

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
September 26, 2012
Executive Session
6:00 PM**

The regular executive session meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Arthur Puglia, Deputy Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Alfred Clark, Committeewoman Janice DiGiuseppe, Solicitor Michael Magee, and Clerk Linda Semus.** Also in attendance were Joseph Monzo, CFO and Bonnie Grouser, Deputy Treasurer.

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, 2012. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 9, 2012.

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

RESOLUTION 2012-9-1

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. Pending litigation, specifically Titzel v. Mansfield, ongoing contract negotiations, and personnel.
2. The general nature of the subject matter to be discussed is as follows: on-going contract negotiations, pending litigation and personnel.
3. It is anticipated at this time that the above subject matter will be made public when the matters have been resolved and approved for release by the Township Solicitor.

Regular Meeting
7:30PM

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance **Mayor Arthur Puglia, Deputy Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Fred Clark, Committeewoman Janice DiGiuseppe, Engineer Len Faiola, Attorney Michael Magee, CFO Joseph Monzo, Clerk Linda Semus, and Deputy Clerk, Barbara Crammer.**

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to come out of executive session. Motion carried.

Attorney Magee explained that matters discussed in executive session were contract negotiations, pending litigation and personnel.

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

Clerk Semus asked for a motion to amend the agenda to include a Proclamation. A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to amend the agenda. Motion carried.

PROCLAMATION

Clerk Semus explained that Pearl Tusim had presented the following proclamation to the township on the day it was due. It had been signed by Mayor Puglia in timely fashion and given to Pearl for presentation and is being read at this time.

PROCLAMATION DECLARING SEPTEMBER 17-23 AS CONSTITUTION WEEK

WHEREAS, September 17, 2012, marks the two hundred twenty-fifth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, since 1956, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

WHEREAS, other elected officials are also issuing Proclamations to commemorate the 225th Anniversary of the Constitution, the guardian of our liberties which embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, it is obvious that Americans must vigilantly protect the freedoms guaranteed to us through the Constitution and it is important we demonstrate our appreciation of the privileges and freedoms it provides; and

NOW, THEREFORE, BE IT RESOLVED, that the Mansfield Township Committee, County of Burlington, State of New Jersey do hereby proclaim the week of

September 17 through 23, 2012 ~ CONSTITUTION WEEK

and ask our citizens to Fly the Flag all week, ring "Bells Across America" at 4:00 PM on the 17th or other convenient day that week, participate in patriotic activities, and reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

ENGINEER'S REPORT

Engineer Staszewski reported that he was contacted by the DEP on September 12 informing him the reviewers moved forward with the publication of the approval notice on our Waste Water Management Plan. With that will come the finalizing of the response of the public comment. The reviewer asked the engineer's input on several comments, mostly items to do with the TDR planning. Those comments were forwarded to Harry McVey who sent his comments to **Engineer Staszewski** today who will respond to the DEP. This should be the last hurdle with the Waste Water Management Plan.

Engineer Staszewski said he had been contacting the turnpike over the past month in regard to Mansfield Road West. It was confirmed today that, when the meeting was held in June, they had agreed to pave the entire Mansfield Road West from Old York Road to Route 206. However, now they have said they will only pave from Old York Road to just past the turnpike overpass. **Engineer Staszewski** told them he was not in agreement to that but would bring it before the Committee tonight to ask for direction. He recommended that, if the Committee is not in agreement, another meeting should be held with the Turnpike Authority. This meeting is to be set up. **Committeewoman DiGiuseppe** suggested getting their agreement in writing.

Engineer Staszewski referred to two items on the agenda.

(a) Legends at Mansfield (correspondence of 9-14-12)

Engineer Staszewski said he was asked to do a site inspection and identify the numerous items that had gone unapproved for multiple years since previous punch lists had been issued. The letter states that the developer had been non-responsive and recommended the Committee pursue the bond and implementing the improvements under the bond. He asked if the Committee would consider asking **Attorney Magee** to call the bond or wait to see if the bonding company replies to the letter or if the developer chose to move on the improvements. **Attorney Magee** recommended getting a copy of the bond and attach the most recent punch list and send it to the Bonding Company so we can

put them on notice. The Bonding Company can only be responsible for bonded items. Any other issues will have to be addressed in another fashion. **Engineer Staszewski** felt that some of the items that weren't listed in the punch list are negotiable with the Surety Company. **Attorney Magee** reiterated that only bonded items are guaranteed.

b. Meadows at Mansfield (Correspondence of 8-31-12)

Engineer Staszewski said he felt the township is not responsible for the electric bills until such time as the developer is off the bond for the project. The bills will be attached to the punch list and re-issued to the developer.

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

FINANCE

a. Best Practice Check List

CFO Monzo explained that the Department of Community Affairs and the Division of Local Government Services are requiring all of the municipalities to fill out the Best Practice Inventory Check List. In 2010, there were 88 questions. Now, there are 50 questions in 6 separate categories. The purpose of the document is for the State of New Jersey to tell municipalities what they should and shouldn't be doing. The questions are to be scored yes, no, no applicable, or prospective answer if the municipality is going to implement to best practice questions. Depending on the scoring, the municipality may or may not receive all of its December 1st municipal aid. On December 1st, the municipality receives the last and smallest piece of aid which 5%. There is a sliding scale as to whether you get all of it depending on the answers to the questions. **CFO Monzo** said he and the clerk went through the questions and answered them. The document was present to the Committee for their discussion at a public meeting. If there are no questions, the clerk will do the certification that says that the items appeared as an agenda item for discussion and our requirements were satisfied. **Committeewoman DiGiuseppe** said she agreed with the answers and noted that the prospective answers will be worked on the coming year. **CFO Monzo** further explained the towns are given the opportunity to give perspective answers with the intention that the answer will be a yes in the next year's list. That way, we will get credit for the answer.

b. Farmland Preservation Program

Mayor Puglia felt we should speak to Lou Glass about the farms as some of the targeted areas are in our sending area for the TDR program. The county is asking for our answer to the proposed target areas for farmland preservation. **Engineer Staszewski** said he will look at the map and make a recommendation to the clerk's office.

Deputy Mayor Higgins referred to the Best Practice List, referring to Number 6. He said most of the information is available. **CFO Monzo** said all of the information should be available as we do not have all of the minutes and agendas from all commissions. **Deputy Mayor Higgins** felt that we need to tell all residents serving on boards should present their minutes and agendas. **Deputy Mayor Higgins** referred to Number 7 stating that he didn't feel it was too much to ask a Committee person to attend courses. **CFO Monzo** explained that it would have to be a policy in the code book and there is a cost to attend the courses. If it is a township policy passed by the governing body that it is a requirement, this would qualify as a yes answer. **Deputy Mayor Higgins** referred to attend classes at the league conference. **Deputy Mayor Higgins** asked the Committee to make an effort to say yes on Number 6 and 7. **CFO Monzo** said he will find out if it has to be adopted by resolution or ordinance.

c. Resolution 2012-9-2

CFO Monzo said he is required by statute to provide a corrective action plan to the committee and have it sent to the Community Affairs based on the comments and recommendations of the 2011 audit. The following Resolution will be sent with the document to the DCA, if passed.

RESOLUTION 2012-9-2

**RESOLUTION OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, STATE OF NEW
JERSEY, APPROVING A CORRECTIVE ACTION
PLAN FOR 2011 AUDIT**

WHEREAS, the Township of Mansfield, County of Burlington, State of New Jersey received its 2011 Audit, dated June 20, 2012 and submitted to the Township for review on July 25, 2012; and

WHEREAS, the Township will implement the 2011 Corrective Action Plan for the findings therein as follows:

**CORRECTIVE ACTION PLAN - 2011 AUDIT
TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY**

Recommendation Number -1 – It was noted that there was a local public contracts law violation relative to a landscaping project.

Corrective Action: The CFO/Treasurer has discussed this with the committee. The violation occurred because a volunteer who was spearheading the project was unfamiliar with the LPCL. In the future any projects with the potential to cause a bidding necessity with only be done with consent of township officials

Recommendation Number -2 – It was noted that there was a deferred charge in the Utility Fund that was raised in the 2012 Current Fund Budget. It was recommended that this charge to recovered from the utility rate users to make the current fund whole.

Corrective Action: It is the intention of the township to adjust the utility rates in 2013 to begin the recovery of this money.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, implement the Corrective Action Plan as outlined above by the Chief Financial Officer; and

BE IT FURTHER RESOLVED, that the Township Clerk of the Township of Mansfield, be directed to forward certified copies of this resolution to the New Jersey Division of Local Government Affairs, in compliance with State statute.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2012-9-2. Motion carried on a Roll Call Vote, recorded as follows:

AYE: DIGIUSEPPE, GABLE, CLARK, HIGGINS, PUGLIA

NAY: NONE ABSENT: NONE ABSTAIN: NONE

BILL LIST

CFO Monzo referred to an addendum to the bill list. He had not had chance to review some of the Remington & Vernick invoices before the list was prepared. He suggested the additional bill list be included in the bill list.

Deputy Mayor Higgins referred to bill number 756 which should be charged to the recreation trust fund rather than the current line item. **CFO Monzo** said this

adjustment will be made. **Committeeman Gable** referred to number 440 for Verizon phone bills. One phone line is specifically for the alarm on the pump at the pumping station. **CFO Monzo** said he felt that everything relative to the utility is charged for fund 30. He will check on it tomorrow to make sure it is charged to the utility.

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

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

ORDINANCE: FIRST READING/INTRODUCTION

**ORDINANCE NO. 2012-8
AN ORDINANCE AMENDING CHAPTER
60-15, NO PASSING ZONES, BY ADDING CHESTERFIELD ROAD,
IN THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON,
INCLUDING THE APPLICATION OF THE PROVISIONS OF
TITLE 39 OF THE NEW JERSEY STATUTES APPLICABLE TO
CHESTERFIELD ROAD WITHIN THE TOWNSHIP**

WHEREAS, the Township of Mansfield has proposed a no passing zone on the entire length of Chesterfield Road due to safety concerns due to the width of the road.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED, by the Township of Mansfield in the County of Burlington and State of New Jersey that the following regulations shall be established and become enforceable:

- (1) A no passing zone is established in both directions for the entire length of Chesterfield Road, and

SEVERABILITY. Should any portion of this Ordinance be declared invalid or unenforceable by a Court of competent jurisdiction, the remaining portions shall remain valid and of full force and effect.

BE IT FURTHER RESOLVED that this Ordinance shall take effect upon adoption, and publication in accordance with the law.

This ordinance will be subject to a public hearing on October 10, 2012

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to introduce Ordinance 2012-8 and hold the public hearing on October 10, 2012. Motion carried.

RESOLUTIONS

**RESOLUTION 2012-9-3
A RESOLUTION OF THE TOWNSHIP OF MANSFIELD APPOINTING ERNEST BOEGLY AS
A FIRE INSPECTOR**

WHEREAS at this time in Mansfield Township, there is a need for a Fire Inspector and

WHEREAS, Ernest Boegly is so qualified and licensed as such by the State of New Jersey and is available as needed; and

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 September 26, 2012 that Ernest Boegly is hereby appointed as Fire Inspector at an hourly rate of \$11.59, as set by Ordinance, effective September 26, 2012, with no benefits and holidays.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to adopt Resolution 2012-9-3. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-4

**RESOLUTION TO AMEND RESOLUTION 2012-4-6 ENTITLED "A RESOLUTION
APPOINTING PART-TIME TEMPORARY (SEASONAL) MAINTENANCE EMPLOYEES
ERNEST G. DURAND"**

BE IT HEREBY RESOLVED that the following appointment term is hereby amended to reflect Mr. Durand's start date of April 9, 2012 and his end date of October 12, 2012.

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to adopt Resolution 2012-9-4. Motion carried on a Roll Call Vote, recorded as follows:

AYES: CLARK, GABLE, DIGIUSEPPE, HIGGINS, PUGLIA
NAYS: NONE ABSTAIN: NONE ABSENT: NONE

RESOLUTION 2012-9-5
RESOLUTION TO AMEND RESOLUTION 2012-4-6 ENTITLED "A RESOLUTION APPOINTING PART-TIME TEMPORARY (SEASONAL) MAINTENANCE EMPLOYEES WILLIAM STRICKER"

BE IT HEREBY RESOLVED that the following appointment term is hereby amended to reflect Mr. Stricker's start date of April 9, 2012 and his end date of October 12, 2012.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2012-9-5. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-6

RESOLUTION AUTHORIZING EXECUTION OF PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL J. ROGERS, SR.

WHEREAS, The Mansfield Township Police Department was granted the status as an Accredited Agency on November 10, 2011, and

WHEREAS, the accreditation is a testament to the dedication and hard work put forth by the officers and staff of the police department, and

WHEREAS, in reaching the goal of the Police Department to maintain the State Accreditation, a formal quote to provide accreditation management services has been received from Michael J. Rogers, Accreditation Manager, Freehold, New Jersey, and

WHEREAS, the local Public Contracts Law permits the award of such professional agreements without the necessity of public bidding;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey, that the Mayor and Clerk are hereby authorized and directed to execute an agreement for professional services with Michael J. Rogers in an amount not to exceed \$3,000(up to 75 hours at \$40/hr).

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to adopt Resolution 2012-9-6. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-7

RESOLUTION APPROVING ADDITIONAL COMPENSATION FOR THE MUNICIPAL ASSESSOR, ROBIN L. BUCCHI FOR SERVICES PROVIDED IN CONNECTION WITH THE MANDATORY COUNTY ORDER REVALUATION OF REAL PROPERTY FOR THE TOWNSHIP OF MANSFIELD

WHEREAS, the Burlington County Tax Board has ordered the Township of Mansfield to conduct a Revaluation of Real Property by the end of calendar year 2012; and

WHEREAS, the Township of Mansfield, in connection with said mandatory Revaluation of Real Property has hired Professional Property Appraisers, Inc., Resolution 2012-7-3; and

WHEREAS, in order Professional Property Appraisers, Inc. to complete the mandatory revaluation by the end of calendar year 2012, it was necessary for the current Tax Assessor, Robin L. Bucchi, to work above and beyond her normal duties and hours; and

WHEREAS, , the Tax Assessor has requested additional compensation in the amount of \$60,000.00; and

WHEREAS, the Township Committee of Mansfield has agreed that the additional request for compensation, under the circumstances, is reasonable; and

WHEREAS, the Township committee has verified with the chief financial officer that said funds are available through the Bond Ordinance, number 2012-7, which is payable to the Tax Assessor over a 2 year period of time retroactive to August 1, 2012.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey agrees to the additional compensation in the amount of \$60,000 to be awarded and is made available through the following account: 01 201 20 150 012

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to adopt Resolution 2012-9-7. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, CLARK, DIGIUISEPPE (she felt she should vote yes on this because she feels that, if she votes no, it will interfere with the revaluation that is going on. In the future, she felt appropriate roles must be followed when giving compensation to an employee) PUGLIA
NAY: NONE **ABSENT:** NONE **ABSTAIN:** HIGGINS

RESOLUTION 2012-9-8

RESOLUTION APPROVING CONTRCT WITH MANSFIELD TOWSHIP AMBULANCE CORP. (MTAC) TO PROVIDE 24 HR AMBULANCE SERVICES TO THE TOWNSHIP OF MANSFIELD (THE TOWNSHIP)

WHEREAS, there exists the need for the Township of Mansfield to provide 24 hours ambulance services to the residents of Mansfield Township; and

WHEREAS, the MTAC has provided an offer, in form of the attached contract, to provide 24/7 ambulance services to The Township Of Mansfield; and

WHEREAS, the Township Committee and their professionals have reviewed said contract; and

WHEREAS, the Township Committee finds that it is in the best interest of the citizens of Mansfield to execute said contact; and

NOW, THEREFORE, BE IT RESOLVED the Township Committee hereby enters into said agreement.

BE IT FURTHER RESOLVED The Township Committee hereby agrees to the Lease modification between The Township of Mansfield and the Mansfield Township Ambulance Corp, attached hereto and made a part hereof.

Committeewoman DiGiuseppe asked if we are getting a lease. **Attorney Magee** explained that we did an amendment to the lease.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to approve Resolution 2012-9-8. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-9

RESOLUTION APPROVING THE SETTLEMENT BETWEEN FOUR SEASONS AT MAPLETON HOMEOWNERS' ASSOCIATION (FSMHA) AND THE TOWNSHIP OF MANSFIELD (THE TOWNSHIP)

WHEREAS, the FSMHA filed a lawsuit in the Superior Court of New Jersey, Monmouth County against a number of defendants, including the Township of Mansfield under Docket Number MON-L-3796-10; and

WHEREAS, the lawsuit alleged, among other things, that the Township of Mansfield failed to provide certain services to the FSMHA; and

WHEREAS, the Township Committee, after review of said allegations and on the advise of Counsel, agreed to settle, pursuant to the attached release.

NOW, THEREFORE, BE IT RESOLVED that The Township Committee of Township of Mansfield has agreed to settle the lawsuit pursuant to the attached release.

CFO Monzo said the resolution and agreement obligates the township to a payment of \$8,500. As of now, he could not say where the money is being appropriated from. This wasn't considered during the budget approval. The resolution also states that we are required to make the payment 30 days after the agreement to the contract. He had no issue to the approval but he needs to find the source of payment. If there is no line item, he may make a recommendation that we do an emergency appropriation for \$8,500. He will communicate with the Committee of his findings at the next meeting.

Attorney Magee said we should pay as soon as possible because the agreement was signed on June 27 and we are well beyond the 30 days. We made a commitment and should pay this. **CFO Monzo** suggested we approve the agreement and that we do not pay until the next Committee meeting and until he finds a place to charge it to or bring a resolution for an emergency. The next meeting is October 10th. This will give him time to find the funding. **Deputy Mayor Higgins** felt we cannot pay it because we don't have a budget appropriation. **CFO Monzo** asked for two weeks before payment could be made. The resolution can be approved at this meeting. He said that, if we do need an emergency appropriation, that would be available for the meeting on the 10th. With that adoption, the payment can be made the same evening. In summary, **CFO Monzo** will find an appropriation suitable for the expense within the confines of the adopted budget

or with an emergency resolution for \$8,500. They can pick the check up on October 11th. A motion was offered by **Committeeman Gable** to adopt Resolution 2012-9-9 subject to payment withheld until September 10th when suitable funding is determined. Motion second by **Committeeman Clark** and carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-10

CORRECTION OF DUPLICATE ASSESSMENT

WHEREAS, an error in assessment was made on the property listed below; and

WHEREAS, a result in a duplication of assessment was made on the 2012 Tax List, filed with the Burlington County Board of Taxation on January 9, 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 September 26, 2012, hereby memorializes the correction of the duplicate assessment as stated below, in accordance with N.J.S.A. 54:4-54.

Block	Lot	Property Owner	Address	Assessment
24	24.02	Greenfield, Shirley	25025 Mount Pleasant Road	\$232,300

CFO Monzo explained that the property listed was assessed twice. The assessor cannot make adjustments until she gets Township Committee approval. A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to approve Resolution 2012-9-10. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-11

RESOLUTION TO CANCEL TAXES

WHEREAS, an error in assessment was made on the property listed below; and

WHEREAS, the error resulted in a duplicate assessment and an over billing of taxes in 2012 in the amount of \$4,662.26

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 September 26, 2012 hereby memorializes the cancellation of taxes in the amount of \$4,662.26 for the Tax Year 2012.

Block	Lot	Property Owner	Amount
24	24.02	Shirley Greenfield	\$4,662.26

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to approve Resolution 2012-9-11. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-12

CANCELLATION OF TAXES DUE TO VETERAN EXEMPTION

WHEREAS, N.J.S.A.54:4-3.30A allows for the exemption from taxation from real and personal property for any citizen and resident of the State who has a total or 100% permanent disability as defined by this statute; and,

WHEREAS, the properties listed below are owned by the surviving spouse of a 100% Disabled Veteran;

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, hereby memorializes the cancellation of the following 2012 taxes:

Block	Lot	Property Owner	Amount
42.19	028	Rose Dashow	\$3779.54 (Effective 3/30/12)

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to adopt Resolution 2012-9-12. Motion carried on a Roll Call Vote, recorded as follows:

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

AGENDA AMENDMENT

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to amend the agenda.

Deputy Mayor Higgins said he would like to entertain a resolution to hire a special counsel not to exceed \$1,000. **Committeewoman DiGiuseppe** said she objects to this. A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to adopt Resolution 2012-9-13. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2012-9-13

RESOLUTION APPOINTING DAVID SERLIN, ESQ. AS SPECIAL LEGAL COUNSEL FOR THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY

WHEREAS, there exists a need to hire a special legal counsel to provide for services to the Township of Mansfield; and

WHEREAS, David Serlin, Esq., Moorestown, NJ is licensed in the State of New Jersey and will qualify as a special legal counsel.

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

The Mansfield Township Committee hereby contracts David Serlin, Esq. of Moorestown, NJ as a special legal counsel, the amount not to exceed \$1,000..

MINUTES

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to approve the minutes of the August 22, 2012. Motion carried on a Roll Call Vote, recorded as follows:

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

REPORTS: Clerk, Tax Collector, Construction, Court, Ambulance

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to accept the above noted reports as submitted. Motion carried.

DISCUSSION/ACTION

a. Application for the use of Mansfield Township Park Permit – Mansfield Pirates – Contact Person: William White. September 9, 16, 30, Oct 21, Nov 4: 9am to 12pm. Georgetown Park Baseball Field. All insurance requirements are fulfilled and dates and field use approved by the Recreation Committee.

b. Application for the use of Mansfield Township Park Permit – Northern Burlington Soccer Club – contact person: David Grupp, September 1 to August 31, 2013, evening practices during the week, practice games on weekends: Soccer Fields. Insurance requirements are fulfilled and activities will be coordinated with Mansfield Rec.

c. Application for the use of Mansfield Township Park Permit – New Jersey Lacrosse Club – contact person: Brian Wolchek, October 21 and October 28 from 9am to 2pm, the Georgetown Park, grass field near parking area. Insurance requirements are fulfilled and activities will be coordinated with Mansfield Recreation.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to approve **a, b, c**. Motion carried.

- d.** Recreation Memo (carried from Aug. 22 Meeting)
 - i** Security Camera System - \$1,800
 - ii.** Storage Area - \$3,000.00

Deputy Mayor Higgins said he met with Recreation to discuss the above. He discussed the finances of the department and explained that the money in the recreation trust is money collected from the parents for the children participating in the recreation programs. This fund was created for the operation of the sport. The expenses charged to the current fund that should have been charged to the Trust Fund and, as a result, they have identified \$5,290 that should be charged to the trust fund but was charged to the current fund. When transferring the money to the current fund, we now have \$8,382 allowable in the current fund for the expenses they want to incur. Based on that, he is comfortable that there are enough funds for i and ii. This should go on the next bill list. A motion was offered by **Deputy Higgins** and second by **Committeeman Gable** to approve the expenditures for the above i and ii. Motion was carried on a Roll Call Vote, recorded as follows:

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

iii. Policy and Procedures for training center

The Committee had carried this over from the last meeting to permit more time for review. **Committeeman Gable** said he has reviewed the policy and procedures and recommends it for approval, along with the Recreation Committee. The motion was second by **Deputy Mayor Higgins** and carried on a Roll Call Vote, recorded as follows:

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

iv. Key Card Access for indoor facility

The Recreation Committee desires to charge a deposit for each member that has the access card to the building. This is for a replacement should they not return it at the end of the season. They are asking the Committee for permission to charge for this deposit. There is a \$10.00 replacement cost. **Committeeman Gable** felt that, to make it more functional, he felt there should be one reimbursement at the end of the season for anyone who does not return the card. **Deputy Mayor Higgins** felt this puts more responsibility on the coach and it would be a good policy. He made a motion to approve the request. The motion was second by **Committeeman Gable** stipulated on one time reimbursement at the end of the season. Motion carried on a Roll Call Vote, recorded as follows:

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

d. Fire Pit Regulations

Since there was no one here from the Veteran's Association or the Boy Scouts, this was held until contact is made with them

e. School Safety and Security Plans

A letter had been received from Mr. Konowitz requesting that the township hall be used in the event of an emergency where they have to have the public broadcasting system located in the township rather than the school facility. They are looking for permission for newspapers, television and any kind of media to use our facility. **Committeeman Gable** felt that court day would be a conflict although we should be able to accommodate them other days. **Committeeman Gable** made a motion to allow the school facility to utilize the building for press conferences when there is an emergency issue, with the exception of when court is in session. Motion was second by **Committeeman Clark** and carried.

Clerk Semus said she was contacted by the Mansfield Township Elementary School who has necessary mediation. The mediators from the state want it off site. They are asking for the use of our court room. A motion was offered by **Committeeman Clark** and second by **Committeewoman DiGiuseppe** to grant this request. Motion carried.

f. Special Events – Games of Chance

Special Events Committee asked for permission to acquire a game of chance license to enable them to run raffles, 50/50, bingos or anything that would help generate more income to fund the programs. A motion was offered by **Committeewoman**

DiGiuseppe and second by **Committeeman Gable** to grant this request. Motion carried on a Roll Call Vote, recorded as follows:

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

g. Membership to Franklin Fire Company – Dawn M. Pietrzykawski

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

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

h. Peddler’s Licensing – (e-mail dated 9-24-12)

An e-mail had been received from Mr. Smiley, who was present and came forward. **Michael Smiley**, 2203 Columbus Road said he has the ice cream store in town. He noted that multiple Mr. Softee trucks have been witnessed circling the developments. He asked if anything can be done to alleviate this. He said he does support by sponsoring the ball teams, but the Mr. Softee trucks go to the ball fields also. He asked for the Township to help him in some way. **Attorney Magee** said he will look into this since this person is buying only one peddlers license and has several trucks, it doesn’t sound right. Mr. Smiley thanked the Committee for their consideration.

PUBLIC COMMENT:

Colleen Herbert, 2 Millennium Drive asked about the trust fund and the current fund for Recreation and whether it was created by ordinance. **Deputy Mayor Higgins** responded by explained that the trust fund was created by the state. The money is paid by the parents for recreational purposes and is specifically for expenditures. The current fund is for maintenance or purchases. Colleen also asked about the traffic situation by the High School. She was told the police chief and lieutenant have been out there. The lines were redrawn and the police continue to monitor the area. Mrs. Herbert felt the traffic will get worse as the year progresses.

Mrs. Herbert referred to agenda item 12a, application for the use of Mansfield Township Parks. She said that the application is for young men from Ft. Dix and McGuire who want to be part of our township. She felt the community should support them.

Mrs. Herbert questioned Resolution 2012-9-9. **Attorney Magee** explained it is a resolution regarding a law suit the township was involved with Four Seasons.

Mrs. Herbert asked if there was a way to have the Resolutions on line. **Clerk Semus** explained that the agenda, ordinances and resolutions are usually on line but something unexpected happened for this meeting.

Attorney Magee further explained the litigation in Resolution 2012-9-9. There were allegations that there were certain services that the township was required to provide during a certain period of time, which we were not.

Fritz Wainwright, 1011 Cedar Lane, Burlington, asked if we have a noxious weed ordinance in this township as we have a property on Hedding Road that is full of all types of weeds. There is a fence around it and it is all grown up. No one can get in the area. He felt it was suppose to be made into wetlands and nothing has been done. Mr. Wainwright was told we will check it out.

John Panacek, 46 South Hockey Drive asked about the current tax rate. He felt the municipal portion of the bill is considerable more than the 2% cap. **CFO Monzo** explained the 2% tax law is a fallacy. The 2% cap tax is the floor of the rate because, in addition to the 2%, towns are allowed to increase their taxes by increasing the debt service, health care, capital spending, etc. This can be on top of the 2%. Because we lost ratables to appeals in terms of the 2012 assessment, we now have a smaller pool of assessed value from which to collect taxes. We have been ordered to do a reassessment because of the excessive number of appeals. This will be in effect in 2013. Mr. Panacek

said that, because of this, the people who didn't file an appeal are paying for the people who did file an appeal and won. He felt this was not right for the non-appealers. **Attorney Magee** explained that the reassessment does cost a lot but the assessments will be corrected and the field will be level for everyone.

Mr. Panacek questioned the time frame with the new building. **Engineer Staszewski** said we were shooting for January.

Jack Kelley, 16 Barbary Lane, treasurer of Four Seasons, felt the resolution should have been presented to the Committee in July. The agreement was signed in June. It was suppose to be finalized in 30 days. Now it is 90 days and there is another two week waiting period. He said this is not impressive for that type of treatment. **Attorney Magee** felt it was his fault.

With no further comments, the public hearing was closed.

MAYOR AND COMMITTEE COMMENT:

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

MOTION FOR ADJOURNMENT:

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer
Deputy Clerk

Linda Semus, RMC
Municipal Clerk

