

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
December 28, 2011  
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 Fred Clark, Committeewoman Janice DiGiuseppe, Solicitor Michael Magee, CFO Joseph Monzo, and Clerk Linda Semus.**

**Mayor Puglia** 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 3, 2011. 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 7, 2011.

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

**RESOLUTION 2011-12-14  
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 litigation, specifically Titzel v. Mansfield, Fink v. Mansfield and PBA v Mansfield which were dismissed, potential litigation, contract negotiations, 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, Committeewoman Janice DiGiuseppe, Committeeman Fred Clark, CFO Joseph Monzo, Engineer Len Faiola, Engineer Tim Stazewski, Attorney Michael Magee, Clerk Linda Semus and Deputy Clerk Barbara Crammer.**

A motion was offered by **Deputy Mayor Higgins** 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 litigation specifically Titzel v. Mansfield, on-going litigation regarding Fink v. Mansfield and PBA v. Mansfield which were dismissed, potential litigation, contract negotiations, and personnel.

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

**FINANCE REPORT: Joseph P. Monzo, CFO/Treasurer**

**CFO Monzo** said he had been informed in an e'mail in early November, Beneficial Bank, our primary depository for most of our accounts, effective January 1<sup>st</sup>, 2012, will be lowering our earnings credit rate to .25% and they will no longer pay for some of the third party services they had been paying for namely our payroll costs, our armor car costs and our costs for the use of credit cards in the Municipal Court.

**Mr. Monzo** explained that the credit card costs in the clerk's office and tax office can be passed onto the user. However, state law does not allow that fee to be passed onto someone paying for a court fine with a credit card. That means we don't accept credit cards at all or we pay the fee. Beneficial will no longer be providing that service as many banks are doing these days. **Mr. Monzo** put together a RFP for banking services and received responses back from PNC, the Bank of Princeton, TD Bank, First Constitution, and Beneficial which he summarized on a memo. After reviewing all five proposals, he felt it would be in the best interest to switch to 1<sup>st</sup> Constitution, located in Hamilton, as they will provide 1% and they will pay for our payroll services and armor car service three days a week. He recommended the Committee that they allow him to inform Beneficial and 1<sup>st</sup> Constitution that, effective January, we will switch our main depositories. At our re-org meeting when we have our list of depositories, we will include 1<sup>st</sup> Constitution and we will begin the process of making the switch. He also recommended that, along with that, we switch from every day armor car service to three days a week since the bank is willing to pay for three days a week. There may be times when we have our quarters the first of February, May, August, and November and we are making our heaviest collection for taxes, we could switch to 5 days a week. **Deputy Mayor Higgins** felt that very few people pay their taxes with cash. Most of the cash would probably come through the court. **CFO Monzo** noted that the court credit charges will be absorbed by the township as state statute does not allow passing on credit card charges for court fines. A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to agree with **CFO Monzo's** recommendation to go with 1<sup>st</sup> Constitution. Motion carried on a Roll Call Vote, recorded as follows:

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

**BILL LIST: Regular**

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to approve the bill list as submitted. Motion carried on a Roll Call Vote, recorded as follows:

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

**ENGINEER REPORT:**

**Engineer Len Faiola** gave two updates. The DEP has decided not to conduct a public hearing on our Waste Water Management Plan in response to the comments that they had received regarding our submission in August. They are currently in the process of writing a response to each of the comment letters they did receive which they are required to do. They feel this will take about 3 weeks, then they will publish, for final notification to the public, the Waste Water Management Plan, and then sign and endorse it. No certain date has been given but **Engineer Faiola** feels it will be sometime in early February. With everything set in stone, we will be able to proceed with the acquisition of the Reed parcel and move forward with our other plans.

**Engineer Faiola** said a formal letter from the Turnpike in response to our letter with regard to Mill Lane and Mansfield Road West basically says that they acknowledge our concerns and are studying the matter carefully and will get back to us very shortly. He hopes to hear from them early next month so we can take further steps. His concern is that he wants to re-examine all the roadways by mid to late March as that is when the pot hole season show up. Then we can see if there is severe and significant damage.

**Deputy Mayor Higgins** thanked **Engineer Staszewski** for his letter to the State in regard to Route 68 and Joyce Court. He added that the response about the DEP responding to Section 208 may be the best present we had this year.

**CFO Monzo** asked if Axe Factory Road was really closed ahead where the sign in Bordentown makes that indication. **Attorney Magee** explained that the road hasn't been accepted by the municipality but everyone is using it and they are not enforcing the road closure.

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

**RESOLUTION:**

**RESOLUTION 2011-12-15**

**RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT FUND IN THE TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2011**

**BE IT RESOLVED** on this the 28<sup>th</sup> day of December, 2011 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2011 budget appropriations transfers be made as follows:

**CURRENT FUND: Inside the CAP to inside the CAP Operating Expenses and Salaries & Wages**

<u>TITLE</u>		<u>TRANSFER FROM</u>	<u>TRANSFER TO</u>
Land Use	SW	2,000.00	
FICA	OE	14,000.00	
OCE: Fire	SW	750.00	
Finance	SW	300.00	
Revenue	SW	34.00	
Clerk	OE		100.00
Legal	OE		100.00
Buildings	OE		1,500.00
Vehicle Maintenance	OE		3,000.00
Electricity	OE		2,000.00
Petroleum	OE		2,000.00
Tax Assessor	SW		1,443.00
Police	SW		4,785.00
Streets and Roads	SW		1,630.00
Solid Waste	SW		401.00
Recycling	SW		8.00
Environmental Health	SW		100.00
Municipal Court	SW		17.00
<b>TOTAL</b>		<b>\$17,084.00</b>	<b>\$17,084.00</b>

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2011-12-15. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2011-12-16**

**RESOLUTION AMENDING RESOLUTION 2011- 9-4 IN ACCORDANCE WITH N.J.S.A. 40A:4-48**

**WHEREAS**, the Township Committee of the Township of Mansfield adopted Resolution 2011-9-4 on September 28, 2011 with respect to the Hurricane Irene Declared Emergency in the amount of \$17,000, and;

**WHEREAS**, the actual total amount of the emergency appropriations has been determined to be \$ 5,761.68 and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee, Township of Mansfield, County of Burlington, State of New Jersey (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with N.J.S. 40A:4-48:

1. An reduction in the emergency appropriation is hereby made for the purpose of providing sufficient cash to fund those expenses related to the Hurricane Irene Declared Emergency in the amount \$ 11,238.72 for Other Expenses and \$ 9.60 for Salaries.
2. That the total emergency appropriation shall be provided for in full in the 2012 budget in the amount of \$ 5,751.68, and is requested to be excluded from CAPS, pursuant to N.J.S. 40A:4-53.3c(1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

**CFO Monzo** explained that, in September, we did an emergency appropriation relative to Hurricane Irene Storm for \$17,000. The actual expenses were \$5,761.68. Therefore, we have to reduce the amount of the emergency or the entire amount would have to be in next year's budget. We only have to raise the amount spent next year outside the cap. We will get reimbursed by FEMA for a good portion of that. We are canceling \$11,238.72 for other expenses and \$9.60 for salaries.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to approve Resolution 2011-12-16. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2011-12-17**

**A RESOLUTION AUTHORIZING THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON IN NEW JERSEY TO SPEND \$16,000.00 TO PURCHASE AN EASEMENT FROM NEW JERSEY AMERICAN WATER FROM THE NEW MUNICIPAL COMPLEX TO HEDDING ROAD**

**WHEREAS**, there exists a need for alternate access to the new Municipal Complex; and  
**WHEREAS**, New Jersey American Water owns property adjacent to the new Municipal Complex with frontage on Hedding Road; and  
**WHEREAS**, New Jersey American Water and the Township of Mansfield have been involved in ongoing negotiations to acquire said easement; and  
**WHEREAS**, as a result of ongoing negotiation, a location of the easement was provided along with an appraisal covering said easement; and  
**WHEREAS**, the appraisal was performed on the 10th day of August, 2009 by Depew.Martin Real Estate Appraisers, 302 North Washington Avenue, Suite 201, Moorestown, NJ resulting in an appraised amount of \$16,000.00 for said easement; and  
**WHEREAS**, this award is made available through the following account:  
**0421520051816**  
**WHEREAS**, the Township Committee has concluded that it is in the best interest of all those using the new Municipal Complex to have a second means of ingress and egress.  
**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee has agreed to pay the sum of \$16,000.00 to acquire said easement pursuant to the attached appraisal and the location in the attached Platt.  
**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk be and are hereby authorized to sign all documents necessary to effectuate the acquiring of said easement.

**Attorney Magee** explained that the Township Committee was successful in negotiating an easement for the Millennium Building from the back of the building to Hedding Road from New Jersey American Water. The \$16,000 was based on an appraisal. The action is being memorialized. Mr. Magee said everyone worked hard on this easement as access to Route 206 is not the safest. Efforts to obtain a traffic signal has failed. A second ingress and egress is very important. **Deputy Mayor Higgins** clarified that this was coming from the capital fund.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to adopt Resolution 2011-12-17. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION NO. 2011-12-18**

**RESOLUTION IN OPPOSITION TO RATE INCREASE REQUESTED BY NEW JERSEY AMERICAN WATER**

**WHEREAS**, New Jersey American Water Company, Inc. is seeking a proposed rate increase of \$95.5 million, or approximately 20 percent over present rate revenues of \$565 million; and  
**WHEREAS**, New Jersey American Water Company, Inc. has received an accumulated 73.8 percent in rate increases since 2004; and  
**WHEREAS**, this rate increase, if approved by the New Jersey Board of Public Utilities, will negatively impact ratepayers in 23 of Burlington County's 40 municipalities, at a time when many homeowners and businesses are struggling to survive financially; and  
**WHEREAS**, elected County and Municipal officials have, by contrast, demonstrated a sensitivity to our residents, struggling to cut spending and taxes even against a tide of rising expenses, while faced with a 2% CAP; and  
**WHEREAS**, New Jersey American Water Company, Inc., a publicly-traded company which already enjoys the highest rate of return on water and sewer services in Burlington County, should share in the responsibility of reducing the unprecedented financial burdens on our residents; and  
**WHEREAS**, the bureaucratic process for consideration of such rate increases defies logic, escapes the notice of those most impacted, and, at best, results in a negotiated rate increase which adds to the financial burden of ratepayers; now, therefore, be it

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby calls on the Board of Public Utilities to reject the rate increase requested by New Jersey American Water; and, be it

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to all State and Congressional Legislators representing Burlington County, as well as local governing bodies for all the impacted towns in Burlington County, and that they be asked to join in opposition to the rate increase petition currently before the BPU.

**Mayor Puglia** explained that this resolution would affect our residents who have city water as there is a big push to stop this increase, with the County as well as the towns.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2011-12-18. Motion carried.

**MINUTES: December 14, 2011**

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to approve the minutes of the December 14, 2011 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

**REPORTS: Tax Office (October and November 2011)**

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to accept the Tax Office reports. Motion carried.

**PUBLIC COMMENT**

There were no public comments.

**MAYOR AND COMMITTEE COMMENT:**

**Committeewoman DiGiuseppe** thanked everyone for coming and wished everyone a healthy, happy New Year.

**Deputy Mayor Higgins** thanked everyone for their support this year and looks forward to working with everyone next year.

**Committeeman Gable** thanked everyone and wished all a Happy New Year.

**Committeeman Clark** thanked those in attendance for showing up. Although not a big crowd, we do appreciate everyone who does show up. Happy New Year.

**Mayor Puglia** said, last year this time, we were up to our waist in snow. This year we've been so lucky. Happy New Year.

**MOTION FOR ADJOURNMENT:**

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

**Approved: January 11, 2012**