

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
January 12, 2011
Executive Session
6:00 PM**

The regular executive session meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Arthur R. Puglia, Deputy Mayor Robert Higgins, Committeeman Alfred Clark, Committeeman Sean Gable, Solicitor Michael Magee, and Clerk Linda Semus. Committeeman Kenneth Denti** 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, 2011. Said Resolution was transmitted to the Burlington County Times and the Trenton Times, filed with the Clerk of the Township of Mansfield, posted on the official bulletin board at the Municipal Complex, filed with the members of this body and mailed to each person who has prepaid any charge fixed for such service. All of the mailing, posting, and filing having been accomplished as of January 7, 2011.

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

RESOLUTION 2011-1-22

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: pending litigation specifically Titzel v. Mansfield, Monson vs. Mansfield, on-going contract negotiations, and personnel.
3. It is anticipated at this time that the above subject matter will be made public when the matter has 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 R. Puglia, Deputy Mayor Robert Higgins, Committeeman Alfred Clark, Committeeman Sean Gable, Engineer Tim Staszewski, CFO Joseph Monzo, Attorney Michael H. Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer. Committeeman Kenneth Denti** was not in attendance.

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

Attorney Magee explained that the purpose of the executive session was to discuss pending litigation, specifically Titzel v. Mansfield, PBA v. Mansfield, and Monson v. Mansfield, on-going contract negotiations, and personnel issues.

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

ENGINEER'S REPORT

Engineer Staszewski reported that the Joyce Court/Route 68 project is ongoing. R & V is submitting to the state at the end of the month and hope to be included in the State's resurfacing project for Route 68.

Engineer Staszewski met with the architect in regard to the Millennium Building and went through the floor plan revisions. They should be submitted for renew by next week.

Deputy Mayor Higgins said he received a phone call from Judge Bookbinder's office today and they are hoping to get a floor plan for the new municipal complex for discussions for services with Springfield. **Engineer Staszewski** said it should be available next week.

Engineer Staszewski said he has had ongoing discussions with the DEP in regard to our Waste Water Management Plan. Things are moving forward and, hopefully, we can go to public notice by the end of the month. If comments are made, possible revisions can be made to the plan. If no comments, we will move to adoption.

Engineer Staszewski said he provided information on a matching grant for the New Jersey Environmental Commission outlining a variety of possibilities. He thought we might be able to pursue the balance of the basin inventory and implementation that was started last spring. This would be conducted through the Environmental Commission. **Engineer Staszewski** was asking the Committee for their thoughts and whether it was worth pursuing as it is worth up to \$15,000. A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to authorize Robin Bucci to initiate the application for the grant with help from **Engineer Staszewski** if needed, but after Committee approval when his cost is presented.

Engineer Staszewski referred to his response report to the April 2010 Association's Engineer report for the Villages at Mapleton and the October 6, 2010 letter from the Association. The Association's Engineer spoke of addressing sidewalk conditions repaired by the developer which he felt there was heaving and deterioration of the joints. **Engineer Staszewski** recommended that any joints or work done by the developer that presents a safety hazard or trip hazard needs to be addressed. Any issues not a safety hazard should be monitored but do not require action at this time. **Engineer Staszewski** said that pavement cracking was addressed with sealant by the developer. The sealant has since cracked again. However, there are no sink holes or safety hazards and he recommended that we continue to monitor those openings and, if they worsen, they should be addressed at that time either by sealant or excavation and repair.

The concrete driveway Belgium Block repair was completed but it appears that some of the restoration was filled with mortar but some of the mortar has eroded to leave an open joint. At this time, there is no sink hole or other safety hazard at that joint and **Engineer Staszewski** recommends that no work be done there and we continue to monitor it.

The mortar throughout the Belgium Block at the development is an ongoing problem with the workmanship of the curb installation. The mortar has been replaced and **Engineer Staszewski** didn't see any deterioration with the curb. It is an aesthetic issue and, if any deterioration should take place, it should be addressed at that time but he felt no work needs to be done at this time.

Cracks and settlement at the storm water inlet boxes had been repaired in 2009 but was not specified by his office. A 2009 punch list had specified a repair but that seal has opened up. However, there is no safety hazard at this time but the issue should be monitored.

The October 6, 2010 letter from the association noted that handicap accessible ramps were omitted. **Engineer Staszewski** recommends the installation of three ramps.

There had been a comment on the specifications to the block curbing installation. He felt these issues were insignificant and did not need to be addressed.

In conclusion, any trip hazards in sidewalks and ADA ramps do need to be replaced. **Engineer Staszewski** recommended that, if the Committee does not want to take action against the developer since the legal cost may exceed the actual work to be done, we could either utilize grant money from the County that we are applying for to address the issues or use local aid money from the DOT when that is given out. He felt we could get both grants and address the work through the grants. **Committeeman Gable** questioned the time frame for the grants. **Engineer Staszewski** responded saying we should have heard about the DOT grant last month which has been held up for funding. The application has been submitted to the County which will probably take a few months. We should be able to address the work in the spring.

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

RESOLUTIONS

CFO Monzo explained that Resolution 2011-1-23 provides the Township the ability to pay bills the first three months of the year before the budget is adopted.

**RESOLUTION 2011-1-23
RESOLUTION OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF BURLINGTON, NEW JERSEY, SETTING
THE 2011 TEMPORARY BUDGET**

WHEREAS, Section 40A-4-19 provides that temporary appropriations may be made to provide for the period between the beginning of the budget year and the date of adoption of the budget; and,

WHEREAS, the date of this resolution is within the first thirty days of the 2011 budget year; and,

WHEREAS, the total of the following temporary appropriations does not exceed 26.25% of the total amount of the appropriations made for all purposes in the 2010 budget (exclusive of Debt Service, Capital Improvement Fund and Public Assistance)

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, at a meeting held January 12, 2011 that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer after adoption.

<u>Department</u>	<u>Amount</u>
A&E: Salary & Wage	
A&E: Miscellaneous	5,000.00
HR: Miscellaneous	3,550.00
M&C: Salary & Wage	5,555.00
M&C: Miscellaneous	2,000.00
CLERK: Salary & Wage	23,000.00
M&C: Miscellaneous	6,500.00
FIN: Salary & Wage	26,000.00
FIN: Miscellaneous	7,500.00
AUDIT: Miscellaneous	5,000.00
TAX C: Salary & Wage	15,250.00
TAX C: Miscellaneous	4,000.00
TAX A: Salary & Wage	19,000.00
TAX A: Miscellaneous	5,000.00
LEGAL: Miscellaneous	30,000.00
ENG: Miscellaneous	25,000.00
LAND USE: Salary & Wage	11,000.00
LAND USE: Miscellaneous	4,000.00
PLAN: Miscellaneous	10,000.00

ZONE: Miscellaneous	1,000.00
ZONING OFFICER: SALARY & WAGE	1,350.00
ZONING OFFICER: Miscellaneous	300.00
OCE:PM: Salary & Wage	550.00
OCE:PM: Miscellaneous	4,200.00
LIABINS: Liability Insurance	40,000.00
WCOMP: Workers Compensation	62,500.00
GROUP Insurance	125,000.00
UNEMP: Unemployment	315.00
LIABINS: Other Insurance	1,312.50
POLICE: Salary & Wages	150,000.00
POLICE: Miscellaneous	30,000.00
EMGMT: Salary & Wage	600.00
EMGMT: Miscellaneous	4,000.00
AID TO FIRE COMPANIES: Miscellaneous	20,000.00
FAID: AID First Aid – Contractual	50,000.00
OCE: FIRE: Salary & Wage	4,800.00
OCE:FIRE: Miscellaneous	1,400.00
PROS: Other Professional	5,250.00
ROAD: Salary & Wage	6,000.00
ROAD: Miscellaneous	35,000.00
SHADE: Miscellaneous	2,350.00
SWASTE: Salary & Wage	35,000.00
SWASTE: Miscellaneous	9,000.00
B&G: Salary & Wage	20,000.00
B&G: Miscellaneous	22,000.00
VMAINT: Miscellaneous	15,000.00
PHEALTH: Salary & Wage	500.00
PHEALTH: Miscellaneous	3,000.00
EHEALTH: Salary & Wage	325.00
EHEALTH: Miscellaneous	1,500.00
ANIMAL: Miscellaneous	950.00
CONSS: Contrib. Social Services	1,300.00
RECREATION: Salary & Wage	2,000.00
REC: Miscellaneous	25,000.00
CPEVNT: Other Contractual	1,500.00
ELEC: Miscellaneous	8,000.00
SLIGHT: Miscellaneous	25,000.00
TELE: Miscellaneous	12,000.00
WATER: Miscellaneous	8,000.00
PETRO: Gasoline	7,500.00
Landfill: Miscellaneous	40,000.00
FICA: Employer Liability	50,000.00
Community Services Act: Condo Reimburse	5,250.00
COURT: Salary & Wage	50,000.00
COURT: Miscellaneous	5,500.00
PUBD: Other Professional	2,400.00
General Operations	1,104,007.50

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to adopt Resolution 2011-1-23. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2011-1-24
AMENDMENT TO RESOLUTION 2011-1-4, APPOINTMENT OF MUNICIPAL POSITIONS/BOARDS/EMPLOYEES

BE IT HEREBY RESOLVED that the following individuals were inadvertently omitted from Resolution 2011-1-4 and shall be appointed, effective January 3, 2011, to the office listed below.

ENVIRONMENTAL COMMISSION

Alternate No. 1- Robert J. Harrison – term expires 12-31-2014
Alternate No. 2 – Judy Harrison- term expires 12-31-13

FIRE POLICE

Daniel Petroni
Jason Horner

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to approve Resolution 2011-24. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2011-1-25
RESOLUTION APPOINTING CONTACT PERSON FOR THE EMPLOYMENT PRACTICES LIABILITY HELPLINE, BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

WHEREAS, the Governing Body of Mansfield Township, hereinafter referred to as "**MUNICIPALITY**", is a member of the Burlington County Municipal Joint Insurance Fund, hereinafter referred to as "**FUND**"; and

WHEREAS, the **FUND** has purchased Employment Practices Liability coverage from XL Insurance Company; and

WHEREAS, XL Insurance has arranged for the Fund members to have access to an **EPL HELPLINE** service and;

WHEREAS, the **HELPLINE** will provide the following services;

- Attorneys will answer *specific* HR and Employment Law questions
 - Confidential and timely responses
 - Attorney client privilege
 - Via Website/E-mail
 - By Telephone with written follow up response
- On Line Training
 - Managers/Supervisors
 - Slides, Audio, File Downloads
 - Small Chapters
 - Certificates of Completion
- Additional On Line Resources
 - Question of The Month
 - Case of The Month
 - HR Alerts via e-mail and posted on website
 - Federal/State News Updates
 - HR Posters
 - Model Policies/Handbook

WHEREAS, the **FUND** requires the **MUNICIPALITY** to designate specific managerial or supervisory individuals who will have access to the **HELPLINE**;

NOW THEREFORE, BE IT RESOLVED that the governing body of Mansfield Township does hereby appoint **LINDA SEMUS** as its Contact Person.

BE IT FURTHER RESOLVED that the governing body does hereby appoint **BONNIE GROUSER** as their additional Contact Person.

A motion was offered by **Committeeman Gable** and second by **Committeeman Clark** to approve Resolution 2011-1-15. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2011-1-26

RESOLUTION AUTHORIZING THE EXECUTION OF A MUNICIPAL REIMBURSEMENT AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD, BURLINGTON COUNTY AND THE FOUR SEASONS AT MAPLETON HOMEOWNER'S ASSOCIATION

WHEREAS, the roads in the Four Seasons at Mapleton Development have been dedicated to the Township; and

WHEREAS, the Township of Mansfield has the obligation to provide snow and ice removal or clearance services for all Township owned roads; and

WHEREAS, the Four Seasons at Mapleton Homeowners' Association has elected to continue to provide snow and ice removal or clearance services utilizing their own contractor; and

WHEREAS, the Township of Mansfield has no objection to the Association's use of their own contractor and will reimburse the Association as per the signed Reimbursement Agreement dated December 1, 2010

NOW, THEREFORE, BE IT RESOLVED, that the Township of Mansfield agrees to reimburse the Four Seasons At Mapleton Homeowners' Association according to the agreement which is attached hereto and made a part hereof..

Attorney Magee explained that this is the same agreement that we have with the Homeowners Association at Mansfield. The Four Seasons Association wants to have their roads plowed by their contractor. We have a reimbursement agreement in place that they will be reimbursed at the same cost that we incur per mile. Since Four Seasons roads were dedicated a few months ago pending a law suite, this results in the obligation of the Township. They will keep their own contractor and will be reimbursed under the same contract as Homestead. A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to adopt Resolution 2011-1-26. Motion carried on a Roll Call Vote, recorded as follows:

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

ORDINANCES

**ORDINANCE 2011-1
CALENDAR YEAR 2011
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

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

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

WHEREAS, the Township Committee of the Township of Mansfield in the County of Burlington finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 175,940 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW, THEREFORE, BE IT RESOLVED Township of Mansfield, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 5,202,798 and that the CY 2011 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance; and,

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

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

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

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. **Repealer.** Any and all Ordinance inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. **Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. **Effective Date.** This Ordinance shall take effect upon proper passage in Accordance with the law.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to introduce Ordinance 2011-1 and hold a public hearing on January 26, 2011. Motion carried.

ORDINANCE 2011-2

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF MANSFIELD BY DELETING AND REPEALING CHAPTER 63A THEREOF, "WATER RESOURCE BUFFER CONSERVATION ZONES"

Be it enacted by the Mansfield Township Committee as follows:

The Code of the Township of Mansfield is hereby amended by deleting and repealing Chapter 63A – Water Resource Buffer Conservation Zones

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

A. **Repealer.** Any and all Ordinance inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. **Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. **Effective Date.** This Ordinance shall take effect upon proper passage in Accordance with the law.

A motion was offered by **Committeeman Clark** and second by **Deputy Mayor Higgins** to introduce Ordinance 2011-2 and hold the public hearing on January 26, 2011. Motion carried.

ORDINANCE 2011-3

AN ORDINANCE REPEALING AND AMENDING CHAPTER 10-2 OF THE CODE OF THE TOWNSHIP OF MANSFIELD TO DELEGATE THE AUTHORITY FOR GRANTING RAFFLE AND BINGO LICENSES

BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey as follows:

CHAPTER 10-2. The Code of the Township of Mansfield is hereby repealed and amended to read as follows:

Chapter 10, Bingo and Raffles

Section 10-2. Application for license.

Each applicant for either a bingo or raffle license or any game of chance covered by the aforesaid statutes shall file with the Township Clerk a written application for the same as prescribed by the aforesaid statutes and the rules and regulations promulgated or issued by the Legalized Games of Chance Control Commission. The Township Clerk is hereby authorized to approve the granting of bingo and raffle licenses to be held in the Township.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

A. **Repealer.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. **Severability.** In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable to any reason, then the Township Committee hereby declares its intent that the balance of the ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. **Effective Date.** This Ordinance shall take effect upon proper passage in accordance with the law.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to introduce Ordinance 2011-3 and hold the public hearing on January 26, 2011. Motion carried.

MINUTES

December 29, 2011

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Clark** to approve the minutes of the December 29, 2011 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

January 3, 2011

A motion was offered by **Committeeman Clark** and second by **Committeeman Gable** to approve the minutes of the January 3, 2011 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

DISCUSSION/ACTION:

a. Dr. Phillip Bracken

Dr Phillip Bracken, 4 Pederson Court, appeared expressing concerns about the proposal for the New Jersey Youth Soccer. He thanked the Committee for the opportunity and he also thanked the residents who came out and will express their concerns. He reviewed the concerns and asked the Township Committee to consider some of the alternatives for this particular parcel. Mr. Bracken reviewed his concerns, including the proposal for 6 soccer fields, come of which are to be lighted and the number of games per day which will bring in a large number of players and coaches, plus spectators. He felt there could be as many as 5,760 to 6,900 people in the course of one day and then, over a course of two or three days, that number could go up to 20,000 people coming from out of town to a parcel directly adjacent to the school. Other concerns include security problems, traffic on the roads, whether there were sufficient parking spaces, hours of operation, enforcement of open hours for the park, monitoring of the area and enforcement of rules, payment for police security, addressing vandalism, field maintenance, repair and cost to replace damaged fields, storm water runoff, any problems with the proposed well and septic system, liability in case adjacent homes are effected by possible water runoff, flooded basements, damaged homes, plans for trash removal after games, plans for wildlife control, rodent control, insect control, janitorial services for the proposed bathrooms, maintenance of building and parking lot, maintenance of well and septic system, no storm water basins planned, possible tree destruction, soccer fields placed adjacent to wetlands, environmental impact, no architectural drawings and material list for the observatory plaza, how tall the plaza will be, staffing of concession stands, any restrictions to food and beverages brought in from outside, tobacco use, alcohol use, guns, placement of a 280 space parking lot 39 feet from a residence, no free coaching for Township Youth Soccer plan, sign at entrance with their sponsor's name, and a soccer field planned within 30 feet of a road where children can possibly run into the road for a ball and go in front of a car. Dr. Bracken questioned who would be responsible if a child were hit and he felt it would fall onto the Township. In August of 2009, NJ Youth Soccer was given 9 months to obtain the necessary approvals and they haven't done so. There is no DEP approval granted in that time frame.

Dr. Bracken was asking for a chance to have the Township residents develop an alternative proposal. He has approached the Recreation Committee and other residents who are helping him understand the needs for recreation for the township youth, not for youth coming from upstate. He understands there would need to be fund raising

mechanism to fund this type of thing for the township recreation and he felt this is something we can work on. He also felt this is an opportunity to provide an environmental buffer zone both for wetlands protection and also for residential buffering. People have moved here because it is residential and they don't want a parking lot 39 feet from their property line. He said he is hoping, tonight, the Township Committee will give them 6 months to develop a proposal and to give them a time to come back and ask for approval for a proposal that can work for the township youth that doesn't involve lights and massive crowds as well as safety issues.

Deputy Mayor Higgins said he has been the Committee person who has spent the most time on this. He is trying to develop some soccer fields in town and we are trying to find a way to do it without the township spending a dime. He has no problem with building 3 fields. He has no problem working with anyone. **Deputy Mayor Higgins** said his conversation with NJ Youth Soccer was about their use of the fields for 6 weekends of the year. He explained the number of teams playing on the weekends and felt the number of cars would be about 1,000 a day. In addition, they are far from coming to a conclusion on this proposal.

Mr. Bracken responded saying that he felt the numbers **Deputy Mayor Higgins** had from Youth Soccer were not valid for the number of soccer fields they proposed and the number of people they are bringing in from out of town are vastly in excess of what they proposed, based off the Yardley/Makefield Soccer Association and how they use their fields. Mr. Bracken felt the Committee should hear from those in attendance about the concerns for the current proposal and give them a chance to come up with an alternative proposal that will work for the township and the residents of the township. **Deputy Mayor Higgins** said he has no problem.

b. Application for the use of Mansfield Township Parks Permit – Girl Scout Troop #25891 – Troop Leader Gina Peter for July 25 through 29, 2011 for the Mansfield Community park concession stand area and area surrounding concession stand (Certificate of Insurance received)

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

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

PUBLIC COMMENT

Lou Wargo, Main Street, said that everything the Doctor stated is true. We want the township to check this thing out. He said he read the grant that the Township requested from the County. This is over a million dollar project and the people are saying they don't want it. The people in attendance are going to live by this project. In 10 years when the soccer decides to get out of business, who will pay for it – the taxpayers will pay for it. As far as a tax payer of Mansfield Township, he says no and asked the Committee to give this Doctor not 6 months but a year to think it over.

Bob Tallon, Axe Factory Road, read a letter into the record as a result of a meeting held by the Watershed Association. The facts that were heard tonight were brought out and there were a lot of concerns. The letter was a cumulative project of a members of the Association. As the project is planned out now, the Watershed Association is against it. There were Environmental Concerns and Mr. Tallon then read the letter into the record, as follows:

Good evening. We represent the Crafts Creek/Spring Hill Brook Watershed Association. Most Association members reside, attend schools, work, worship, and raise families in Mansfield Township. We joined the watershed association because we believe in and support its mission to:

- promote environmental education;

- train individuals in stream monitoring and restoration;
- enhance the health of humans and wildlife; and
- advocate for a healthy watershed environment

Our watershed, which consists of 77 miles of streams, extends from Georgetown, meanders across our township where it flows into the Delaware River, is comprised of soils, groundwater, lakes, brooks, creeks, and wildlife.

We have become aware of a proposal for the construction of “world class” soccer fields in our watershed west of North Island Road. These fields would encompass over 70 acres and accommodate literally thousands of players, coaches, spectators, media, vendors, and others. The fields would be in use for at least six months of each year.

The proposed fields would not only place an enormous strain on the watershed and environment, but the financial health and infrastructure of the community. The use of these fields would attract thousands of people each day who require parking, artificial lighting, food, bathroom facilities, first aid, traffic control, litter cleanup, and security. Congestion may necessitate road widening and tree removal. Noise and evening light pollution would adversely impact human health as well as the life and reproductive cycles of various amphibian and insect populations native to our area. Additionally, the fields will require the regular application of fertilizers and pesticides which would adversely impact area groundwater used by residents for drinking, cooking, bathing, and swimming.

The area wetlands and bodies of water scattered throughout the watershed are filled with tiny creatures who sing in the early spring like a natural chorus. The watershed’s hydrology is recognized at the state and local level for its significance in the recharging of drinking water. Disrupting this hydrology by constructing buildings, parking lots, septic systems, artificial surfaced athletic fields, and compacted grass fields will result in serious and significant negative impacts to this as well as neighboring communities.

We are watching the movement of this proposal very closely. We encourage all community members to do likewise. We need to ensure that any decisions rendered regarding this proposal are not short-sighted but take a long range view for the health and success of the community.

John Panacek, 46 South Hockey Drive, said he lives on the Corner of Island and South Hockey Drive, about 2,000 feet from the proposed fields said it is called Green Acres. Mr. Panacek felt we should keep it green and rent it out to a farmer and let it be a farm. Either that, or be prepared to grant him a variance to build a McDonalds because he will put a McDonalds there to service the thousands of people who are coming. We need this like we need a hole in the head. Keep it simple; keep it the community it was when he moved in.

Rich Tarantino, 45 Augusta Drive, said he felt the comments of the Engineer’s Report regarding the Villages of Mapleton were highly inaccurate. He asked when the Engineer did his last walk through. His engineer sent him an e’mail recently to do a current walk through to survey the problems. All the problems listed in the April 2010 report are items that were not repaired before transition occurred. He questioned how the Engineer can come back and not recommend any changes to what is there. Mr. Tarantino has been fighting this for several years. He felt that the Township had not been there in two or three years to do a walk through.

Attorney Magee said certain things were recommended, specifically the handicapped ramp which our engineer agreed with. However, the other problems did not rise to the level that they were creating a safety problem. The cost to pursue the developer right now, without a bond, could exceed the cost of the necessary improvements. The other items are not perfect but our engineer’s job is to make sure things are safe. Our engineer has recommended making improvements to things that created a safety problem and he suggested mechanisms to enable monies for changes needed.

There was some heated discussion with Mr. Tarantino saying The Township Engineer has not responded to his complaints. Mr. Tarantino felt the issues he has brought before the Township are there and they are safety issues. He said the final subdivision plans for that community were not followed and mistakes were made but not rectified. He spoke of some items he felt weren’t complete on the punch list. **Attorney Magee** said the Engineer is here to protect the township.

Engineer Staszewski said he was out there a few weeks ago and has been there numerous times the past two years. He has spoken to Mr. Tarantino directly about the situation and he has met with his engineer multiple times. The April 23rd letter was at the point where K. Hovnanian had walked. We pursued K. Hovnanian and they did not respond. **Mr. Magee** has pursued them. Once he received direction from the Committee,

he issued a report. **Engineer Staszewski** said the ramps are the only performance items that has been identified from Mr. Tarantino's engineer or from what he can see that are not out there. Mr. Tarantino felt that Mr. Staszewski did not respond. However, **Engineer Staszewski** disagreed. He said he has responded to Mr. Tarantino's engineer and has issued his report dated January 10th.

Mayor Puglia said he wanted to arrange meeting together with **Committeeman Clark, Engineer Staszewski, and Mr. Tarantino** to review the issues on site.

Pel White, 9 Summerhill Court said he likes the idea of a nature trail as was done in Moorestown along the Rancocas River. This way, trees won't be cut down to create more soccer fields. He is a soccer coach in the township and he felt we already had facilities. He suggested enhancing the existing facilities with sprinkling systems, etc. He also mentioned the odor coming from the landfill. He was told to call the county about this problem.

Mayor Puglia said the reason the township was looking for someone to develop it was due to lack of funds. It is an economic hardship right now considering the number of children that like soccer. If someone has a better idea, let them come forward. Mr. White felt there might be grants. However, **Mayor Puglia** said we were looking for something for recreation to keep children occupied. Mr. White said he would like to focus on our township rather than others around the state.

John Kampo, 17 Sunset Lane, said, in addressing odors from the landfill, it is not the landfill, it is the sludge plant. The sludge is mixed with mulch and then heated. If you have a problem, call the County.

Scott Borgstrom, 12 Landview Lane, felt we need to find a common point in regard to the soccer concerns. He felt the township is looking for something for nothing as far as the children are concerned. Another concern is that, when the proposed soccer fields are used for tournaments, our children are playing at the Elementary School about 200 yards away, right on N. Island Road. Cars are parked along the road on Saturdays. He said he will be concerned with our children play soccer with an influx of more people. He asked if we are really lacking fields or is it a general thought. **Mayor Puglia** said fields have to be rotated in use to keep them in good condition. **Deputy Mayor Higgins** said our recreation program does not do a lot in the spring, other than travel, and that is when NJ Soccer would use the fields. Mr. Borgstrom questioned what is accurate. **Attorney Magee** said that the largest growing part of the recreation is soccer and soccer fields need rest to be in playable condition. We are looking for alternate solutions. This proposed project is in very early stages and he felt the Committee will listen to suggestions. **Deputy Mayor Higgins** added that NJ Youth Soccer does not need the lights. The lights were added for Recreational purposes. Mr. Borgstrom reiterated his concern for an influx of people.

Deb Bracken, 4 Pederson Court, referred to the draft field agreement between the Township of Mansfield and NJ Youth Soccer. The bottom line states that the total usage of the fields between April 1 and November 30 is between 15 and 20 weekends or the equivalent. The afternoon/evening usage would be two days a week from April 1 through June 30. **Deputy Mayor Higgins** said they told they couldn't do that proposal. Mrs. Bracken said this is the report and, if there is something more recent, they would like to have it.

Amanda Borgstrom, 12 Landview, asked how many had driven down North Island Road on a Saturday when soccer games are going on. There are plenty of cars lined up along N. Island as well as the road to MTES. She questioned where everyone will park with the proposed games going on. She said they moved here from Bordentown because of the open fields and community atmosphere. She is not interested in having a

soccer complex in the township. She is not interested in having people from outside coming into our district. Mrs. Borgstrom asked if they had looked at any other areas in the township to build the soccer complexes.

Mayor Puglia answered by saying we were looking at township property.

Jef Sheppard, 715 North Island Road said he lives 39 feet from the proposed parking plot. There are currently soccer fields across the street from his property and, on Saturday, people park on his grass and on his lawn. He is also bothered by garbage, cigarette butts, and cans. The proposed parking lot will be 39 feet away and when he walks out his front door, he wonders how many cars will be parked on his property. He doesn't want to step outside and look at cars. He asked the township not to make a mistake on this complex.

Scott Borgstrom asked what will come out of this meeting. Is there a form for possible proposals for other options. **Mayor Puglia** said the Township wants to provide recreation and soccer fields are needed. If he has a proposal, the Committee would be willing to look at it.

Marion Tallon, Axe Factory Road, asked why we can't upgrade the soccer fields we have now. It wouldn't solve the problem with this proposed complex. **Mayor Puglia** said soccer fields get beat up and need a recovery period. With more fields, we would have more fields to rest. Mrs. Tallon felt a nature walk would be wonderful for adult recreation as well as children. This is something to think about.

John Panacek, 64 South Hockey Drive, asked, since when it is the government's obligation to provide recreation for a limited population. In addition, why is it all ball sports? He felt you should take the children to the shore and it is not the township's obligation to provide the services. Why not combine with other townships? We have enough.

Lou Wargo asked the people what they want and they said nothing.

Mayor Puglia closed the public portion of the meeting.

MAYOR AND COMMITTEE COMMENTS

Deputy Mayor Higgins spoke about a nature trail. He questioned whether there is anything on going about the county proposed nature trail. **Clerk Semus** said Terri Tallon-Hammill, before leaving office, tried to reach out to Matt Johnson. She felt there were issues with funding and she will do research on this.

Committeeman Clark advised the people that Crystal Lake has plenty of trails and it is beautiful. People are welcomed to come there.

Committeeman Gable thanked the residents for coming out and for their comments. He will take everything brought forth under consideration.

Mayor Puglia said he appreciated the people for coming out in this weather. If they want to put a plan together and present it, the Committee is open.

MOTION TO ADJOURN

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
Approved: February 9, 2011

Linda Semus, RMC
Municipal Clerk