

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
November 27, 2012  
5:30PM**

A special 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, Committeewoman Janice DiGiuseppe, Committeeman Alfred Clark, Attorney Michael Magee, Engineer Tim Staszewski, and Deputy Clerk Barbara Crammer.**

The meeting was called to order by **Mayor Puglia** followed by the salute to the flag and a moment of silence.

The following Open Public Meetings Statement was read:

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 3, 2012. 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 9, 2012.

**ORDINANCE: Second Reading/Final Adoption**

**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 \$1,710,000 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 \$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.

**Mayor Puglia** opened the public hearing. With no comments or questions, the public hearing was closed. A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to adopt Ordinance 2012-11. A Roll Call Vote was taken as follows:

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

#### **BILL LIST**

**Deputy Mayor Higgins** said he spoke with **CFO Monzo** today about Check #1009, New Jersey Soccer Registration fees for \$1760 which he felt should be charged to the trust fund instead of the current fund. In addition, another bill to JIII Electronics Inc

for security systems for \$198 which should be charged to the current fund. These changes will be made.

A motion was offered by **Deputy Mayor Higgins** to pay the bills based on the discussions we had regarding the bills. Motion second by **Committeeman Clark** and carried on a Roll Call Vote, recorded as follows:

**AYE:**           **HIGGINS, CLERK, GABLE, DIGIUSEPPE** (with exception as noted),  
                  **PUGLIA**  
**NAY:**           **NONE**           **ABSTAIN:**   **DIGIUSEPPE** (On check number 1001)  
**ABSENT:**      **NONE**

**PUBLIC COMMENT**

Tony Quinto, 27 Waverly Drive, was recently elected to the Meadows at Mansfield Homeowners Association. **Attorney Magee** said he had been dealing with Tony and with another member of the Association in regard to the lighting at the Orleans development. **Attorney Magee** said we determined that there was a certain procedure to follow in order for the municipality to be responsible. Up until the last meeting, the developer had not proven that they had done what they were supposed to. Yesterday, he received a letter, certified mail, stating what they claimed they had done. The Clerk's office had received it. Although the letter does not follow exactly the letter of the law, **Attorney Magee** felt it was pretty clear. The letter had been received July 11 or 12 and this has to be verified by the Clerk's Office. The statute states that 30 days thereafter we need to take measures to get the bill put in our name. It was **Attorney Magee's** advise that, from 30 days from the date we received the letter that, at that point, it becomes our responsibility. Prior to that date, **Attorney Magee** felt the Township didn't have any obligation.

**Deputy Mayor Higgins** asked if there was a way we could call Public Service, acknowledge that, as a certain date, the Township is responsible and will get the bills paid from that date forward. He felt we should ask Public Service to work with us. The prior bills might take some time as we might have to go against the bond. Some way they will get paid either against their bond or against our budget. We do not want the street lights to go out. Someone has to make a call to make them comfortable and to make sure our residents and taxpayers know we are working for them.

**Attorney Magee** suggested that the finance department, through their normal channels, state that the township is responsible for the account from a specific date. In terms of the prior bills, he felt it was a Committee decision. From a legal perspective, our legal obligation begins 30 days from when we were put on that notice. We have no obligation prior to that date. The finance department should make a call to Public Service and inform them on the date we are responsible and we will do what we can to make the developer pay their share. **Mayor Puglia** said the finance department should call tomorrow morning and inform PSE&G that the specific account number gets changed over to Mansfield Township as of August 9<sup>th</sup>. The bill prior to that date will cover about a month of electric. Mr. Quinto said the bill has been averaging about \$300 a month. **Attorney Magee** said he will speak to Bonnie in the morning and will also inform her to copy Mr. Quinto on what is done.

**Deputy Mayor Higgins** thanked Mr. Quinto for the hard work he did in the research.

With no more comments or questions, the public comment portion was closed.

**EXECUTIVE SESSION**

A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to go into executive session as per the following Resolution. **Attorney Magee** announced that the purposed of the executive session Is to discuss the RFP Responses and the Appointments for 2010.

**RESOLUTION 2012-11-11**

**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:

The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.

1. The general nature of the subject matter to be discussed is as follows: Professional's RFP review and appointments for the calendar year 2013.
2. 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 the conclusion of the executive session, the regular meeting resumed.

**MOTION FOR ADJOURNMENT**

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

RESPECTFULLY SUBMITTED BY:

---

Barbara A. Crammer, Deputy Clerk