

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
APRIL 24, 2013**

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, Committeewoman Janice DiGiuseppe, Committeeman, Fred Clark, Committeeman Sean Gable, Attorney Michael Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer.**

The regular meeting was opened by **Mayor Puglia** 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, 2013. 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, 2013.

Mayor Puglia led in the flag salute and a moment of silence.

Committeewoman DiGiuseppe invited Cody Melton forward and read the following proclamation.

PROCLAMATION

WHEREAS, the Township of Mansfield, within the County of Burlington, State of New Jersey acknowledges the outstanding accomplishment of a member of the Northern Burlington Regional High School Wrestling Team,

Cody Melton, for winning the NJSIAA State Wrestling Heavyweight Championship for 2012 at the Annual Championship competition in Atlantic City, NJ; and

WHEREAS, this fine athlete performed with commendable skill and staying power throughout his remarkable season knowing that his entire school was behind him in the championship competition; and

WHEREAS, Cody's championship win resulted in Cody being only the second (2nd) wrestler to accomplish a State Championship in Northern Burlington Regional High School's history; and

WHEREAS, through the determination, enthusiasm for the sport of Wrestling, and guided by the reliable leadership of Coach Jule Dolci and Assistant Coaches Gene Graf, Denny Gaul, Chris McMullen and Al Wonesh Jr., Cody boasted a season record of 36 wins-3 losses and a career record at Northern Burlington Regional High School of 106 wins-19 losses; and

WHEREAS, as a Heavyweight wrestler, in the Championship match, Cody led in the first (1st) period by 2-0; with an escape point, Cody increased his lead to 3-0; with the opponent securing only one (1) point for an escape in the third (3rd) period, Cody won the match and became the 2012 NJSIAA State Heavyweight Champion; and

NOW, THEREFORE, BE IT RESOLVED that the Mansfield Township Committee, on behalf of the Township, the Officials, Employees, and Citizens thereof, hereby wish to express their sincere congratulations and to convey deep pride in Cody's wrestling accomplishment.

BE IT FURTHER RESOLVED, Mansfield Township wishes Cody good luck and best wishes in all future endeavors.

BE IT FURTHER RESOLVED that this recognition and acknowledgment shall be made a part of the permanent record of the Township of Mansfield.

Cody was congratulated by The Township Committee and wished best of luck in his future endeavors.

Committeewoman DiGiuseppe asked Wayne Stinson, Jr. to come forward and read the following proclamation:

PROCLAMATION

WHEREAS, the Township of Mansfield, within the County of Burlington, State of New Jersey acknowledges the outstanding accomplishment of a member of the Northern Burlington

Regional High School Wrestling Team, Wayne Stinson, Jr., for winning the 2013 NJSIAA State Wrestling 152 lb. weight class Championship at the Annual Championship competition in Atlantic City, NJ; and

***WHEREAS**, this fine athlete performed with commendable skill and staying power throughout his remarkable season resulting in being only the third (3rd) wrestler to accomplish a State Championship in Northern Burlington Regional High School history; and*

***WHEREAS**, through his determination, skill and enthusiasm for the sport of Wrestling, and guided by the reliable leadership of Coach Jule Dolci and Assistant Coaches Gene Graf, Denny Gaul, Chris McMullen, Wayne Jr. boasted a season record of 41 wins-4 losses and a career record of 140 wins-20 losses, ranking first in all-time wins for Northern Burlington Regional High School, breaking the previous record of 116 wins; and*

***WHEREAS**, throughout Wayne Jr.'s wrestling career, he accomplished four (4) District 25 Championships, one (1) Region 7 Championship, four (4) All-Burlington County and All-Liberty Division Selections and Most Outstanding Wrestler honors at the 2011 Jack Welch Duals and the 2012 Nottingham Tournament; and*

***WHEREAS**, at the 2013 State Championship finals, Wayne Jr. had wrestled without a defeat in over ten (10) straight weeks; in the third (3rd) period of the match, with a winning score of 7-4, there was only two (2) minutes left to determine a winner; Wayne Jr. clung to a 7-5 lead after an awarded escape point by his opponent; with now only 30 seconds remaining to wrestle, Wayne Jr. managed a takedown for a 9-5 lead; and with only two (2) seconds remaining on the clock, Wayne Jr. managed the resounding victory by a score of 9-7; and*

***WHEREAS**, Wayne Stinson Jr. became the NJSIAA State Wrestling Champion for 2013.*

***NOW, THEREFORE, BE IT RESOLVED** that the Mansfield Township Committee, on behalf of the Township, the Officials, Employees, and Citizens thereof, hereby wish to express their sincere congratulations and to convey deep pride in Wayne Jr.'s wrestling accomplishment;*

***BE IT FURTHER RESOLVED**, Mansfield Township wishes Wayne Jr. good luck and best wishes in his college career at Rider University and in all future endeavors.*

***BE IT FURTHER RESOLVED** that this recognition and acknowledgment shall be made a part of the permanent record of the Township of Mansfield.*

Wayne Stinson Jr. was congratulated by the Township Committee with best wishes in his future.

Pearl Tusim was invited to come forward as **Committeewoman DiGiuseppe** read the following proclamation.

THE CIVIC PRIDE IN VOLUNTEERISM

***WHEREAS**, a sense of caring and a desire to share have motivated hundreds of men and women, and boys and girls to volunteer their time and services to the needs of others in their community, whether it be by helping the sick, the needy or the disabled, children, students or the elderly, or by enriching the lives of all through the arts, recreation and cultural activities, or by serving on boards and committees; and*

***WHEREAS**, volunteers are increasingly recognized as an important partner with government in providing services to citizens; and*

***WHEREAS**, volunteers have shown that they truly care and share generously of themselves; and*

***WHEREAS**, anyone can be a volunteer and reap the rich rewards that come from doing for others while improving one's own skills and widening one's horizons; and*

***WHEREAS**, Mansfield Township has many citizens who have a sense of caring and a desire to share with others and to participate in the lives of their community and to exhibit their talents and resources;*

***NOW, THEREFORE, BE IT RESOLVED**, that the Mansfield Township Committee has initiated a tradition to honor an outstanding civic contribution, a generous deed, the servicing on boards and committees or the enrichment of lives through the arts, recreation and cultural activities;*

***BE IT FURTHER RESOLVED** that today, the Mansfield Township Committee would like to honor **Pearl J. Tusim**. Pearl has been an intricate part of our Community. She has volunteered countless hours of her time on so many different projects. She has been a long time member of the Mansfield Veteran's Association and the Columbus Grange. Pearl, even prior to becoming our Township Historian over 25 years ago, was collecting significant and pertinent artifacts, as well as information and documentation about some of our local residents and then, so generously, donated it all to the Township's Museum, which is the Community's one-room Schoolhouse, founded in 1849. Pearl and another volunteer restored this treasure, our Schoolhouse, for everyone to enjoy. Pearl has never turned away anyone calling for genealogy questions as well. Pearl truly is an amazing person*

who is always ready, willing and able to lend a hand, information or guidance. Such a whirlwind of a person and an inspiration to all.

BE IT FURTHER RESOLVED, *Pearl's willingness to serve her community through voluntary contribution is exemplary to the civic dedication that is the mainstay and foundation upon which communities succeed and progress.*

BE IT FURTHER RESOLVED *that it is the desire and the intent of the Mansfield Township Committee, on behalf of the Township, the officials, employees and residents thereof, to publicly acknowledge Pearl and recognize her for all her years of dedication and volunteerism which contributes immeasurably to the citizens throughout this great Community;*

Pearl Tusim was congratulated by the Township Committee for her service to our community, followed by some photographs taken.

ENGINEER'S REPORT

A written report had been received from **Engineer Tim Staszewski**. A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to accept the Engineer's Report. Motion carried.

FINANCE:

CFO Monzo explained that there are three items to consider: a required public hearing on the budget that was introduced earlier this year, the second reading and public hearing on the COLA Ordinance, and the adoption of the 2013 municipal budget. Since we are under local exam, we are free to adopt the budget based on the way we have introduced it.

Mayor Puglia opened the public hearing on Resolution 3013-3-2. (A copy of this resolution is spread on the following pages.)

There were no comments or questions. **Mayor Puglia** closed the public hearing was closed.

ORDINANCE 2013-3

CALENDAR YEAR 2013

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Burlington finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 164,617.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 4,867,979.00 and that the CY 2013 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mayor Puglia opened the public hearing on Ordinance 2013-3. With no comments or questions, the public hearing was closed.

CFO Monzo explained that Ordinance 2013-3 is a technicality to permit the Township to exceed the spending levy and to bank what we don't use. We are well below the spending limits as imposed by the State of New Jersey. This is an ordinance that we will pass just in the event there is a catastrophic event over the next two years.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Ordinance 2013-3. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-4-12 (A copy of this resolution is spread on the following pages)

CFO Monzo said this is the adoption of the 2013 Municipal Budget. He noted that we are within the tax levy cap imposed by the State and we are within the spending cap imposed by the state. This Resolution will set our spending plan for 2013. The local purpose tax increase will be 2 cents. **Deputy Mayor Higgins** explained the increase of the 2 cents is a result of all of the challenges last year of the assessments. **CFO Monzo** said the majority of the increase is due to the tax appeals losses that we had in 2012. This resulted in our revaluation which goes into effect in 2013. As the new values are on the record, we should see a small amount of tax appeals in 2013. **CFO Monzo** reported that the assessed value for the town in 2012 was \$1,330,000,000. The new number, after the reassessment, is \$950,000,000. The assessed value of the town, as a whole, went down 29%. **Attorney Magee** added that we had over 370 appeals last year with resulted in a credit back of about \$300,000. The reassessment will reduce appeals.

A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2013-4-12. Motion carried on a Roll Call Vote, recorded as follows:

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

ORDINANCE 2013-4

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE LEASE AGREEMENTS BY AND BETWEEN THE TOWNSHIP AND THE BURLINGTON COUNTY BRIDGE COMMISSION IN CONNECTION WITH THE REFINANCING OF CERTAIN BONDS OF THE COMMISSION PREVIOUSLY ISSUED TO FINANCE A PROJECT FOR THE TOWNSHIP UNDER THE COMMISSION'S 2003 GOVERNMENTAL LEASING PROGRAM

WHEREAS, the Burlington County Bridge Commission (the "Commission") has been duly created by resolution of the Board of Chosen Freeholders of the County of Burlington, New Jersey (the "County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey (the "State") pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934, of the State of New Jersey and the acts amendatory thereof and supplemental thereto (the "Act"); and

WHEREAS, pursuant to the terms of the Act, the Commission is authorized to provide within the County public facilities for use by the State, the County or any municipality in the County, or any subdivisions, departments, agencies or instrumentalities of any of the foregoing, for any of their respective governmental purposes; and

WHEREAS, the Township of Mansfield, in the County of Burlington, New Jersey (the "Township") participated in the Commission's 2003 Governmental Leasing Program in order to finance and/or refinance the cost of acquisition and/or construction of certain equipment and/or improvements (collectively, the "Project"), which Project was leased by the Commission to the Township pursuant to the terms of an Equipment Lease and Agreement dated as of May 1, 2003 (the "Equipment Lease Agreement") and an Improvement Lease and Agreement dated as of May 1, 2003 (the "Improvement Lease Agreement" and, together with the Equipment Lease Agreement, the "Lease Agreements"); and

WHEREAS, the Commission financed the Project through the issuance of its County-Guaranteed Lease Revenue Bonds (2003 Governmental Leasing Program), Series 2003 (the "Series 2003 Bonds"); and

WHEREAS, the Lease Agreements provide, among other things, for the Township to make Rental Payments to the Commission in an amount equal to the debt service to be paid by the Commission with respect to Bonds issued on behalf of the Township to finance the Project; and

WHEREAS, the Commission has determined to proceed with the refinancing of a portion of the Series 2003 Bonds and the Township's Rental Payments due under the Improvement Lease Agreement through the issuance of the Commission's County-Guaranteed Lease Revenue Refunding Bonds (Governmental Leasing Program), Series 2013 (the "Series 2013 Bonds"); and

WHEREAS, in connection with the issuance of the Series 2013 Bonds and the refinancing of the Township's Rental Payments it is necessary to amend the Lease Agreements; and

WHEREAS, the Township now desires to approve the First Amendments to the Lease Agreements, and to authorize the execution and delivery of the First Amendments to the Lease Agreements.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring), as follows:

Section 1. The First Amendment to the Improvement Lease Agreement ("First Amendment" ("First Amendment to the Improvement Lease")), in substantially the form presented at this meeting and which is on file in the office of the Municipal Clerk and which by this reference is made a part hereof (with such changes as may be required and as shall have been approved by the Mayor) is hereby approved.

Section 2. The First Amendment to the Equipment Lease Agreement ("First Amendment to the Equipment Lease" and together with the First Amendment to the Improvement Lease, the "First Amendments"), in substantially the form presented at this meeting and which is on file in the office of the Municipal Clerk and which by this reference is made a part hereof (with such changes as may be required and as shall have been approved by the Mayor) is hereby approved.

Section 3. The Mayor and the Township Administrator (the "Authorized Officers") are each hereby authorized to execute the First Amendments on behalf of the Township, and the Municipal Clerk is hereby authorized to attest the validity of such signature. The execution of the First Amendments by the Authorized Officers shall evidence the Township's approval of the terms thereof and no further action therefore shall be required.

Section 4. The Authorized Officers are hereby further authorized and directed, to the extent necessary, to enter into, execute and deliver in the name of the Township and on its behalf a continuing disclosure agreement to provide for the dissemination of secondary market disclosure in compliance with the provisions of Rule 15c2-12 promulgated by the United States Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended and supplemented.

Section 5. The proper officers of the Township are hereby authorized and directed to take all such actions as may be necessary to effect the execution and delivery of the First Amendments, including but not limited to execution and delivery, for and on behalf of the Township, of any and all instruments, opinions, affidavits, certificates, documents, Internal Revenue Service forms or other papers, and to do and to perform or cause to be done any and all acts as they may deem necessary or appropriate in order to implement the execution and delivery of the First Amendments and the matters herein.

Section 6. This ordinance shall take effect at the time and in the manner provided by applicable law.

CFO Monzo said this was brought to our attention by the Burlington County Bridge Commission. In 2003, the Township entered into an agreement for a certain amount of money that we borrowed from the Bridge Commission as opposed to going our on our own. The Bridge Commission is looking to refinance to get a better rate. They need all the towns that are part of the 2003 financing to pass an ordinance authorizing them to do so. This will save us about \$50,000 a year over the remaining life of the lease.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to introduce Ordinance 2013-4 and hold the public hearing on May 22, 2013. Motion carried on a Roll Call Vote, recorded as follows:

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

BILL LIST

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

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

MINUTES

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to approve the minutes of April 10, 2013. Motion carried on a Roll Call Vote, recorded as follows:

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

REPORTS: Clerk, Court, Construction, Zoning, Tax not collectible and March Tax, Police February and March

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to accept the reports as submitted. Motion carried.

RESOLUTIONS

**RESOLUTION 2013-4-13
APPROVING THE 2012 LOSAP CERTIFICATION LIST FOR
QUALIFICATION OF FRANKLIN FIRE COMPANY VOLUNTEER
HOURS**

WHEREAS, pursuant to N.J.S.A. 40A:14-191, emergency service organizations participating in a Length of Service Awards Program (LOSAP) shall annually certify to the sponsoring agency a list of all volunteer members who have qualified for credit for the previous year, and;

WHEREAS, the certification shall be based on records maintained by the emergency service organization in accordance with the sponsoring agency's adopted point system, and;

WHEREAS, the required certification has been presented by the Franklin Fire Company to the Local Plan Administrator within, and;

WHEREAS, Local Plan Administrator has reviewed the annual list, requested supporting documentation from Franklin Fire Company to substantiate the information provided, and is satisfied that the list is complete and accurate;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the certified list of volunteer members of the Franklin Fire Company who have qualified for credit under LOSAP for the year 2012 is hereby approved, and

BE IT FURTHER RESOLVED that the approved certification list was posted at the office of the Municipal Clerk, and returned to Franklin Fire Company for posting at its location, for a period of 30 days to allow sufficient time for membership review and posting.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to approve Resolution 2013-4-13. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2013-4-14
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN
THE COUNTY OF BURLINGTON, NEW JERSEY
AUTHORIZING THE TOWNSHIP TO LEASE 72.769 ACRES
OF REAL PROPERTY IDENTIFIED ON THE OFFICIAL
TAX MAP OF THE TOWNSHIP OF MANSFIELD AS
BLOCK 9.01, LOT 2.01 FOR A PERIOD NOT TO EXCEED
TWO (2) YEAR.**

WHEREAS, the Township of Mansfield ("Township") on or about August 24, 2001 acquired 72.769 acres, consisting of 40 plus/minus uplands and 30 plus/minus wetlands, officially identified on the Township tax map as Block 9.01, Lot 2.01 (the "Property");

WHEREAS, the Township has no immediate use for the Property;

WHEREAS, pursuant to the provisions of N.J.A.C. 7:36-1 *et. seq.*, the Township may, in accordance with the regulations promulgated there under, lease the property for farming purposes; and

WHEREAS, the Township, concurrent with this Resolution, has prepared lease specifications offering to lease the property to the current lessee, Philip S. Brackin for farming purposes;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, New Jersey that:

1. The Township of Mansfield hereby affirms authorization to enter into a leasehold agreement with a lessee for the express purpose of farming the Property.
2. The lease agreement between the Township and the perspective lessee shall be prepared in accordance with the lease specifications as proposed.
3. The Township Mayor is hereby authorized to execute on behalf of the Township any and all documents to memorialize a lease with the current lessee, Phillip S. Brackin, for a period not to exceed two (2) years.
4. Any other resolutions inconsistent herewith are repealed and rescinded to the extent of such inconsistency.

Committeewoman DiGiuseppe questioned the wording in the 4th paragraph which stated "lease the property to the current lessee". She felt he doesn't currently lease the property and this needs to be corrected.

Deputy Mayor Higgins had several questions in regard to the lease. He felt the intent was to lease the property to a farmer, not people who would sub-let it to someone else. The lease makes reference that there is no sub-leasing. The man leasing lives in a

development. **Deputy Mayor Higgins** questioned what equipment is needed to farm 80 acres. He didn't think you could keep it in your garage. **Deputy Mayor Higgins** questioned how we are leasing this to someone who is not a farmer. There are no provisions for sub-leasing. He said he is disappointed to see this on the agenda without receiving the bids. **Deputy Mayor Higgins** said he was also upset up with Provision 12: no alterations or installations of equipment. He questioned facilities and whether we were going to let him build facilities. This is not allowable since it is Green Acres. He said he was confused over the process and asked what exactly are we doing here. How did we get to this point? **Clerk Semus** said that one bid was received. **Mayor Puglia** felt the bidder did not qualify if he is not a farmer. **Attorney Magee** explained that the lease is a standard lease and, if someone wanted to do something other than normal farming, because the reference is normal farming, then we don't have to consent to it. The bigger point is that it is clearly not intended to be a sub-let situation. **Deputy Mayor** questioned how the resolution came about. **Attorney Magee** said he was instructed to prepare a resolution and a lease because that was the only bid. If this bidder intends to sub-let it, this is a different story as he doesn't have the right to sub-let it. **Attorney Magee** suggested pulling the resolution and notifying the successful bidder that it has come to our attention that he intends to sub-let and the lease does not provide for that. **CFO Monzo** explained that, if they pull the resolution, they can make a decision at the next meeting. If they reject the bid, the process is over. **Attorney Magee** recommended pulling the resolution, send the bidder a letter indicating that if he wants to sub-let the property, that is not permitted under the terms of the lease. **Mayor Puglia** noted that he could have it custom farmed for him which means someone could plant it and harvest it. This is done a lot. **Fritz Wainwright** felt he would have to pay the prevailing wage to have the ground worked, planted, fertilized and harvested. **Deputy Mayor Higgins** felt that we should then ask him for the agreement between him and the person he is dealing with. **Mr. Wainwright** said there has to be a contract.

Deputy Mayor Higgins referred to Section 12 which states no alterations or installation of equipment. He felt this should also address fencing and facilities, etc. He said he didn't want an attractive nuisance.

Attorney Magee said the agenda should be amended to pull this resolution after which a letter will be sent and, if he is not responsive, then at the May meeting and prior to expiration of 60 days, we will reject for failure to respond.

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to amend the agenda. Motion carried.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to remove Resolution 2013-4-14 from the agenda. Motion carried. **Attorney Magee** is to send the letter.

RESOLUTION NO. 2013-4-15
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN
THE COUNTY OF BURLINGTON, NEW JERSEY
APPROVING LEAVE WITHOUT PAY FOR TOWNSHIP
EMPLOYEE TROY ULSHAFAER UNTIL APRIL 29, 2013.

WHEREAS, Troy Ulshafer is an employee of the Township of Mansfield ("Township");
and

WHEREAS, Troy Ulshafer's time under the Family Medical Leave Act has expired; and
WHEREAS, the Township finds that it is in its best interests to provide Mr. Ulshafer
leave without pay until April 29, 2013.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of
Mansfield, in the County of Burlington, New Jersey that:

1. The Township of Mansfield hereby affirms leave without pay for Mr. Troy
Ulshafer until April 29, 2013.

Resolution 2013-4-15 is a memorialization of action taken by the Township
Committee at the last meeting.

A motion was offered by **Committeewoman DiGiuseppe** and second by
Committeeman Clark to adopt Resolution 2013-4-15. Motion carried on a Roll Call
Vote, recorded as follows:

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

RESOLUTION 2013-4-16
RESOLUTION SUPPORTING S-1896/A-1503 SHARING THE BURDEN OF PROPERTY
ASSESSMENT APPEAL REFUNDS

WHEREAS, when County Tax Board appeals are successful, the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

WHEREAS, the municipal tax collector must then adjust the taxpayer's fourth quarter tax bill, resulting in the municipality's fund balance for the preceding year being diminished, if not completely depleted; and

WHEREAS, in recent years, municipalities have experienced a large spike in tax appeals caused by the economic down-turn, which lowered property values and placed increased stress on the income of homeowners all around our Garden State; and

WHEREAS, successful tax appeals have a four-fold negative impact on municipal budgets; first by requiring the municipality, as the collector of taxes for the School district, county and special districts, to fund the full cost of the legal defense of the assessment; and

WHEREAS, the second negative impact on municipal budgets results from State law, which guarantees to the county and the school district 100% of their levies, hence forcing the municipality to bear the full cost of any reimbursements resulting from the appeal, as well as the full burden for any uncollected taxes; and

WHEREAS, the third negative impact on municipal budgets ensues because the refunds and credits negatively impact the municipality's tax collection rate, resulting in a State required increase in the appropriation for the Reserve for Uncollected Taxes (a non-exempt from cap budget expenditure); and

WHEREAS, fourth, the end result is a further decline in the property tax base used to support municipalities, county governments, school systems and any fire or other special purpose districts, which will necessitate tax rate increases to raise the same amount of revenue; and

WHEREAS, in light of the revenue limitations that have been placed on all levels of local government by the Legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the taxpaying public.

WHEREAS, Senator Anthony R. Bucco, Assemblyman Michael Patrick Carroll and Assemblyman Anthony M. Bucco have recently introduced Senate Bill S-1896/Assembly Bill A-1503, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

NOW, THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee of the Township of Mansfield, hereby urge the swift passage and signing of S-1896/A-1503; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

CFO Monzo said he agreed with the concept but felt that, should it become law, the schools would get their own legislature to pass legislation so they get their share of the added assessments. In our situation, our added assessments are more valuable to us than the loss of the school monies on appeals. Currently, he doesn't agree with it but the League of Municipalities is asking us for us to support it. Without any further legislation, he feels it is a great idea. He felt that other legislation would come. **Deputy Mayor Higgins** made a motion not to support this resolution. The motion was second by **Committeeman Gable** and carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-4-17
A RESOLUTION APPOINTING ON CALL PART TIME, TEMPORARY, AS NEEDED
MAINTENANCE/RECYCLING/SANITATION EMPLOYEES MICHAEL A. CRUM AND TERRY
L. PETRONI, JR.

WHEREAS, the Mansfield Township Public Works Department is in need of on call, as needed part-time temporary as needed maintenance/recycling/sanitation employees at this point in time; and

WHEREAS, a notice was posted on the official bulletin board in the Mansfield Township Municipal Complex; and

WHEREAS, an application for said position was received from **MICHAEL A. CRUM AND TERRY L. PETRONI, JR.** and

WHEREAS, **MICHAEL A. CRUM** and **TERRY L. PETRONI JR.** were interviewed and found to meet the qualifications that best meets the needs of the department.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey at their Regular Meeting held on April 24, 2013 at the Municipal Complex at 7:30 PM that **MICHAEL A. CRUM AND TERRY L. PETRONI, JR.** are hereby appointed as on call, part time, temporary, as needed maintenance/recycling/sanitation employees at the rate of \$12.00 per hour, with no benefits and holidays.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2013-4-17. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-4-18

RESOLUTION MEMORIALIZING AND ACCEPTING THE CHANGE ORDERS FOR THE CONSTRUCTION/RENOVATION OF THE NEW TOWNSHIP MUNICIPAL COMPLEX AT THE NEW MILLENNIUM BUILDING IN THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township of Mansfield has met with Remington & Vernick Engineers and in regard to change orders that are necessary at the Millennium Building; and

WHEREAS, the change orders are a result of unforeseen circumstances which will lead to additional expenses, and

WHEREAS, the following change orders are necessary to the contract as follows:

#51 Switch/Light	\$ 376.20
#53 Remove Floor Paint	\$1,504.80
#54 Dais Base	\$1,065.90
#56 Carpet Ramp & 127A	\$1,686.62

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield, County of Burlington, State of New Jersey authorizes the above listed change orders with the following stipulation:

The Township believes that the aforementioned change orders are to be considered the Township's responsibility.

Deputy Mayor Higgins spoke of 4 additional changes at the Millennium including a switch/light, removal of paint on the floor after tile had been removed, the dais base, carpet in a storage room, and a ramp. The total was about \$4,500. He said one more change order may be coming through next week for about \$350.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to adopt Resolution 2013-4-18. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-4-19

REJECTING BID FOR THE LYNWOOD FARMS SEWER SERVICE AREA LICENSED OPERATOR PURSUANT TO NJSA 40A:11-13.2b

WHEREAS, on April 23, 2013, the Township accepted bids for the Lynwood Farms Sewer Service Area Licensed Operator; and

WHEREAS, the bids exceeded the available amount of funding for the project; and

WHEREAS, the Chief Financial Officer has recommended that the bid be rejected since the bid exceeds the amount appropriated for this service; and

WHEREAS, the Township Committee hereby determines that it is in the best interest of the Township to reject said bid;

NOW, THEREFORE, BE IT RESOLVED on this 24th day of April, 2013, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that:

1. The bid received for the Lynwood Farms Sewer Service Area Licensed Operator shall be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2b since the bid exceeds the available funding for this service.

CFO Monzo said we currently have an organization managing the Lynnwood Farm Plant. We do not have a contract with them so we went out to bid for the services. We received one bid for \$11,500. The budget was for \$8,500. It was his recommendation to reject the bid in accordance with 40A:11-13.2B which is the fact that we don't have sufficient budgetary appropriations to award the bid. He recommended that we re-bid this in hopes of securing more than one bidder which may be more competitive with out budget. A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to reject the bid. Motion carried on a Roll Call Vote, recorded as follows:

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

DISCUSSION ITEMS

a. No Net Loss Reforestation Grant – Third Round

Attorney Magee said a letter was received asking us if we want to participate and apply for over a million dollars. Bob Tallon has sent e-mails around stating we don't have a place to put the trees. Matt Johnson sent an e-mail asking if we would let the County apply for the tree money which they would use on county property. **Clerk Semus** added that Mr. Johnson also stated that the money could also be used for maintenance and equipment. It was suggested that maybe we could use the money for that as we do need a truck. Therefore, it was decided to participate. **Attorney Magee** will prepare a letter and have the Mayor respond by the May 8th deadline. Prior to the letter, Matt Johnson is to be contacted in regard to what he is talking about other than trees and how much of this money can be devoted to that. **Fritz Wainwright** commented that the county notified Ralph that they are planting trees 75 feet from the line. This means there will be a 75 foot hedgerow around the property which doesn't make sense to him as it will grow up in weeds because the farm machinery won't fit in that area. He felt the trees should be placed on the Shrive property.

A motion was offered by **Committeeman Gable** and second by **Deputy Mayor Higgins** to participate in Round 3 of the No Net Loss Reforestations Grant Program and ask what type of equipment can be obtained. Motion carried on a Roll Call Vote, recorded as follows:

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

b. Hedding and Mansfield Community Park Tennis/Basketball Courts

Committeeman Gable said we are at the point to go out to bid to start reconstruction of the basketball/tennis courts using the funding we received from the County Grant. We also need to discuss the priority although we have put in for the Mansfield Park Tennis Courts, Mansfield Park Basketball Courts, and the Hedding Park Tennis Courts. However we don't have enough money to do all three. Jef Jones felt we should do the Tennis/Basketball Courts in the Mansfield Park. **Deputy Mayor Higgins** made a motion to go out for bids for the Park tennis/basketball courts. Motion second by **Committeeman Clark** and carried on a Roll Call Vote, recorded as follows:

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

c. New Municipal Complex Signage

Clerk Semus explained signage is needed at the new Municipal Complex to direct people to the correct area. **Deputy Mayor Higgins** explained that the lighting will be installed on the 6th, followed by the paving. He said a meeting will be held to move forward about the outside plan. They will speak to Jef about traffic flow and signage. **Clerk Semus** referred to a directory for the difference offices and directing people away from the Fire Department. **Deputy Mayor Higgins** and **Committeeman Gable** are to work with Jef Jones on this.

d. Chairs for Conference Room/ remaining furniture

Clerk Semus said she wants to return items that are damaged and cancel the items not received yet. **Committeewoman DiGiuseppe** explained that, if we are satisfied with the furniture we have already, we should pay for that and cancel the rest of the order. The company has proven to be unreliable and we shouldn't continue with them any further.

e. TDR Workshop - Conference with Professionals

Mayor Puglia said a meeting is to be set up with Mark Remsa and Harry McVey to explain where the TDR is going to be located. It was decided to have them at the next regular meeting, limiting their time.

f. Vacant and Abandoned Properties

Attorney Magee had provided an ordinance. Robin Bucchi had some questions about conflicts in the ordinance and where in the Code Book it should go. It was his opinion it should be in Chapter 25. Mrs. Bucchi was under the impression that she was going to enforce the ordinance but it is the code enforcement officer that will enforce this. This ordinance would not be enforced by the zoning officer. **Attorney Magee** said there is no code enforcing officer because we have a construction code official and a zoning officer. Some of the violations are also picked up by the Fire Official. **Attorney Magee** further explained that the proposed ordinance is

establishing a registration requirement and a renewal registration requirement in an attempt to identify a responsible party and levying some substantial fines. Jef Jones is to be the enforcing officer. This will be considered at the next meeting.

g. Hotel Occupancy

Mayor Puglia said that many towns put a limit on how long someone can stay in a motel. Since we don't, many from Section 8 are sent to this township. The Chief fields we should have a law so the people can't live in the motels forever. **Attorney Magee** will provide some ordinances which are to be dispersed to the Committee for their review. This will be available for the next meeting.

h. Clothing Bins – Planet Aid – Imperial Inn

The Imperial Inn had filed an application for clothing bins. This has been sent to the Police Department and they have approved it. The approval from Fire Prevention has not been received. **Clerk Semus** requested approval pending Fire Prevention approval. A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to approve the clothing bins requested pending all satisfactory inspections. **Committeewoman DiGiuseppe** confirmed that the bins will not be on public property.

The motion was carried on a Roll Call Vote, recorded as follows:

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

i. Tax Form ST8 - Capital Improvements

Committeewoman DiGiuseppe felt the residents should be informed of this benefit. If you purchase and have equipment installed as a capital improvement, you don't pay sales tax on the labor. This is informational for the public.

j. Application for Blue Light Permit – Thomas J. Minard

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to approve this blue light permit for Thomas Minard. Motion carried on a Roll Call Vote, recorded as follows:

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

k. Recording Equipment, Speakers

Deputy Mayor Higgins said he and **Committeeman Gable** are dealing with the equipment for the sound system.

PUBLIC COMMENT

Robert Harrison asked if there is going to be a grand opening of the new municipal complex. He was told not in the beginning.

Fritz Wainwright, 1011 Cedar Lane, Burlington, advised the Committee not to drag their feet too long on the award of the farm bid as the planting season is limited.

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

MAYOR AND COMMITTEE COMMENTS

Committeeman Clark said he went with John to the EcoCenter last week about the odor coming from the landfill. It was determined it comes from the mulching section. He is taking Linda out there so she can meet the people in the mulch section which is in Florence, not Mansfield. When people call, Linda will know the people to contact for complaints. This should eliminate Mansfield Township from dealing with the smells.

Committeeman Gable and **Committeewoman DiGiuseppe** thanked the people for attending the meeting.

Deputy Mayor Higgins referred to the proclamations tonight. He felt **Committeewoman DiGiuseppe** did an excellent job composing the proclamations and she made the Committee look proud as well as the citizens of the township. He also thanked **Committeeman Clark** for his help with Pearl Tusim. **Deputy Mayor Higgins** felt it is great for recommending the citizens of the township.

Clerk Semus advised everyone that tomorrow night at 6PM, there is an Eagle Scout Project to be completed in the community park, the burning of the flags. **Deputy Mayor Higgins** felt they should contact the Veterans Committee.

Clerk Semus said this is the last meeting here in this building.

Mayor Puglia said he has been in touch with the Water Company to have water hooked up and to rent some ground for overflow parking. They are to contact him next week.

MOTION FOR ADJOURNMENT:

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk