

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
July 24 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, Committeeman Alfred Clark, Committeewoman Janice DiGiuseppe, Committeeman Sean Gable, Solicitor Michael Magee, and Clerk Linda Semus.** **Deputy Mayor Robert Higgins** was not in attendance.

**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 **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to go into executive session by adoption of the following Resolution. Motion carried.

**RESOLUTION 2013-7-1**

**RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows: personnel, on-going contract negotiations and current and potential
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, Committeewoman Janice DiGiuseppe, Committeeman, Fred Clark, Committeeman Sean Gable, Engineer Tim Staszewski, Attorney Michael Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer.** **Deputy Mayor Higgins** was not in attendance.

A motion was offered by **Committeeman Clark** 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**

**ORDINANCE: First Reading/Introduction**

**ORDINANCE 2013-7**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN  
THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING**

**FOR THE ACQUISITION OF A FIRE TRUCK FOR THE  
FRANKLIN FIRE COMPANY IN THE TOWNSHIP OF  
MANSFIELD AND APPROPRIATING \$750,000 THEREFOR,  
AND PROVIDING FOR THE ISSUANCE OF \$712,500 IN  
BONDS OR NOTES OF THE TOWNSHIP OF MANSFIELD TO  
FINANCE THE SAME**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring), as follows::

**Section 1.** The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Mansfield, in the County of Burlington, New Jersey (the "Township"), as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$750,000 including the sum of \$37,500 as the down payment for the improvement or purpose pursuant to the Local Bond Law. The down payment has been made available by virtue of the provision in the capital improvement fund in one or more previously adopted budgets.

**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 \$712,500 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds or notes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations 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 the acquisition of a fire truck for the Franklin Fire Company, including all other work and materials necessary therefore and incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefore.

**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 the Local Bond Law. 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. No part of the costs thereof has been 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, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 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 \$712,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An amount not exceeding \$5,000 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.

**Section 7.** Any grant moneys received for the purposes 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 of rate or amount.

**Section 9.** 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 10.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**Clerk Semus** reported that the public hearing for Ordinance 2-13-7 will be held on August 28, 2013 at 7:30PM in the Municipal Complex.

**CF Monzo** said this is the introduction of a bond ordinance. Down payment was provided for in the 2013 budget. A presentation had been made by the Franklin Fire Company earlier this year during the budget deliberations. A copy of the bid spec is being advertised on July 28<sup>th</sup>. Bids will be received on August 21. We have 60 days from that date to award the bid which is anticipated to be awarded at the September meeting.

**Committeewoman DiGiuseppe** said her preference is to have a referendum rather than to introduce a bond ordinance. She asked if we are taking a vote tonight. **CFO Monzo** said this would be a vote to introduce. **Committeewoman DiGiuseppe** said that, if she votes to introduce, it allows the public to speak at the public meeting. If she still doesn't agree with it, she confirmed that she has the option to vote no. **CFO Monzo** agreed and added that, it will require 4 affirmative votes on the 28<sup>th</sup>. **Committeewoman DiGiuseppe** was concerned that, if she votes yes tonight, she is not mandated to vote yes on the 28<sup>th</sup>.

A motion was offered by **Committeeman Clark** and second by **Mayor Puglia** to introduce Ordinance 2013-7 and to hold the public hearing on August 28<sup>th</sup>. Motion carried on a Roll Call Vote, recorded as follows:

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

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

**Engineer Staszewski** said he would like to address an e' mail from the General Contractor of the municipal complex renovation project dated July 24, 2013 in regard to various outstanding issues of the building including punch list items, etc. They had met a few weeks ago but there are still on-going issues. Therefore, **Engineer Staszewski** had recommended holding final payment or retainage. The e' mail was sent to motivate the General Contractor which was even more with the sub-contractor for plumbing and HVAC which were not in communication well enough. The statement was made that we would take the retainage and hire a third party to complete the work. A statement had also been made that the bond may be considered for pulling. At this point, **Engineer Staszewski** was not ready to make that recommendation yet since the contractors have been responsive since the e' mail was sent.

**Engineer Staszewski** met with **Committeeman Gable, Clerk Semus, Jef Jones** and a member of the Police Department for the public works concept. He has copies of revisions to the floor plan as a result of the meeting for the Committee to review and to make comments if necessary.

**Engineer Staszewski** referred to a discussion item on the agenda in regard to the DOT's notification that 2014 State Aid Grant Applications are being accepted; He wanted to advise the Committee of this and to ask for direction.

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

#### **BILL LIST**

**Committeewoman DiGiuseppe** made a motion to amend the agenda. The motion was second by **Committeeman Clark** and carried.

**Committeewoman DiGiuseppe** made a motion to remove Check Number 1762, Vendor Number 5480, DFW Electric from the bill list for failed performance thus far. This was a low bidder award and the lights are not working. The motion was second by **Committeeman Clark** and carried on a Roll Call Vote, recorded as following:

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

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to authorize payment of the bills with the exception of #1762. Motion carried on a Roll Call Vote, recorded as follows:

**AYE: DIGIUSEPPE, CLARK, GABLE** (with exception as noted), **PUGLIA**  
**NAY: NONE ABSENT: HIGGINS**  
**ABSTAIN: CLARK** on Number 1771

**MINUTES:**

**June 26, 2013 Regular Meeting**

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to approve the minutes of the June 26, 2013 regular meeting. Motion carried.

**July 16, 2013**

These minutes were pulled from the agenda.

**REPORTS:**

**Clerk, Court, Construction, Tax, Police, COAH, Zoning, Finance**

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

**RESOLUTIONS:**

**RESOLUTION 2013-7-2**

**A RESOLUTION CERTIFYING THAT ALL MEMBERS OF THE GOVERNING BODY OF MANSFIELD TOWNSHIP, BURLINGTON COUNTY, HAVE REVIEWED, AS A MINIMUM, THE SECTIONS OF THE 2012 ANNUAL AUDIT ENTITLED "GENERAL COMMENTS AND RECOMMENDATIONS"**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Township Clerk as per the requirements of N.J.S.A. 40A-5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

**WHEREAS**, the local Finance Board has promulgated NJAC 5:30-6-5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments AND Recommendations"; and

**Whereas**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the annual audit entitled "General Comments AND Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to NJC 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 – to wit:

R.S. 52-27BB-52 – "A local officer or a member of a Local governing body, who, after a date fixed for compliance, fails or refuses to obey an order of the Director of Local Government Services, under the Provision of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield hereby states that it has complied with NJAC 5:30-6-5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2013-7-2. Motion carried on a Roll Call Vote, recorded as follows:

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

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

**RESOLUTION 2013-7-3  
RESOLUTION AMENDING RESOLUTION 2010-8-10 AND 2012-5-4 FOR THE AUTHORIZING  
AN EXCHANGE OF CONSTRUCTION CODE SERVICES BY ADDING PEMBERTON  
TOWNSHIP**

**WHEREAS**, NJAC 5:23-4.5 (j), Sets forth the circumstances under which a conflict of interest or an emergency would arise for municipal Construction Officials, Subcode Officials and Inspectors; and

**WHEREAS**, It is in the Township's best interest to have a plan in place which will provide for these services in the event a conflict of interest or an emergency arises; and

**WHEREAS**, by Resolution 2010-8-10 AND Resolution 2012-5-4 the Township of Mansfield authorized an exchange of construction code services with Pemberton Borough, Bordentown Township, Burlington Township, Springfield Township and Mt. Holly Township to exchange the services of their Construction Officials, Subcode Officials and Inspectors as needed to comply with NJAC 5:23-4.5 (j); and

**WHEREAS**, the Township of Mansfield would like to amend said list by adding Pemberton Township for the exchange of services of their Construction Officials, Subcode Official/ Inspectors on an as needed/emergency basis.

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

Section 1. The Mansfield Township Committee hereby authorizes the addition of Pemberton Township for the exchange of Construction Code Services to the already listed Pemberton Borough, Bordentown Township, Burlington Township, Springfield Township and Mt. Holly Township as outlined above.

Section 2. The Mayor, Clerk and other appropriate Township Officials are hereby authorized to execute the documents necessary to have the work performed in connection with the services outlined above.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2013-7-4. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2013-7-4  
RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO ENTER INTO AN  
INTERLOCAL SERVICE AGREEMENT BETWEEN THE  
"NORTHERN BURLINGTON COUNTY REGIONAL SCHOOL DISTRICT AND MANSFIELD  
TOWNSHIP**

**WHEREAS**, the Township of Mansfield wishes to enter into an Interlocal Service Agreement with the Northern Burlington County Regional School District for labor services for automotive repairs; and

**WHEREAS**, said Interlocal Service Agreement has been prepared by the Northern Burlington County School District and has been found to be acceptable by the Township Committee of the Township of Mansfield; and

**WHEREAS**, NJ-S.A. 40A:65-1, et seq., the Interlocal Service Act, permits this Interlocal Service Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that the Mayor and Municipal Clerk of the Township of Mansfield are hereby authorized to execute the Interlocal Service Agreement with the Northern Burlington County Regional School District for labor services for automotive repairs.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Chief Financial Officer of the Township of Mansfield and to the Board of Education for the Northern Burlington County Regional School District.

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to adopt Resolution 2013-7-4. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2013-7-5  
A RESOLUTION OF THE TOWNSHIP OF MANSFIELD ADOPTING A  
FORM REQUIRED TO BE USED FOR THE FILING OF NOTICES OF  
TORT CLAIM AGAINST THE TOWNSHIP OF MANSFIELD IN  
ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY TORT  
CLAIMS ACT, N.J.S.A. 59:8-6.**

**WHEREAS**, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity, and

**WHEREAS**, the Township of Mansfield is a public entity covered by the provisions of the New Jersey Tort Claims Act, and

**WHEREAS**, the Township of Mansfield deems it advisable, necessary and in the public interest to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof, and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, assembled in public session this 24th day of July, 2013, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Township of Mansfield, and

**BE IT FURTHER RESOLVED**, that all persons making claims against the Township of Mansfield, pursuant to the New Jersey Tort Claims Act, *N.J.S.A. 59:8-1*, et seq., be required to complete the form herein adopted as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act.

**BE IT FURTHER RESOLVED** that a certified copy shall be provided to the Administrator and Solicitor of the Burlington County Municipal Joint Insurance Fund for their information and records.

**Attorney Magee** explained that this resolution was a directive from the Council for the League and is being adopted by all municipalities throughout New Jersey.

A motion was offered by **Committeeman Gable** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2013-7-5. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2013-7-6**  
**ACCEPTING PERFORMANCE GUARANTEE**  
**MAHHEIM REMARKETING-GRIDPOINT SERVICE, LLC**  
**SOLAR ARRAYS**  
**BLOCK 2, lot 1.01 4, LOT 4.01**

**WHEREAS**, Manheim Remarketing received Preliminary & Final Site Plan approval for Block 2, Lots 1.01, 2.02 & 3 by the Mansfield Township Planning Board; and

**WHEREAS**, a cost estimate dated July 9, 2013 was received from Remington, Vernick & Arango Engineers for the proposed improvements for this project; and

**WHEREAS**, Gridpoint Services, LLC submitted a Performance Surety Bond in the amount of \$52,224.00 required for all improvements; and

**WHEREAS**, Manheim Remarketing has 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 the Performance Surety Bond in the amount of \$52,224.00 as the **Performance Guarantee** for the Solar Arrays.
2. The Land Use Coordinator is authorized and directed to forward a certified copy of this Resolution to Manheim Remarketing and Gridpoint Services, LLC.

**AND IT IS FURTHER RESOLVED** by the Township Committee, as aforesaid, that this is conditioned upon the payment of all fees incurred by the municipality to the engineer or other professionals in connection with any inspections and reports concerning the improvements covered by said bond or other 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 that 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(2)h.

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

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

**RESOLUTION NO. 2013-7-7**  
**RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEE FOR**  
**COUNTRY WALK – COMMERCIAL SITE**  
**HOMSTEAD PLAZA II**  
**Block 42.30, Lot 151 – Columbus Road**  
**Performance Bond Reduction #2**

**WHEREAS**, Country Walk has received Final Site Plan approval for the Commercial Site (Homestead Plaza II), Block 42.30, Lot 151 – Columbus Road by the Mansfield Planning Board; and

**WHEREAS**, Country Walk (Homestead Plaza II) has requested Reduction #2; and

**WHEREAS**, Remington & Vernick Engineers, Inc., by letter dated November 8, 2012, inspected the improvements and recommends Reduction #2 to said Bond established in the amount of 1,578,438.39, to its reduced amount of \$473,531.52; and

**WHEREAS**, Homestead Plaza II, has submitted the following Irrevocable Standby Letter of Credit and 10% Cash Performance Bond; and

Improvements	Letter of Credit No. 1178A	\$426,178.37
10% Cash Performance Bond		<u>\$ 47,353.15</u>
		\$473,531.52

**WHEREAS**, the Township Solicitor, Michael H. Magee has received, reviewed and approved the Letter of Credit as to form; and

**WHEREAS**, the 10% Cash Performance Bond previously submitted in accordance with Resolution No. 2008-1-29 will be reduced as follows:

Resolution No. 2008-1-29	\$107,266.27
Interest	+ <u>\$ 1,059.50</u>
Account Balance	\$108,325.77
10% Cash Performance to be retained	<u>-\$ 47,353.15</u>
<b>Total to be reimbursed</b>	<b>\$ 60,972.62</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield that:

1. The Township Committee agrees to Reduction #2 as indicated by the Township Engineer in the amount of \$473,531.52.
2. The Township Committee agrees to accept Letter of Credit No. 1178A in the amount of \$47,353.15.
3. The Township Committee agrees to the reduction of the 10% Cash Performance Bond in the amount of \$60,972.62.
4. The Municipal Land Use Coordinator is authorized and directed to forward a certified copy of this Resolution to Homestead Plaza II.

**BE IT FURTHER RESOLVED**, by the Township Committee, as aforesaid, that this reduction in the developer's bonding obligation 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 bond or other performance guarantees; 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 that purpose and in the absence of a sufficient escrow, said fee shall be paid by the obligor directly, pursuant to N.J.S.A. 40:55D-53(2)h.

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

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

**RESOLUTION 2013-7-8  
RESOLUTION TO EXECUTION OF THE SCHOOL RESOURCE OFFICER  
AGREEMENT**

**WHEREAS**, the Northern Burlington County Regional Board of Education (hereinafter referred to as "the School District" has requested that the Township of Mansfield (hereinafter referred to as "the Township" provide two (2) School Resource Officers for the 2013/2014 school year; and

**WHEREAS**, the Township has agreed to provide two (2) School Resource Officers to the School District; and

**WHEREAS**, the Township and the School District have agreed to enter into a contract for said School Resource Officer; and

**WHEREAS**, the Township and the School District have memorialized said Agreement which is attached hereto and made a part hereof; and

**WHEREAS**, the said Agreement had been reviewed by the Mansfield Township Police Chief, the Township Committee along with the Township Solicitor and was approved.

**NOW, THEREFORE, BE IT RESOLVED** The Mayor and Township Clerk, as necessary, are hereby authorized to execute said Agreement and any related documents necessary to effectuate this Agreement in a form substantially the same as that annexed hereto.

**Mayor** Puglia explained that the Township is working with the School to have a second resource officer. **Committeeman Clark** questioned the agreement. **Attorney Magee** said that there was an agreement that two officers will be provided and, in turn, the School agreed to increase the compensation so that the township is not shouldering the burden on their own. They have done this in the form of paying for additional maintenance for police cars. The Chief has worked out the schedule in regard to overtime. The school has also agreed to hold only one resource officer at the school in case the Chief needs another one to cover situations where, in the past, we have had to pay overtime. **Attorney Magee** felt it was a fair agreement which is even better from an economic perspective from the last agreement.

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to adopt Resolution 2013-7-8. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2013-7-9**  
**RESOLUTION TO CANCEL TAXES ON TOWNSHIP PROPERTY**

**WHEREAS**, property taxes are due on Block 9.01, Lots 2.02, now owned by the Township of Mansfield, and

**WHEREAS**, small balances are due for 2011, and 2012.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at their regular meeting held on July 24, 2013 hereby authorizes the Tax Collector to cancel the following for the Tax Year 2011 and 2012 per N.J.S.A. 54:4-3.6c.

Block	Lot	Address	Amount
9.01	2.02	North Island Road	\$ 1.93 (2011)
			<u>2.01 (2012)</u>
TOTAL			3.94

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2013-7-9. Motion carried on a Roll Call Vote, recorded as follows:

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

**DISCUSSION/ACTION**

- a. **Application for the use of Mansfield Park permit – Northern Burlington County Regional Teacher’s association – Saturday, September 21, 2013 from 3pm to 5pm- Mansfield Softball Fields, the Park and Playground areas and Gazebo**
- b. **Application for the use of Mansfield Park Permit – Columbus Home and School Association – Sunday, September 29, 2013 from 9 am to 5 pm – Entire Park**

**Clerk Semus** advised the Committee that the insurance had been submitted and the application had been approved by the Recreation Committee for both applications.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to grant approval to both applications. Motion carried on a Roll Call Vote, recorded as follows:

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

- c. **Franklin Fire Company #1 Ladies Auxiliary – Use of Township Property for Haunted House Fundraiser**

**Committeewoman DiGiuseppe** commented that she would like to table this request because it involves a public building. We have statutory regulations to consider. We need more information including a detailed plan and we need to consult our attorney. **Mayor Puglia** questioned what part of the building would be used. He was told the upstairs. **Clerk Semus** added that the Ladies Auxiliary is covered under the insurance as per our JIF representative.

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

- d. **Traffic Patterns at Northern Burlington Schools**

The traffic concerns have been worked out with Chief Mulhall. A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to approve the traffic patterns. Motion carried.

## **PUBLIC COMMENT**

**John Kampo**, 17 Sunset Lane, asked if the proposed fire apparatus was a fire truck or a crash truck. He was informed it is a rescue truck.

**Myrna Dickert**, 8 Allister Lane, commented that, at the last meeting, it had been mentioned that the roads in Four Seasons will be repaired. She asked if anything is being done.. **Engineer Staszewski** said an inspector had been there and it was determined that the cracks appeared to be shrinkage of material and could be sealed with pavement seal. He felt that the Public Works Department had bought a machine some time ago that would be capable of the repair work. He wasn't sure they still had that capability. **Mayor Puglia** said they had a machine for hot patching. **Engineer Staszewski** said he hasn't heard from Jef Jones as to whether this repair is scheduled. The Committee advised **Engineer Staszewski** to contact Jef. Mrs. Dickert said there are a number of sink holes and they should be looked at carefully. She specifically noted one at 22 Harrington Drive. **Engineer Staszewski** said that the Public Works Department has a standard procedure for addressing sink holes. First they fill the hole with gravel to see if it moves and, if it does, they try to trace where the gravel is going. After that, they would call a contractor to repair it if they couldn't. Mrs. Dickert commented that it is sinking again. **Committeewoman DiGiuseppe** said this area is terrible as the metal plate is above the street. Apparently stones had been put in the hole but they are now below the metal. Mrs. Dickert had observed another hole between 4 and 6 Allister Lane.

**Ken Hersh**, 13 Legends Lane, said that things are coming to a head rapidly at the Legends development. He felt there is a lack of cooperation from Blue Sky as very few promises have been met. He asked the Township Committee to pull the bond so they can finish the project as everything Blue Sky did do was second rate. The trees were supposed to be planted in March or April but they were planted in July, the front entrance is not nice and they put in one waterfall instead of two. They put pebbles around the pond instead of asphalt walkway. Mr. Hersh also added that the developer had also requested a waiver for 12 additional lots from the Planning Board. He asked that this request would not be approved. Mr. Hersh said they are willing to work with the Township on the pulling of the bond. He questioned whether a 6 foot walkway on Mansfield Road East which stops on their property was necessary. He said they would rather develop the interior of the development.

**Attorney Magee** informed Mr. Hersh that we are in the process of calling the bond and that process is on-going. He will send their attorney a message tomorrow morning and inform them that they have until Friday to pay the outstanding balance of their bill as well as the required escrow so the Engineer can meet with them.

**Mayor Puglia** questioned Mr. Hersh about the land use application. Mr. Hersh said that 7 years ago, the original Tindall which is now Blue Sky bought a parcel which did include the 12 lots. However, because the adjacent farmer never sold the land, they never met the requirement to get the 12 lots. Now they are asking the homeowners to sign paper work. All of this is between the builder and the residents.

**Mr. Hersh** asked if the bond could be modified. **Attorney Magee** said this could occur only if you work this out with Blue Sky. Mr. Hersh asked if the Township would look into the 200 foot, 6 foot wide walkway to nowhere. **Attorney Magee** said this would be an amendment to the plan. Mr. Hersh also noted that there are two ugly trailers on the property that have been there 7 years. They have had promises that the trailers would be removed. Blue Sky told Mr. Hersh that no one would take the trailers away. The developer had asked for another 30 days. He questioned why there is a total lack of performance. **Mayor Puglia** told Mr. Hersh to give Blue Sky his phone number and he will take care of it.

**Judy Harrison**, Mansfield Road West, said that that road had been paved and is very nice. However, the road was never milled before paving making the shoulders unsafe in some places. Drop off can be very serious in places if someone is forced off the road. Although the speed limit is 50mph, Mrs. Harrison said there are a lot of people and equestrians and she felt the speed limit should be no higher than 35mph. This is important now since the road has become a speedway and many farms are working the

fields, taking construction equipment back and forth. Even the 50 mph is not being obeyed in many places. Mrs. Harrison said the 50mph must have been set many years ago when it was an unpaved road with only several farms with their homes. This is not the case any more and Mrs. Harrison requested that her presentation and points be made a part of the official record of the meeting tonight. She requested that Mansfield Road West have a speed limit adjusted accordingly. **Clerk Semus** was advised to speak to the Chief tomorrow to see if the speed limit can be lowered.

With no more comments from the public, this portion was closed.

**MAYOR AND COMMITTEE COMMENTS:**

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

**Committeeman Clark** was concerned with the shoulders of Mansfield Road East and suggested top soil on the edges. **Engineer Staszewski** said he asked the turnpike to restore some areas on Mill Lane as he was not aware of the similar issues on Mansfield Road East. However, he will speak to them to fill in other areas. **Committeeman Clark** also questioned what Harms Construction is doing and why they are using Hedding Road. **Mayor Puglia** will speak to the **Chief** about this. **Committeeman Clark** was concerned that they will wreck a new road.

**Mayor Puglia** thanked everyone for coming out.

**MOTION TO ADJOURN**

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

**PREPARED BY:**

**RESPECTFULLY SUBMITTED BY:**

---

**Barbara A. Crammer**  
**Deputy Clerk**

---

**Linda Semus, RMC**  
**Municipal Clerk**