, OEM Coordinator**, gave an overview of Hurricane Sandy. The governor declared a State of Emergency on October 27. The Fire Department responded to from 60 to 70 calls including trees downed and wires down. The EMS was very active in assisting homeowners with batteries for medical equipment plus providing supplemental oxygen. They were doing 12 hour operational procedures from 6 to 6. Mr.

Borgstrom said that our departments did their own self dispatching sending the appropriate resource to the assignments. They were then relayed to the County. The county operation center lost complete communications so we were pretty much on our own. In noting the insufficiencies, the reverse 9-1-1 system was not used because, during the bear sitting, about 40% of the residents did not get the phone calls causing more phone calls from those people inquiring about the possibility of a bear and complaining that they had not received a phone call. They didn't want to use the faulty system and clog up the phone lines from people complaining they didn't receive a call. However, they will use the reverse 9-1-1 next time even if it is not 100% and people who are notified will be told to tell the neighbors. Mr. Borgstrom said that notices were posted on the website and Chief Mulhall had utilized the police department's facebook page and their twitter account. Although the media did a good job predicting the storm, people were still not prepared as well as they should have. In the event of another storm, they hope to be able to communicate out better.

Mr. Borgstrom said potable water was provided at three locations, the fire house, EMS building and public works building. Water was provided for the homes as well as for animals. This worked well and will be done again in the future. Prearranged shelter agreements had been made with the schools. The facilities were ready and would be able to open in an hour. Buses were available if needed. Shelters were established with the county and we were asked by the county to use them first before we utilized our own. We need to stress to everyone to prepare. Many residents were not prepared for a three to five day outage. Homestead was hard hit as they are not used to being without electricity. They were given help when needed as the cooperation amongst our various departments was excellent.

Mr. Borgstrom will be attending a meeting with FEMA tomorrow in Medford. This will start the process of the FEMA reimbursement grant to help offset our expenses. Both schools were asked to give him a damage assessment so he can help them for any kind of funds that may be available for their repairs. Notice has been sent through the website about FEMA money which may be available for residents who had losses. Mr. Borgstrom thanked all who cooperated during the storm.

**Mayor Puglia** thanked Mr. Borgstrom, the Firemen, Jef Jones and his men, the ambulance and the police for doing a wonderful job to help the people. Mr. Borgstrom said this was a big team effort. **Committeeman Clark** also thanked them for help in removing a tree in his driveway which was important to him with his 88 year old father-in-law residing with him. Clerk **Semus** thanked Colleen Herbert who sent information out to the residents via the internet. Colleen felt the township handled things very well because the residents were not kept in the dark. **Committeewoman DiGiuseppe** said **the Police Chief** e'mailed her. The information was then sent out to the residents of Four Seasons.

**Deputy Mayor Higgins** complimented **Committeeman Gable, Committeeman Clark** and **Mayor Puglia** for keeping him informed.

#### **ENGINEER'S REPORT.**

**Engineer Staszewski** said he received a call from the DEP informing him that the Waste Water Management plan was approved by the DEP legal department.. It is not with upper management and, once it approved by the, it will be signed by the commissioner, probably in a few days.

**Attorney Magee** had drafted a letter to the turnpike authority about Mill Lane and Mansfield Road West. This letter is to be reviewed with **Engineer Staszewski** and sent out.

We have been working with Orleans for the Meadows, specifically with the street lighting. At some point, it was transferred from Orleans to the Homeowners Association. Typically, this isn't done until the time of bond release when all the improvements are accepted. As of now, the Homeowner's Association is responsible for the lighting

although they weren't aware of this. Now, PSE&G is now talking about turning the lights off. .

**Attorney Magee** said he did some research and found out that Orleans was telling homeowners that it was the township's obligation pursuant to the reimbursement act stating that they were a qualified private community. **Attorney Magee** said this was not accurate. First, they are not a qualified private community as the developer formed an association to take care of portion of the grass area and detention basin. This is not a qualified private community such as Homestead or Four Seasons which is reimbursed. There is a provision under the MLUL which outlines the mechanism by which, if the developer notifies the approving authority and governing body in writing that certain benchmarks have occurred, such as 50% of the CO'S having been issued, then the municipality 30 days after receiving the notification, has to make arrangements with the public utility to assume the services. No one has been notified by the developer. **Attorney Magee** suggested to the homeowners that no written notification had been received. Tony Villabon, resident, said they want to stay out of this. They want Orleans to fulfill the responsibility themselves but now PSE&G has threatened to shut the lights off and they don't want the residents to be put in danger. He said they put Orleans on notice of the statute in hopes they will do something. **Attorney Magee** offered to also put them on notice.

**Committeeman Clark** noted that the fence was down on the Orleans property. Mr. Villabon said they approached Orleans about the fence and they were told that the company who installed the fence is out of business. However, he felt that this did not relieve the developer of the responsibility. It was noted that it is still under the performance bond. Mr. Villabon was told to work with **Engineer Staszewski** on this. H added that they may need to tear it down and put up another one.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clerk** to accept the Engineer's report. Motion carried.

## **BILL LIST**

A motion was offered by **Committeeman Gable** and second by **Commmtteeman Clark** to authorize payment of the bills as submitted. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: GABLE, CLARK, DIGIUSEPPE, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

## **ORDINANCE: First Reading/Introduction**

### **ORDINANCE NO.2012-11**

**BOND ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR ADDITIONAL COSTS OF CONSTRUCTION AND EQUIPMENT FOR THE MILLENNIUM BUILDING (E.G. THE NEW MUNICIPAL COMPLEX) AND PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,800,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$1,710,000IN 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 \$1,800,000, including the sum of \$90,000 as the down payment for the improvement or 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 or from moneys then actually held by the Township and previously contributed for such purpose other than by the Township.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$1,710,000 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 limitation 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 additional costs of construction and equipment for the Millennium Building (e.g. the New Municipal Complex) located at 3135 Route 206 South and constituting Block 9, Lot 2.01 on the tax maps of the Township, all as shown on and in accordance with the plans and specifications on file in the office of the Clerk, which plans were approved, including the acquisition and installation of equipment, furnishings, site work, and all work and materials necessary and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is \$9,785,000, including \$7,125,000 authorized under bond ordinance 2005-18, finally adopted July 13, 2005 (“2005-10”); \$1,000,000 authorized under bond ordinance 2008-8, finally adopted on February 27, 2008 (“2008-8”) and \$1,710,000 authorized herein.

(c) The estimated cost of the improvement or purpose authorized herein is equal to \$10,591,499.41, including \$7,500,000 appropriated under 2005-18; \$1,000,000 appropriated under 2008-8; \$291,499.41 re-appropriated under ordinance 2011-10, finally adopted October 12, 2011 and the \$1,800,000 appropriated herein.

**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 Township 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 a current expense. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof will be or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvement or purpose, within the limitations of the Local Bond Law, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township 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 \$1,710,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$200,000 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 improvement or purpose.

(e) The Township reasonably expects to commence the acquisition and/or construction 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 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 purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement 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.** To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

The ordinance was ready by title by **Clerk Semus** who noted that the second reading/final adoption will take place on Tuesday, November 27 at 5PM.

**Committeewoman DiGiuseppe** asked if the \$10 million dollar expense included the purchase also. She was told that it did.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to introduce Ordinance 2012-11 and hold the public hearing on November 27, 2012. The motion was second by **Committeeman Gable** and carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, CLARK, CLARK, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**ORDINANCE NO. 2012- 12**  
**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD**  
**AMENDING CHAPTER 65, "ZONING", OF THE CODE OF**  
**THE TOWNSHIP OF MANSFIELD BY REVISING THE**  
**DEFINITION OF PRIVATE GARAGE**

**WHEREAS**, there exists a need to limit the size of attached private garages,  
**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield as follows:

- Section 1.** Section 65-7, entitled "Definitions", shall be amended by adding the following to the definition for "Garage, Private":
- a. An attached private garage is a garage attached to the principal dwelling unit. The dwelling unit, including the attached garage, shall satisfy all bulk standards for the applicable zoning district. An attached garage shall not exceed a maximum size of 1,000 square feet. Only one attached garage per dwelling unit shall be permitted.
  - b. A detached private garage shall be classified as an accessory structure to a residential use. The detached garage shall satisfy all of the requirements for accessory structures.
  - c. The cumulative size of attached and detached garages shall not exceed a maximum of 1,000 square feet per principal dwelling unit.
- Section 2.** All Ordinances or parts of Ordinances inconsistent with this Ordinance are repealed to the extent of such inconsistency.
- Section 3.** If for any reason any section of this Ordinance shall be declared unconstitutional or illegal by any court of competent jurisdiction, the remaining sections hereof shall remain in full force and effect.
- Section 4.** This Ordinance shall take effect upon final passage and publication according to law.

Ordinance 2012-12 was read by title by **Clerk Semus** who announced that the second reading/final adoption will be scheduled for December 12, 2012 at 7:30PM.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to introduce Ordinance 2012-12 and to hold the public hearing on December 12, 2012. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: GABLE, CLARK, DIGIUSEPPE, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION**

**RESOLUTION 2012-11-2**  
**PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2012**  
**BUDGET PURSUANT TO NJSA 40A:4-87 (CHAPER 159, P.L. 1948)**

**WHEREAS**, N. J. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**SECTION 1**

**NOW, THEREFORE BE IT RESOLVED** on this 15th day of November, 2012, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to

approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$ 1,112,114.00 which item is now available as an additional revenue for the Mansfield Township Reforestation Program  
SECTION 2

**BE IT FURTHER RESOLVED** that a like sum of \$ 1,112,114.00 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Mansfield Township Reforestation Program

**CFO Monzo** explained that we received a grant from the state for the reforestation program for the turnpike taking of trees. In order to spend the money, we have to insert it in the budget. This is the mechanism we do to add it to the budget. A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2012-11-2. Motion carried on a Roll Call Vote, recorded

**AYE: GABLE, DIGIUSEPPE, CLARK, HIGGINS, PUGLIA**

**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-3**

**PROVIDIDNG FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2012 BUDGET PURSUANT TO NJSA 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

SECTION 1

**NOW, THEREFORE BE IT RESOLVED** on this 15<sup>th</sup> day of November, 2012, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$ 115,000.00 which item is now available as an additional revenue for the Mansfield Township Municipal Park Development Program

SECTION 2

**BE IT FURTHER RESOLVED** that a like sum of \$ 115,000.00 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Municipal Park Development Program

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to adopt Resolution 2012-11-3. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, CLARK, GABLE, HIGGINS, PUGLIA**

**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-4**

**A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY IN SUPPORT OF A-3393, LEGISLATION TO PROTECT RESIDENTIAL PROPERTY TAXPAYERS FROM THE LOSS OF TELECOMMUNICATIONS TAX SUPPORT**

**WHEREAS**, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

**WHEREAS**, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax ("BPPT"); and

**WHEREAS**, the statute defines local exchange companies as those telecommunications carriers "providing dial tone and access to 51% of a local telephone exchange"; and

**WHEREAS**, Verizon's self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

**WHEREAS**, Hopewell Borough's challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

**WHEREAS**, Verizon's appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation's self-serving interpretation of the law; and

**WHEREAS**, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

**WHEREAS**, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

**WHEREAS**, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of \_\_the Township of Mansfield commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; and

**BE IT FURTHER RESOLVED**, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

**BE IT FINALLY RESOLVED**, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., and our own State Senator and Representatives in the General Assembly, and to the New Jersey State League of Municipalities.

**CFO Monzo** explained that, because Verizon owns telephone equipment for lines in the ground, they pay real estate taxes. Once their business has less than 51%, they don't have to pay anything. With the influx of Comcast, Fios, and cell phones, people aren't using their land lines as much. This means they won't pay taxes if they fall below 51%. The bill is in support of legislation that would stop Verizon from arbitrarily getting out of their obligation to pay taxes in our community once they drop below 51%. A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to approve Resolution 2012-11-4. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: CLARK, DIGIUSEPPE, GABLE, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**MANSFIELD TOWNSHIP  
BURLINGTON COUNTY  
RESOLUTION 2012-11-5  
RESOLUTION ACCEPTING THE CHANGE ORDER FOR THE  
CONSTRUCTION/RENOVATION OF THE NEW TOWNSHIP MUNICIPAL COMPLEX  
AT THE NEW MILLENNIUM BUILDING IN THE TOWNSHIP OF MANSFIELD**

The actual figures were not included on the change order. **CFO Monzo** said that, since the additional funding for the Millennium Building will not be in place until the ordinance is official on November 27<sup>th</sup>, he felt that any change orders with a monetary value cannot be acted on until that time.

**Engineer Staszewski** said they had provided drawings showing two separate sanitary systems within the Millennium Building, one of which was a gravity feed system and one which was forced with an ejector station in the Fire Department. Evidently those drawings were wrong and the two lines are connected. When the bathrooms in the office space were moved, they found a problem with the ejector. This is urgent to act on to seal the pipes as sewage is rising up into the renovated space now. **Deputy Mayor Higgins** referred to a \$7,000 reduction resulting from changes including the counter tops being changed from corion to formica at a savings and a change in the cabinets. He was hoping the \$7,000 credit would handle this piping issue. However he wasn't sure we had sufficient funds now since the original credit went from \$7,000 to \$4,300. **Deputy Mayor Higgins** questioned the decrease in the credit and asked who approved the cabinets. **Engineer Staszewski** said the relocation of the ejector line will cost \$4,652.76. **Committeewoman DiGiuseppe** commented on how this can be voted on since she was unaware of the issue. She felt it should be withdrawn.

This item is to be discussed at the special meeting to be held on November 27, 2012.

A motion was offered by **Deputy Mayor Higgins** to amend the agenda to withdraw action on Resolution 2012-11-5. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: HIGGINS, DIGIUSEPPE, CLARK, GABLE, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to withdraw Resolution 2012-11-5. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: HIGGINS, DIGIUSEPPE, CLARK, GABLE, PUGLIA**  
**NAY: NONE ABSENT; NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-6**  
**APPLYING OVERPAYMENT OF TAXES**

**WHEREAS**, taxes were paid in error on the property listed below by Susquehanna Bank, and

**WHEREAS**, Susquehanna Bank has authorized the transfer of the overpayment as shown below  
**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Tax Collector shall apply the overpayment of taxes to the following:

<b>FROM</b>		<b>TO</b>	
Block 51.01, Lot 4.03	\$4,727.40	Block 51.01, Lot 4.05	\$4,727.40
Dolores McConagly		Devlin & Jessica McConagly	

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to adopt Resolution 2012-11-6. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, CLARK, GABLE, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-7**  
**REFUND OF TAX OVERPAYMENT**

**WHEREAS**, Property Taxes were overpaid on the properties listed below; and  
**WHEREAS**, this overpayment was due to a payment by Susquehanna Bank, and they are requesting a refund;

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their regular meeting held on November 15, 2012 hereby authorizes the refunding of the following to Susquehanna Bank by the Tax Collector.

Block	Lot	Property Owner	Amount
51.01	4.05	Devlin & Jessica McConagly	\$1,158.23

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2012-11-7. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, GABLE, CLARK, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-8**  
**A RESOLUTION OF THE TOWNSHIP OF MANSFIELD APPOINTING JOSEPH VAN MATER AS A FIRE INSPECTOR**

**WHEREAS** Douglas Borgstrom, Fire Sub-Code Official, for the Township of Mansfield, feels the need to add qualified individuals to his roster of fire inspectors to cover all shifts necessary during the course of a day; and

**WHEREAS**, Joseph Van Mater meets the requirements of the Mansfield Township job description for said position to do fire inspections for the Township of Mansfield; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their meeting held on November 15, 2012 that Joseph Van Mater is hereby appointed as a Fire Inspector, at an hourly rate of \$10.71, as set by Ordinance, effective November 15, 2012, with no benefits and holidays.



A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to adopt Resolution 2012-11-8. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, CLARK, GABLE, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**RESOLUTION 2012-11-9  
 PROVIDING FOR THE INSERTION OF A SEPCIAL ITEM OF REVENUE IN THE 2012  
 BUDGET PURSUANT TO NJSA 40A:4-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**SECTION 1**

**NOW, THEREFORE BE IT RESOLVED** on this 15th day of November , 2012, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$ 9,338.57 which item is now available as an additional revenue for the Mansfield Township Recycling Tonnage Grant

**SECTION 2**

**BE IT FURTHER RESOLVED** that a like sum of \$ 9,338.57 be and the same is hereby appropriated under the caption of:

**Section 1 (a)**

Recycling Tonnage Grant	\$ 9,338.57
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**CFO Monzo** explained that this is our annual recycling tonnage grant. Based on our reports submitted to the county and state, we received \$9,388.57 to be used for recycling purposes. A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2012-11-9. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: GABLE, DIGIUSEPPE, CLARK, HIGGINS, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

<b>MANSFIELD TOWNSHIP</b>					
<b>BURLINGTON COUNTY</b>					
<b>RESOLUTION 2012-11-10</b>					
<b>RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT</b>					
<b>FUND IN THE</b>					
<b>TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2012</b>					
BE IT RESOLVED on this 7th day of November, 2012 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2012 budget appropriations transfers be made as follows:					
<u>CURRENT FUND: Inside the CAP to Inside the CAP</u>					
<u>Operating Expenses and Salaries &amp; Wages</u>					
	<u>Title</u>			<u>Transfer From</u>	<u>Transfer To</u>
	Workers Comp	OE		1,874.00	
	LOSAP	OE		3,476.00	
	Landfill	OE		10,000.00	
	Human Resources	OE		1,200.00	
	Streets	OE		20,000.00	
	Solid Waste	OE		3,200.00	
	Vehicle Maintenance	OE		14,000.00	
	Audit	OE		3,600.00	
	Con Social Services	OE		940.00	
	SW Adjustment	SW		22,000.00	
	Tax Assessor	OE		1,500.00	
	Police	OE		4,000.00	
	OCE Fire	OE		2,583.00	
		OE			
	Clerk	OE			500.00
	Engineering	OE			6,100.00

	Zoning	OE			200.00	
	Liability Ins	OE			614.00	
	Street Lighting	OE			25,000.00	
	PERS	OE			72.00	
	PFRS	OE			122.00	
	Finance	OE			1,000.00	
	Buildings	OE			25,500.00	
	Legal	OE			16,000.00	
	Tax Collector	SW			13,265.00	
		TOTAL		\$ 88,373.00	\$ 88,373.00	

**CFO Monzo** explained that, after November 1, municipalities are permitted to transfer monies from those accounts with excess funds to those that may need funds. A motion was offered by **Committeeman Higgins** and second by **Committeeman Gable** to approve Resolution 2012-11-10. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: HIGGINS, GABLE, CLARK, DIGIUSEPPE, PUGLIA**  
**NAY: NONE ABSENT: NONE ABSTAIN: NONE**

**MINUTES: October 24, 2012**

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to approve the minutes of the October 24, 2012 meeting. Motion carried.

**DISCUSSION/ACTION:**

- a. Application for the use of Mansfield Indoor Training Facility, Northern Burlington Soccer Club, U-10 Boys, Randy Feig Contact Person, November 8, 2012 through November 7, 2013 @ 7:00pm. Dates to be scheduled**

**Clerk Semus** explained that this has been approved by the Recreation Committee. Insurance has been submitted.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to approve the above application. Motion carried.

- b. Memo from Harry McVey of Lou Glass Associates re: Draft Ordinance and Farmland Preservation Program**

**Committeewoman DiGiuseppe** had spoken with Mr. McVey and referred to the priority list sent by the county. Mr. McVey had explained that the township wanted to add another farm to the listing. If the property is not put on the priority list to be sent to the county, if we choose to do this, the county will not reach out to that property owner. It will not preclude the property from being a part of the process but the property owner will have to reach out to the county. If the Township wants to add a property, they should do this. Mr. McVey did inform **Committeewoman DiGiuseppe** that the two Albanese properties should be removed because they are part of the town center.

A motion was offered by **Deputy Higgins** to endorse the priority list with the removal of the Albanese property from the list. The motion was second by **Committeewoman DiGiuseppe** and carried on a Roll Call Vote, recorded as follows:

**AYE: HIGGINS, DIGIUSEPPE, CLARK, GABLE**  
**NAY: NONE ABSENT: NONE ABSTAIN: PUGLIA**

**C. Fire Pit Rules and Regulations for review and approval**

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to accept the rules as submitted. Motion carried.

**PUBLIC COMMENT**

Fritz Wainwright felt that having a sewer line with a pump to pump the sewer into a gravity flow is not a smart idea. He felt there should be a direct line to the septic

system. The process for the new building was explained to him. Mr. Wainwright felt that any change orders cost money.

Judy Harrison, Mansfield Road West, said she was comforted to see emergency vehicles going up and down her road but she felt there is nothing like a radio to notify the citizens. We all don't have 100% coverage with tv or computers but the radio with batteries does work. She said she was fairly well prepared but the third day she was running low on water for the animals and she didn't know where to go. As of tonight, she does. **Committeeman Gable** explained notification was on the website. However, Mrs. Harrison questioned how you can go on the website if there is no electric. **Committeeman Gable** said the Fire Department will bring water to the animals if there is a long outage of electric. However, Mrs. Harrison felt there was no way to know this. She had no communication other than a radio and felt this should be a way to inform people. She also felt there should be somewhere a citizen could go and take a shower.

Mrs. Harrison questioned the status of the house on the corner of Charles Street and Hedding Road. She was told this is being addressed as the owner is trying to be located. **Clerk Semus** told her the township has tried every avenue to contact him.

**MAYOR AND COMMITTEE COMMENT:**

**Committeewoman DiGiuseppe** thanked everyone for coming out to the meeting.

**Deputy Mayor Higgins** thanked the voters for his re-election. He enjoys serving on the Township Committee. He thanked everyone for attending the meeting and wished them a nice Thanksgiving.

**Committeeman Gable** and **Committeeman Clark** wished everyone a Happy Thanksgiving.

**MOTION FOR ADJOURNMENT**

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

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Barbara A. Crammer  
Deputy Clerk

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Linda Semus, RMC  
Municipal Clerk