

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
June 26 2013
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 Alfred Clark, Committeewoman Janice DiGiuseppe, Committeeman Sean Gable, Solicitor Michael Magee, 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, 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.

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

RESOLUTION 2013-6-4

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 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, Committeewoman Janice DiGiuseppe, Committeeman, Fred Clark, Committeeman Sean Gable, Engineer Tim Staszewski, Engineer Len Faiola, Auditor John J. Maley, Jr., Attorney Michael Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer.**

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to come out of executive session.

Attorney Magee explained that matters discussed in executive session were on-going contract negotiations and personnel issues.

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

FINANCE

Sanitation Bid Draft – approve for publication – Robert Willis of Trash Pro, appearing

CFO Monzo explained that this item has to do with the Committee's wishes to explore the possibility of the township going out for a contract to do our trash collection by a private hauler as opposed to through township employees. We contracted with Gary Willis from Trash Pro who has helped municipalities put together bid documents for

several years. He helps analyze the bids that come in, deal with the DEP regulations, etc. He was awarded a contract last month and held a meeting with members of the committee consisting of Jef Jones and Clerk Semus to go over what we are looking for from a private trash collector. He put a bid spec together which all the Committee members have and is here to make a presentation. If the Committee wishes to go forward with this, the bid will be published and, as required by the state law, the bid will be out on the street for 60 days. The expectation is to take the bid sometime in the fall and, if all goes well, we should be up and running by November 1.

Robert Willis from Trash Pro, Mt. Laurel, NJ, said they are a trash consulting company, managing over 1,000 properties in 47 states. He explained the work they do in the municipalities. After consulting with Attorney Magee, Clerk Semus, and Jef Jones and determining the needs of the municipality, he put together a bid document according to the DEP regulations. He spoke of the possibility of working together with Bordentown Township and would like the Committee to take it under consideration. However, his opinion was that we would be beholding on Bordentown when their contract is up. We don't have a contract; thereby we have the flexibility to progress sooner. In addition, Mansfield has two major adult communities where it is easier to collect and is functional as the mass is together. He referred to the close proximity of Mansfield to the landfill which will save the hauler over a yearly period hours and hours of down time. Thus the prices will be lower. If we joined with Bordentown, they will penalize us because of their distance from the landfill. He felt this would not be a functional thing for Mansfield and his recommendation was for Mansfield to do this alone,

Mr. Willis explained that he has provided **Clerk Semus** with a notice of bidders going out for August 1st. It has to be out for 64 days just to be safe considering holidays. Mr. Willis further explained that you need 6 weeks for the hauler to become familiar with the municipality.

Mayor Puglia explained that it has been so hard for us to keep workers on the sanitation trucks and asked if we possibly could get a contractor to get us people per day. Mr. Willis said this concerns him because of a Public Contract Law conflict.

CFO Monzo explained that, if we do this, we would save money in our budget because we wouldn't need to buy a trash truck and we might be able to sell some of the trucks we have now.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to allow the township to go out to bid for the private trash hauling services. Motion carried on a Roll Call Vote, recorded as follows:

AY E: DIGIUSEPPE, GABLE, CLARK, HIGGINS, PUGLIA
NAY: NONE ABSENT: NONE ABSTAIN: NONE

Fire Truck Specs

CFO Monzo explained that we have a down payment in this year's budget with respect to the possible purchase of a fire truck based on a presentation made earlier this year by Franklin Fire. They have delivered a set of specifications for us to go our for possible bid. **CFO Monzo** spoke of a couple of options. After speaking with Doug Borgstrom, he was told that Evesham Township used the Houston Galveston Co-op where we could buy the truck directly from them without having to go out to bid. The other option is to actually go out to bid for the fire truck. A bond ordinance would have to be introduced first, and then put the truck out to bid or use the Co-op agency. We would have to adopt the bond ordinance and then award the contract to the lowest responsible bidder or someone from the Co-op. It takes from 7 to 8 months for the trucks to be delivered. Therefore, it wouldn't come in until next year at which point financing for the truck can be done. We are discussing this tonight to see if the Committee wants to authorize **CFO Monzo** to speak to the bond counsel to prepare the bond ordinance for introduction at the meeting on July 24th. Another option would be to put this out to non-binding referendum in November asking residents if they want to buy a truck. **Mayor Puglia** felt this is something we have to have and a referendum would be a waste of time.

Deputy Mayor Higgins noted that we are replacing a truck that is 16 years old although they plan to retain that truck and retire a truck that is significantly older.

Matthew Konowicz, Captain of Franklin Fire Company, said the plan is to take the current rescue truck and refurbish it as a fire police vehicle, thus retiring the older vehicle which is less designed to carry man power and equipment. The vehicle to be retired is an 1990.

Committeewoman DiGiuseppe commented that she wants to be sure that everyone is clear on what this is for the Township. The state law requires that, if the municipality gives anything over \$90,000, such as contribution to a fire company for equipment, that equipment is titled to the Township. If we do this, the truck will be titled to the Township. The Township would have to pay the insurance which will be another expense. **CFO Monzo** said the biggest expense would be the cost of the truck. The scenario for the indebtedness for this truck would be about \$62,000 a year in terms of interest and principal over a 15 year life span. This would be 2/3 of a tax point a year for 15 years and excludable from the levy cap. This means 3/4 of a penny addition to the tax bill for the purpose of paying down the debt. There was already \$37,500 included in this year's budget which will be the down payment.

Committeewoman DiGiuseppe said she feels we should do an advisory referendum before we make a decision as this is a huge expense which will be applicable to taxes.

Deputy Mayor Higgins said he felt that, in the past, we pushed off the fire trucks and then got caught having to buy two in two years. The longer we delay this, the longer it will hurt the budget overall. He felt we should take care of the citizens by getting the proper equipment to service them. **Committeeman Clark** agreed with **Deputy Mayor Higgins** and said he felt we have a great volunteer fire company and we should back them the best we can. He said we should get them a truck as fast as we can. **Mayor Puglia** said we should go out for the truck now as the volunteer fire men do a great job for the township. **CFO Monzo** said he will have the bond counsel prepare a bond ordinance after speaking to them about using the co-op. If they do, that will require a resolution at the next meeting. If not, we will go out to bid with the introduction of a bond ordinance at the July 24th meeting.

John Pancake, 46 S. Hockey Drive, said there are two other options. New Jersey has a co-op purchase plan. He felt we could save a fortune on the bond cost by doing a lease/purchase. **CFO Monzo** said he spoke to someone from the Fire Company about using the state contract and was told the state contract is cookie cutter in terms of the options you can get for the equipment. It doesn't allow you to specify what you want, unlike to Galveston co-op or going out to bid. Mr. Pancake felt the Committee should still investigate the lease/purchase. **CFO Monzo** noted that the lease/purchase would not be outside the levy cap.

Presentation of the 2012 Audit – John J. Malay, J r., CPA, RMA

The Committee was provided copies of the audit report. They will be asked to adopt a resolution indicating they are familiar with the findings and the recommendations of the audit which will be notarized and sent to the Department of Community Affairs. In order for the Committee to make that determination, Mr. Malay reviewed the audit, specifically referring to the balance sheet, and liabilities. He expressed concerns that the numbers indicate that our surplus is going down hill and the tax rate would likely be increasing absent other sources of revenue. That is summarizing the Current Fund. He didn't review the Trust Fund as that is money coming in and money going out. He referred to the Sewer Utility Fund and explained the numbers which the Committee should be familiar with.

The reviewed the Findings and Recommendations. He said there were budget line items which were over expended. The effect of this is non-compliance with the required encumbrance accounting system which means the budget was not closely monitored. The recommendation is that the budget line items should not be over expended or over committed. The Committee will be asked to address a Corrective

Action Plan which will be sent to the Community Affairs. Mr. Malay referred to the process of filing a Supplemental Debt Statement. He said that Ordinance 2012-11 authorizing additional debt of \$1,710,000 to the Municipal Building was adopted without first filing a Supplemental Debt Statement as required. This means non-compliance with the statutes. The cause was an oversight and the recommendation was that a Supplemental Debt Statement must be prepared and filed before authorizing debt. **CFO Monzo** said the adoption of that is being corrected this evening.

Mr. Malay then noted that one of the professional contracts for legal services associated with employment matters was not awarded through a fair and open process. This is non-compliance with township ordinance. The cause was over sight and the recommendation is that all professional service contracts should be awarded in accordance with local ordinance number 2005-8.

In discussing payroll, Mr. Malay noted that the court administrator was paid an hourly rate for hours worked in additional to the usual work day hours. This provision was not approved as part of the salary ordinance. The cause was oversight. The recommendation was all employee rates of compensation should be reflected on the salary ordinance.

Overall, Mr. Malay said he would not be too worried about the health of the community. His biggest concern is the lack of surplus going forward. We have pretty much used our entire surplus which is generated from new construction and the use of school tax surplus. This was done in the past. However, that is not a never ending source of funds.

Committeewoman DiGiuseppe thanked Mr. Maley saying he did a wonderful job for us. She appreciates all his work and effort.

Deputy Mayor Higgins questioned Mr. Maley about the township possibly passing a sewer ordinance for a new sewer facility in down town Columbus. If we do that, how do we fund it and who pays for the debt. It is his understanding that, when you run sewer lines and they run past undeveloped commercial property, this would increase the value of the property. **Deputy Mayor Higgins** said he assumed we could do this to the commercial property which will help us reduce the debt. Mr. Maley said this is a fair statement but he questioned whether you could collect that money prior to the improvement being installed. **Attorney Magee** added that the added assessment cannot be done until the property owner has the ability to tie into the sewer.

CFO Monzo commented that we have had the same accounting firm for 8 to 9 years and, after speaking to his staff and other township officials, he feels this firm did an excellent job in terms of the relationship with our employees. We were very pleased with their efforts in terms of the 2012 audit.

COAH – update

Attorney Magee said that we have bought more time. The Appellate Court has upheld the early decision that the Governor can't take it just yet but they are still trying. However, the time is becoming shorter for us to do something with the money. **CFO Monzo** said the state has just adopted their budget and the over \$600 million dollars from the towns all over New Jersey is part of their revenue stream.

ORDINANCE NO.2013-5

BOND ORDINANCE CONFIRMING AND READOPTING ORDINANCE NO. 2012-11 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 TOWNSHIP 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:

Bond Ordinance No. 2012-11 of the Township of Mansfield, in the County of Burlington, New Jersey, finally adopted on November 27, 2012, is hereby readopted and confirmed without amendment and said ordinance shall read 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 Township 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 ("2005-18"); \$950,000 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:2-8.1(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

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

(a) The improvement or purpose described in Section 3 of this bond ordinance is not 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 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 hereunder (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 hereunder.

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.

CFO Monzo explained that this ordinance is a correction based on the findings that Mr. Maley had mentioned. When we did the ordinance last year for the additional funding for the municipal building, he neglected to do a Supplemental Debt Statement. The Bond Counsel recommended re-doing the Ordinance that was introduced at the last meeting.

Mayor Puglia opened the Public Hearing

Colleen Herbert, 2 Millennium Drive, confirming that we are not borrowing more money we are just doing a correction for the money we borrowed from last year. **CFO Monzo** stated that this is just to correct the fact that we did not file one document with that Ordinance. Mrs. Herbert then asks the total cost thus far for this building. **CFO Monzo** stated he did not want to give her an inaccurate number, either up or down, and asked her to call him tomorrow for a definite figure. Mrs. Herbert states that she wanted to get some kind of idea; she knows it was one figure and now she is hearing another. She agreed to call Mr. Monzo. **Deputy Mayor Higgins** asks whether part of this \$1.7 million is also for the construction for the Police Department and Public Works. **Committeeman Gable** stated that if we do go through with the privatization of trash, this will reduce the size of the Public Works area thereby saving us some construction costs. **Mayor Puglia** states that he feels it is a reality for privatizing the trash. With no further questions from the public, the public hearing was closed.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to adopt Ordinance 2013- 5 and carried on Roll Call Vote, recorded as follows:

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

ENGINEER REPORT

a. Four Seasons- cracks in Street

Engineer Tim Staszewski said he received a call from Jef Jones a few months back to investigate expansion cracks. There are about an inch to two inch cracks that have developed. Tony Donofrio inspected them and it was his opinion that they are due to shrinkage of the binder in the asphalt and they can be sealed or cut and repaired. It is his recommendation to public works to seal the cracks or cut them out and repave them with a base repair of asphalt. He will follow up with Jef.

b. Handicapped Ramps at New Municipal Complex

An application had been submitted to the County for a grant for this upcoming year to do some concrete work and to do improvements to the parking lot. The notice for the grant will be coming out shortly and **Engineer Staszewski** should be notified whether we receive it or not.

c. Punch list Items for the New Municipal Complex - update

Engineer Staszewski's office, along with the Mayor, Committeeman Clark, the Contractor, a few of the sub-contractors, **Attorney Magee** and the Clerk's Office all met on Monday to discuss some items that need to be addressed. By early or the middle of next week, all the items should be addressed and completed.

d. Hedding Road entrance to Municipal Complex – update

Engineer Staszewski said we had applied to the New Jersey Department of Transportation for a local aid grant to construct a roadway from the corner of the parking lot out to Hedding Road for emergency vehicle access. We were not awarded that grant. Subsequently, there has been discussion for temporary access with excess millings from one of the local contractors. Committeeman Clark said he is hoping to get the millings. There is a job being performed in Princeton. They are going to have 30 loads of millings and we are hoping to get them. The contractor has said they will bring them here and give them to us free, shipping and all, just to get rid of them. We need it when we do the road out to Hedding Road since there is a lot of clay. It has to be dug out and a good sub-base would be the millings. **Engineer Staszewski** agreed. **Committeeman Clark** added that we are hoping to get all 30 loads. **Mayor Puglia** asked that, if we do get the millings, do we have a design. **Engineer Staszewski** said that we do not. **Mayor Puglia** was concerned over a possible accident in front of our driveway. He felt we have to get this open as we own the ground and we need to get started. **Mayor Puglia** questioned the cost involved. **Committeeman Clark** said, although estimated at \$47,000, the contractor dropped it down to \$40,000, if we do it within the next month or so. This does not include the millings. **Engineer Staszewski** felt this was an excellent price as the cost requested from the DOT was \$155,000. **Committeeman Clark** said this included digging out the clay, putting down a good sub-base and a good base on that. **CFO Monzo** said the job would have to be bid. **Engineer Staszewski** said that, if we get the millings free, the cost from the contractor might go down. **Engineer Staszewski** explained the work that had been done for the application to the DOT which also included an outbound survey for the easement. **Mayor Puglia** said he was told the grant money was only given out for existing roads that need work. If we get the base in there, maybe we can get more money next year. **Committeeman Clark** felt we need to get it out to bid although he felt no one would compete with the contractor he has spoken to.

CFO Monzo referred to the expenses with respect to this new building. He felt we should look at what we do have in hard dollars after everything has been taken care of on this side of the building. **Mayor Puglia** felt that, if we can get the 30 truck loads of millings and get a driveway cut in there with the millings, it will go a long way to have an entrance. **Committeeman Clark** felt that if we got a machine and cut the clay out, then had the millings delivered, we could get it rolled and, with the millings tightening up, we might be able to have an emergency road but not one to use every day. He hopes they give the millings to us and, if we do, we will cut some type of road through.

e. Tindall Homes @ Mansfield LLC – Irrevocable Standby Letter of Credit update

In December, 2012, a meeting was held with Tindall in regard to concerns we had on the bonded items for repair for the completion of the development. No work was done so he followed up with a letter in May pointing out the specific safety concern items that may be an issue. Since the May letter, he has not heard any response from the applicant. Previously, a recommendation had been made to make a call on the bond and questioned whether the Committee was still interested in pursuing this. **Attorney Magee** said the committee can authorize him to send a letter to the bonding company as well as the developer using **Engineer Staszewski's** May 29th letter as a basis for us to call the bond. The surety would have 30 days to take action and, if they don't, then we can begin the process of calling the bond. **Attorney Magee** said that, if we are going to call the bond, he wants to do so on the basis of safety issues and not cosmetic issues. He noted a number of sink holes at the Stormwater structures that could be of serious concern. **Committeewoman DiGiuseppe** said she agrees with **Attorney Magee**. A motion was offered by **Committeewoman DiGiuseppe** to call the bond. The motion was second by **Committeeman Clark** and carried on a Roll Call Vote, recorded as follows:

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

f. Homestead Stop Signs – Private Community

Engineer Staszewski referred to a 2007 report by the traffic engineer that stop signs within the Homestead development were non-compliant. There was a list of improvements recommended. Upon his inspection on June 18th, **Engineer Staszewski** said none of the 2007 recommended improvements were made. Since they are HOA roads, he questioned whether the burden falls on the HOA. **Attorney Magee** referred to a subsequent letter of the Chief who said that, while they have the ability to enforce Title 39 and they have been in there occasionally, it was his recommendation that any improvements, replacements, etc. required relative to the stop signs were cost to be borne by the HOA and not Mansfield Township. **Attorney Magee** send an e'mail back agreeing with the Chief's assessment. **Attorney Magee** is to send a letter based on the Litwornia report. He will contact the Chief if he has any questions.

g. Wastewater Management Plan Amendment

NAK Realty has an application on file for a commercial development along Route 68. They are proposing a wastewater management plan amendment to send their sewerage to Mapleton. **Engineer Staszewski** had reviewed the amendment. All the items required are present. They are asking the Township endorse the application to the DEP on behalf of the applicant. **Mayor Puglia** felt there are a lot of resident's concerns. Since there is a meeting tonight, he would like to hold this decision.

Engineer Staszewski reported that the NJ Turnpike will be paving Mill Lane on July 1 and Mansfield Road subsequently on July 2. This will include some driveway aprons depending on conditions. His firm will be present. **Mayor Puglia** asked him to check the shoulders. **Committeeman Clark** felt they should do the paving perfect as they caused the issues. There is a tape of the road prior to their work. **Clerk Semus** questioned Sharp Road. **Engineer Staszewski** said they had agreed to pave this road although it is not included in the notification. He sent an e'mail to the turnpike to confirm that Sharp Road will be addressed at the same time. He waits confirmation of that.

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

BILL LIST Regular and Escrow

Committeeman Clark made a motion to amend the bill list to include payment to Remington & Vernick for two bills for Georgetown Road. This motion was second by **Committeeman Gable** and carried.

A motion was offered by **Committeeman Clark** to add Job Number 0318T275 and 0318T273. Motion second by **Deputy Mayor Higgins** and carried on a Roll Call Vote, recorded as follows:

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

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to pay the bills. Motion carried on a Roll Call Vote, recorded as follows:

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

MINUTES

February 25, 2013 (special joint meeting with Planning Board)
May 22, 2013 (regular meeting of the Township Committee)
June 13, 2013 (special Meeting)

A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to approve the minutes of the above listed meetings. Motion carried on a Roll Call Vote, recorded as follows:

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

REPORTS: Clerk, Court, Construction, Tax, Police, COAH, Zoning, Finance

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to accept the reports as listed above. Motion carried.

RESOLUTIONS

RESOLUTION 2013-6-5

RESOLUTION APPOINTING FULL TIME PERMANENT SANITATION EMPLOYEE HARRY DELGADO

WHEREAS, there currently exists the need to replace Todd Winouski who is no longer employed by Mansfield Township which was effective April 12, 2013; and

WHEREAS, Mr. Delgado had worked for the Township several years ago and left on good terms with the Township; and

WHEREAS, the Township Superintendent and Working Supervisor has indicated that Mr. Delgado had shown exceptional work ethics prior to his leaving and he meets the requirements of the Mansfield Township job description for said position and is a certified CDL driver.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, does hereby appoint Harry Delgado as a Mansfield Township Sanitation employee, at an hourly rate of \$13.77, effective June 14, 2013 with all benefits associated with said full-time, permanent position.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2013-6-5. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-6-6

RESOLUTION APPOINTING ACTING FIRE OFFICIAL

WHEREAS, the Fire Official, Douglas Borgstrom from time to time is absent; and

WHEREAS, Robert MacFarland has the skills and training to temporarily fulfill the duties and responsibilities and exercise the powers of the Fire Official during Mr. Borgstrom's absence; and

WHEREAS, the Township Committee is pleased with Mr. MacFarland's performance in filling said role during the absence of Mr. Borgstrom; and

WHEREAS, the Township Committee wishes to assure that Mr. MacFarland's authority to act in the absence of Mr. Borgstrom is clearly established; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that Robert MacFarland is hereby authorized to act in the place and stead of the Fire Official for the Township of Mansfield during said officials absence; and

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its adoption by the Township Committee.

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to adopt Resolution 2013-6-6. Motion carried.

RESOLUTION 2013-6-7

LIQUOR MART, INC.

2013-2014 PLENARY RETAIL DISTRIBUTION LICENSE RENEWAL

WHEREAS, Liquor Mart, Inc. Plenary Retail Distribution License #0318-44-004-001, located at 3224 Route 206, Bordentown, NJ 08505 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic at their establishment; and

WHEREAS, said application for the 2013-2014 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$2,500.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and

WHEREAS, approval for the 2013-2014 Licensing Year renewal is subject to all agency approvals being received.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Distribution License #0318-44-004-001 in the name of Liquor Mart Inc. be renewed for the 2013-2014 Licensing Year, pending any and all tax clearance certificates from the Division of Taxation.

A motion was offered by **Committeeman Gable** and second by **Deputy Mayor Higgins** to adopt Resolution 2013-6-7. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-6-8
C REED'S INC. T/A C REED'S PLACE
2013-2014 LIQUOR LICENSE RENEWAL

WHEREAS, C. Reed's Inc. T/A C. Reed's Place, Plenary Retail Consumption License #0318-33-003-002 located at 5234 Route 130, PO Box 92, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2013-2014 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a satisfactory report has been received by the Mansfield Township Chief of Police and the Mansfield Township Fire Official, and no other written or verbal complaints have been received by the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-003-002 in the name of C. Reed's Inc. T/A "C. Reed's Inc." be renewed for the 2013-2014 Licensing Year, pending any and all tax clearance certificates from the Division of Taxation.

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to adopt Resolution 2013-6-8. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013 – 6-9
RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY

WHEREAS, the Township Committee has found that certain motor vehicles are no longer needed for public use by the township, and

WHEREAS, the Township Committee believes that it would be advantageous to dispose of its surplus property, and

WHEREAS, N.J.S.A. 40A:12-13 and 40A:12-13.1 permit the Township to dispose of surplus property no longer needed for public use by auction and to authorize such action by Resolution of the municipality; and

WHEREAS, the Mansfield Township Police Department had entered into an Agreement with GovDeals for the auctioning of all surplus property.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the following vehicle be disposed of by auction:

1998 Ford Explorer VIN: 1FMZU35P7WZA86393

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2013-6-9. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-6-15
CABOBE, INC: T/A "CORNER HOUSE"
2013-2014 LIQUOR LICENSE RENEWAL

WHEREAS, Cabobe, Inc., T/A "Corner House" Plenary Retail Consumption License #0318-33-001-003 located at 24549 East Main Street, Columbus, NJ 08022 has applied to the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey for renewal of said license to permit the sale of alcoholic beverages at their establishment; and,

WHEREAS, said application for the 2013-2014 Licensing Year has been received with required fees submitted as prescribed by Ordinance in the amount of \$630.00 to Mansfield Township and \$200.00 to the State of New Jersey Division of Alcoholic Beverage Control; and,

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation indicating that Cabobe, Inc., T/A "Corner House" is in compliance with Chapter 161, Laws of NJ 1955; and,

WHEREAS, a satisfactory report has been received by the Mansfield Township Chief of Police and the Mansfield Township Fire Official, and no other written or verbal complaints have been received by the Township Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the Plenary Retail Consumption License #0318-33-001-003 in the name of Cabobe, Inc., T/A "Corner House" be renewed for the 2013-2014 Licensing Year.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2013-6-15. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION NO. 2013-6-10
RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN
THE COUNTY OF BURLINGTON, NEW JERSEY
AWARDING CONTRACT TO SUPPLY NJDEP LICENSED
OPERATOR SERVICES FOR LYNWOOD FARMS SEWER
SERVICE AREA**

WHEREAS, the Township of Mansfield ("Township") requires the services of a NJDEP Licensed Operator to maintain its Lynwood Farms Sewer Service Area (LFSSA) collections system; and

WHEREAS, State Environmental Services, Inc., submitted the lowest responsible bid of \$7,630.88 to perform all operational, maintenance, recording, and reporting duties for the LFSSA, \$520.00 to prepare an Operation and Maintenance Manual for the LFSSA, and \$612.00 to Perform all duties necessary for the emergency calibration of the electromagnetic flow meter ABB FXE 4000.

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

1. The Township Committee hereby awards a Services Contract to State Environmental Services, Inc. in the amount of \$8,762.88.
2. The Township Committee does hereby authorize the Mayor and Township Clerk to execute a Services Contract with State Environmental Services, Inc.

BE IT FURTHER RESOLVED that this Resolution shall be effective immediately upon adoption hereof.

CFO Monzo said this is based on a bid we did last month. We had a contract with the bidder who is being awarded the bid. Since the contract expired, we went out to bid again and they were the lowest responsible bidder. This is a one year term.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark**. Motion carried on a Roll Call Vote, recorded as follows:

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

**Resolution Number 2013-6-11
Accepting Performance Guarantee
Wesley United Methodist Church
Block 26, Lot 12**

WHEREAS, Wesley United Methodist Church received Preliminary & Final Site Plan Approval for Block 26, Lot 12 located at 24573 East Main Street by the Mansfield Township Zoning Board; and

WHEREAS, a cost estimate dated May 15, 2013 was received from Timothy R. Staszewski, P.E., C.M.E of Remington, Vernick & Arango Engineers for the proposed improvements for this project; and

WHEREAS, Wesley United Methodist Church submitted Bond #5038873 in the amount of \$52,028.10 required for all improvements; and

WHEREAS, Wesley United Methodist Church has also submitted the escrow required to cover inspection fees; and

WHEREAS, the Township Solicitor has reviewed and approved same as to form.

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

1. Agrees to accept Bond #5038873 in the amount of \$52,028.10 as the **Performance Guarantee** for Paving & Sidewalk Improvements to the existing Church located on Block 26, Lot 12.
2. The Land Use Coordinator is authorized and directed to forward a certified copy of this Resolution to Wesley United Methodist Church.

BE IT FURTHER RESOLVED, by the Township Committee, as aforesaid, that this acceptance is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspection and report concerning the improvements covered by said performance guarantee; and if there be a sufficient sum held in escrow by the township for the purpose of paying for said inspections and reports, said escrow may be utilized for the purpose and in the absence of a sufficient escrow said fees shall be paid by the obligor directly, pursuant to N.J.S.A. 40:55D-53(2)h.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to adopt Resolution 2013-6-11. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-6-12

RESOLUTION AMENDING RESOLUTION 2013-1-7 “FIXING TIME AND PLACE OF REGULAR MEETINGS OF THE TOWNSHIP COMMITTEE AND THE BOARD OF HEALTH, MAKING PROVISIONS RELATIVE TO SPECIAL AND EMERGENCY MEETINGS AND ADOPTING CERTAIN PROCEDURES AND FORMS”

WHEREAS, the “Open Public Meetings Act” requires that advance written notice of all meetings of the Township Committee be posted in one public place designated by the Township Committee and faxed, mailed, telephoned, telegraphed or hand delivered to two newspapers designated by resolution and mailed to all persons requesting a copy of same upon payment of an established fee, let the following be known that:

1. Written notice of all **Agenda Sessions, Regular Meetings** and **Special Meetings** of the Mansfield Township Committee shall be posted *in advance* by the Municipal Clerk on the official Bulletin Board located in the main hallway of the Municipal Complex at 3135 Route 206 South, Columbus, New Jersey. Written notice of all **Emergency Meetings** will be so posted *as soon as possible* following the calling of such meeting in accordance with said Act.
2. All advance written notice of said meetings of the Township Committee shall be given to the following two newspapers: Burlington County Times and Trenton Times.
3. All advance written notices of said meetings of the Township Committee throughout the year shall be mailed to all persons requesting a copy of same after payment by such persons of a fee of \$10.00. News media shall be exempt from such fees.
4. The times and places of said official Township Committee meetings for the period from this meeting until the Reorganization Meeting in January 2014 shall be in accordance with the dates, times and places for such meetings annexed hereto under the title “Notice of Annual Scheduled Meetings”, which is hereby adopted as the form of notice to be given of said meetings and so used by the Municipal Clerk for that purpose.

NOTICE OF ANNUAL SCHEDULED MEETINGS

NOTICE is hereby given by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that all Regular Township Committee Meetings will be held on the second and fourth Wednesday of each month, with said dates and exception of November as noted.

All meetings will commence at 7:30 PM. The first meeting of each month shall be a Work Shop Meeting. All Regular Meetings of the Mansfield Township Committee are open to the public, in compliance with the Open Public Meetings Act., N.J.S.A. 10:4-6 to 10:4-21. Formal, official action may be taken at any said open public meeting on any and all issues involving the Township of Mansfield.

Note that Executive/Closed Sessions of the Mansfield Township Committee will be held as needed in accordance with said Act and prior to the Regular Township Committee meetings scheduled.

Mansfield Township Board of Health Meetings will take place the fourth Wednesday of every other month beginning January, from 7:15 PM to 7:30 PM, prior to the start of the Regular Session, in conjunction with the Regular Township Committee Meeting Schedule as listed below.

2013 Mansfield Township Committee
Notice of Annual Schedule Meetings
January 3, 9 and 23
February 13 and 27
March 13 and 27
April 10 and 24
May 22
June 26
July 24
August 28
September 25
October 9 and 23
November 6
November 26 (Tuesday-Special Meeting-RFP Review & paying Township Bills 5:30 pm)
December 11 & 23
January 2, 2014 (Re-organization-7:00 pm)
January 8, 2014 (First Regular Meeting)

Clerk Semus explained that this resolution shows that we have re-located the municipal offices as the original was for the East Main Street location.

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2013-6-12. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2013-6-13

**APPROVE FINAL REIMBURSEMENT AND ACCEPTANCE OF WORK
2010 BURLINGTON COUNTY PARK DEVELOPMENT GRANT**

WHEREAS, the Township of Mansfield did receive a Municipal Park Development Grant from the County of Burlington, in the State of New Jersey, in the amount of \$60,500.00 for the Veteran's Memorial Park Project; and

WHEREAS, quotes were solicited and a contracts were awarded to G&G Landscaping, Powers Electric Co. and Acme/Lingo Flagpoles, LLC for the installation of flagpoles, installation of an irrigation system, electrical wiring, landscaping and a paver walkway; and

WHEREAS, full reimbursement in the amount of \$60,324.31 was received for work completed as of

WHEREAS, the Township's Construction Code Official and Sub-Code Officials did inspected and approved all plumbing and electrical work; and

WHEREAS, all parties agree that the work has been performed in a workmanlike manner that is compliant with applicable requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that the projects associated with the 2010 Burlington County park Development Grant are complete; and

BE IT FURTHER RESOLVED THAT THE Municipal Clerk is hereby authorized to submit the necessary documents to the county of Burlington for the final reimbursement in the amount of \$ 60,324.31

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

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

RESOLUTON 2013-6-14

RESOLUTION TO AMEND RESOLUTION 2013-4-4 "RESOLUTION APPOINTING PART-TIME TEMPORARY DOG AND CAT CENSUS CANVASSERS FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY" BY ADDING ADDITIONAL CANVASSER

WHEREAS, it is required as per Section 15, Chapter 151, P.L. of 1941 as amended by Chapter 37, P.L. of 1952 that a canvass be done for all unlicensed Dogs and Cats in a Municipality; and

WHEREAS, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey has hereby appointed several members of the Franklin Fire Company #1 as the Township's canvassers for the year 2013; and

WHEREAS, Robert Ronan, Jason Horner and Christopher VanMater were appointed under Resolution 2013-4-4 as specific members of the Franklin Fire Company #1 to be canvassers for the Township; and

WHEREAS, an additional member was found that meets the qualifications and needs of the Township; and

WHEREAS, the Township feels that the additional canvasser would allow continual rotating shifts keeping the progression so as to meet the projects deadline; and

WHEREAS, the following individual was found to best meet the qualifications needed by the Township:

Daniel Dean

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 June 26, 2013 at the Municipal Complex at 7:30 PM that those members of the Franklin Fire Company #1, listed above, are hereby appointed as part time Dog and Cat Census Canvassers at the rate of \$10.00 per hour, effective June 26, 2013, with no benefits and holidays.

A motion was offered by **Committeeman Higgins** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2013-6-14. Motion carried.

RESOLUTION 2013-6-16

RESOLUTION AMENDING CONTRACT FOR JANITORIAL/CUSTODIAL SERVICE TO VILLAGE CLEANING SERVICE

WHEREAS, the Township awarded a contract to Village Cleaning Services for the period January 1, 2012 to December 31, 2013 for continuing janitorial/custodial

services for all the Township Municipal Complex Offices together with the Construction Office, Police Department and Recreation Buildings located in both Mansfield Municipal Park and Georgetown Park; and

WHEREAS, the Township has moved its main municipal operations to a new facility on Rt 206 and is requiring Village to maintain the janitorial / custodial services for this facility ; and

WHEREAS, Village Cleaning has agreed to provide this additional service for \$ 300 per month until the end of 2013

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

1. The Township Committee hereby amends the Contract to Village Cleaning Service in the amount of \$ 1,800.00 for janitorial services for six months beginning July 1, 2013 and ending December 31, 2013 and
2. The Mayor and Township Clerk, as necessary, are hereby authorized to execute a Contract and any related documents necessary to effectuate this award in a form substantially the same as that annexed hereto.

This award is made available through account numbers:

01-201-26-310-124

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2013-6-16. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, GABLE, CLARK, HIGGINS, PUGLIA

NAY: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTION 2013-6-17

RESOLUTION TO AMEND RESOLUTION 2013-6-1 WHICH AUTHORIZED THE SIGNING AND EXECUTION OF ANY REQUIRED DOCUMENTS, AGREEMENTS AND/OR AMENDMENTS THERETO WITH THE COUNTY OF BURLINGTON FOR THE APPROVED GRANT FUNDS

WHEREAS, The Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund ("Trust Fund") and established a Municipal Park Development Program ("Program") to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation, and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, The Governing Body of the Township of Mansfield desires to obtain County Municipal Park Development Program funds in the amount of \$ 250,000.00 for the Civic Park Restrooms and possibly concession stand area. This request involves the partial demolition leaving the base cinderblock of the building and reconstruction to improve an existing building. Said building is located at the Township's Civic Park at the juncture of New York Avenue and Rt. 206 in the Columbus area of the township; Block 24, Lot 40.

WHEREAS, the total costs of the project including all matching funds is estimated to be \$ 250,000.00; and

WHEREAS, the Township of Mansfield is the owner of and controls the project sites.

NOW, THEREFORE, BE IT RESOLVED BY the Township of Mansfield that:

1. **Mayor Arthur R. Puglia** is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development program and (c) act as the municipal contact person and correspondent of the above named municipality;

2. The Township of Mansfield is committed to these projects and will provide the balance of funding necessary to complete the *program* in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and

3. If awarded a grant by the County of Burlington under the Municipal Park development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and

4. **Mayor Arthur R. Puglia and the Municipal Clerk** are hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Burlington for the approved Funds; and

5. This resolution shall take effect immediately.

Clerk Semus explained that this resolution is due to action taken at the last meeting wherein a resolution was approved stating that we were going only for the addition. However, it has come to our attention that we can add another item to the resolution, thus this is an amendment to the original resolution.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2013-6-17. Motion carried on a Roll Call Vote, recorded as follows:

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

DISCUSSION

a. Homestead/Country Walk Tree Planting

A letter had been received from Mr. Laino at Homestead. **Mayor Puglia** said he had received several complaints from residents at Country Walk. **Attorney Magee** said we should address the original maintenance agreement of the park until it was dedicated to the township as well as, since Mr. Laino is still the owner, he is not maintaining it up to the standards. Mr. Laino has an obligation pursuant to the agreement plus he is the owner of the property and, therefore, has an obligation to maintain it according to township standards. The property maintenance official is to be advised to issue a violation notice. A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to have Property Maintenance notify Country Walk. Motion carried on a Roll Call Vote, recorded as follows:

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

b. Handicapped Ramps at new Municipal Complex

A bill had been received from Lou Glass Associates for \$90 for an OPRA request. We only collected \$28 from the resident submitting the request. **Clerk Semus** asked if she was obligated to pay this bill. **Committeewoman DiGiuseppe** said the OPRA laws clearly say that any special services are required from that request and the requester is to be notified prior to any action taken. She was concerned why we would ask the taxpayers to pay for an OPRA request from one individual and whether he was informed that the special services should have been done and the amount. She felt the township should not pay for this. **Mayor Puglia** is to speak to Mr. Glass about the invoice.

c. Park Use Permits – fees

Clerk Semus read a letter from Christine Alpin relating to individuals inquiring about using the tennis courts, basketball courts, and fields for business. She had questioned whether we can allow outside groups use the fields and indoor facility based on our fee schedule. An action plan should be discussed as we don't want to overload the use and do want them to be used by township residents. The letter sited three individuals using the facilities for a business. **Attorney Magee** said this request is similar to the method of use of the batting facility. From his perspective, there are a number of legal issues that have to be dealt with. He questioned whether it is something we can do from an insurance perspective and also questioned whether we wanted to use public property for a profit making venture. There may also be Green Acre issues. **Attorney Magee** felt this was a "slippery slope" if we want to open up municipal resources to private individuals for profit. This is a decision the committee has to make. **CFO Monzo** mentioned a couple of townships who do this. **Attorney Magee** and **CFO Monzo** are to look into this after inquiring of how other townships address this issue.

d. Membership Application for the Franklin Fire Company: Michael A. Vance

A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to approve the membership of Michael A. Vance. Motion carried.

e. Property Maintenance Issues – Deed restricting/lien

Clerk Semus said she has received concerns over property maintenance issues from Jef Jones and Mr. Borgstrom on several occasions, the most recent being the burned out house in Hedding. They have not cleaned up the debris since the fire and has become a nuisance, specifically for bugs. The possibility of deed restricting the property or placing a lien on the property until insurance funds were in to reimburse the township or until it is sold. Another idea was to do a property maintenance line item so that, in the future, when issues become out of control, we could use that money to clean up the property and charge it back to the homeowner. **Attorney Magee** said the Committee needs to decide whether to adopt an ordinance that will allow the township to perform

maintenance on private property and then lien the property for the cost of the maintenance for the cost they are performing. Some municipalities do this. In the past when this was discussed, the committee had decided they were not in a position from a budget perspective to be incurring liens on private property that they would, in future time, hope to be paid. No action was taken on this. **Deputy Mayor Higgins** asked **Attorney Magee** to contact the homeowner and express concern that it is taking too long to address the situation and that the Township Officials will take action if they don't.

e. Island Road Property

The Township had gone out to bid on the property. However, the lowest bidder has now declined. **Clerk Semus** asked what should be done now. **Mayor Puglia** felt we should go out to bid in the fall since weather conditions and timing are bad now. **Committeeman Gable** felt we should determine the tillable acreage so it can properly be advertised. **Mayor Puglia** said he would contact Soil Conservation for this information.

f. Traffic Pattern for at Northern Burlington

A letter had been received from Chief Mulhall and Mr. Kaz regarding a letter written to the school about hazardous traffic conditions relating to cars entering and exiting the school. **Mayor Puglia** questioned whether this is a Township issue or a School Board issue. **Attorney Magee** asked for a copy of the letter for him to review so this can be discussed at the next meeting. **Mayor Puglia** felt the school is owned by four townships and Mansfield shouldn't be the only one responsible for any work on the road.

g. Application for Use of Mansfield Township Parks Permit – Ideal Nutrition,

Contact person: Maureen Mageski – Basketball Courts or area next to concession stand from 5:30 am to 6:30am and 6:00pm to 7:00pm, July 8, 10, 12, 15, 17, 19, 22, 24, 26, 29, 31. August 2, 7, 12, 14, 16, 19, 21, 23, 26, 28, 30, Sept. 2, 4, 6, and 11

Clerk Semus said she has cleared this with the Recreation Committee and this is not a conflict. Insurance has been provided. This is not a business as it is women who own the Ideal Nutrition and do exercises during the specified times. There are no charges for this. A motion was offered by **Committeewoman DiGiuseppe** to approve this request. Motion second by **Deputy Mayor Higgins** and carried.

Colleen Herbert said this did not come before the Recreation Committee. However, she was told Christine had checked the dates. Mrs. Herbert was concerned that there is a basketball camp plus other things being done. She asked that the Committee confirm that it does not cause a conflict. **Clerk Semus** said this was done already with Christine.

PUBLIC COMMENT

Judy Harrison said there is a property behind her property which is for sale. However, you can't see the "For Sale" sign any more. She asked if anything can be done as the sale sign can't be seen because it is not maintained decently. This is to be brought to the Property Maintenance Official's attention.

Mrs. Harrison said that, since Hedding Road is closed, Mansfield Road West is being utilized and people are speeding. She said the later in the evening it is, the faster they go. **Mayor Puglia** will speak to the Chief.

John Panacek, 46 South Hockey Drive, said he has been a resident for 22 years. When he moved here, there was no local purpose tax. Tonight a bond was authorized for 2 2/1 million dollars. The auditor says we are eating up our surplus. At some point, will it be unaffordable to live in Mansfield Township? He asked if we are living beyond our means. He was told we have more services, plus insurance and pensions costs are high. **Attorney Magee** told him the Committee is cutting to the bare bones. Privatizing trash is going to save money. **Attorney Magee** further explained revenue sources which we no longer have. Mr. Panacek feels the revenue sources are the tax payers. After more discussion about expenses of the township and possible future long term plans, Mr. Panacek continued to express his dismay with the expenditures.

Colleen Herbert asked what will happen to the trash men who are current employees if we proceed with privatization. **Mayor Puglia** said the one man who is left will be retained in public works. The other full time men have left. She commended **Committeewoman DiGiuseppe** on her concern for the residents in regard to the fire truck. She agreed that we have to do what we need to do to protect our citizens.

Mrs. Herbert asked about the Dog and Cat Census. She was told it is a state law to do a census every year and it comes from the Dog and Cat Licensing Fund.

She then referred to the traffic at Northern, saying it is a death trap. She felt the school should take the responsibility even if each township schedules an officer there in the morning and one in the evening. She doesn't think Mansfield should bear the responsibility. Mrs. Herbert felt we should push the Board of Education.

Committeewoman DiGiuseppe addressed Colleen's comment about the fire truck and stressed that she did not say no to the truck. She simply felt that the expense should be voted upon by the residents.

Bob Harrison asked if the sign can be moved off the highway. He was told it was moved today. He also felt there should be a sign stating this is the municipal complex. He was told we are working on it. Mr. Harrison also felt there should be power point presentations so everyone in the audience could see what is going on. He was told we might be able to utilize the television in the room.

With no further comments from the public, this portion of the meeting was closed.

MAYOR AND COMMITTEE COMMENTS

Committeewoman DiGiuseppe advised everyone that the Committee is applying for the Burlington County Park Improvement Grant for \$250,000 to improve the Civic Park area. The application will be submitted on Friday. She also thanked everyone for coming to the meeting.

Deputy Mayor Higgins thanked **Committeeman Gable** and **Committeewoman DiGiuseppe** for their work on the application. He agreed with Mr. Panacek in regard to his comment on taxes. He felt that so much of the school money goes to 31 districts compared to the rest of them and, if there were better distribution, he feels it would help us all out in this area. When we grew and then had more children, the school dollars from the state did not follow. That hurt this township drastically. He feels that our local purpose rate is reasonable for the service we provide. However, we took a few hits the past couple of years with appeals but we are working hard to keep our taxes low. In additions, a lot of our employees have not had raises in three or four years.

Committeeman Gable asked for authorization to send out, in the tax bills this year, advisory to the residents of all the contact information they would need in the event of a storm, tornado, hurricane, etc. He said the County received a grant this month to upgrade our global connection so we can get information out to the residents. In order to do that, we have to have the information available to the residents with contact information as well as where to go. This is set up on line where residents can insert their information so the Emergency Management can update their information in their data base. **Committeeman Gable** said he will work with Doug Borgstrom and get the insert ready for the Finance Office.

Committeeman Clark referred to Pennsauken Township where he was born and raised. He said they have a House Man in each station and have had one since 1950. If you consider his salary and benefits and add it up, this would be as much money as a new truck.

Mayor Puglia spoke about the empty walls but that will change as we are looking for nice pictures that deal with the town. In addition, we are trying to see if the mural in the old building can be relocated here.

Deputy Mayor Higgins said there are several items in the old school house that they may display in the township. We are also working with the High School in attempts to have art students display some of their work.

Mayor Puglia added that the historical society had discussed the possibility of moving the old school house to the current location of the existing school.

MOTION FOR ADJOURNMENT

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to adjourn. Motion carried.

PREPARED BY

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk

Approved: July 24, 2013