

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
August 24, 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 Puglia, Deputy Mayor Robert Higgins, Committeeman Alfred Clark, Committeeman Sean Gable, Committeewoman Janice DiGiuseppe, Solicitor Michael Magee, and Clerk Linda Semus.** .

**Mayor Puglia** called the meeting to order followed by the following opening statement.

Public notice of this meeting pursuant to the Open Public Meetings Act NJSA 10:4-6 to 10:4-21 has been satisfied. Notice of this meeting was properly given in the annual notice, which was adopted by the Mansfield Township Committee on January 3, 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 2011-8-1**

**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 and potential and pending litigation.
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 Puglia, Deputy Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Alfred Clark, Committeewoman Janice DiGiuseppe, CFO Joseph Monzo, Engineer Len Faiola, Engineer Tim Staszewski, Attorney Michael H. Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer.**

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 personnel issues and potential and pending litigation.

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

**PROCLAMATIONS**

The following proclamation was read into the record by **Clerk Semus**. In attendance was Patrick Carver who was asked to come forward.

**PROCLAMATION**

***WHEREAS, Patrick Carver, a 15 year old resident of Mansfield Township and a member of Boy Scout Troop 45 in Columbus, New Jersey, has fulfilled requirements in the areas of leadership, service, and outdoor skills; and***

*WHEREAS, Patrick, was a Senior Patrol Leader of Troup 45 at which time he earned the "Order of the Arrow"; and*

*WHEREAS Patrick's Eagle Scout project involved working with the Burlington County Parks System at Crystal Lake to build, mount, and set three wood duck nesting boxes in the lake; and*

*WHEREAS, in continuing his project with the County, Patrick, concern for the American Kestrel, the smallest falcon included on the NJ threatened endanger species list, built a kestrel nesting box which he mounted on a 16 foot pole in an open field at the Crystal Lake sit; and*

*WHEREAS, because of his extraordinary accomplishments, Patrick Carver has earned the Eagle Scout rank, the highest advancement position in Scouting.*

*NOW, THEREFORE, BE IT RESOLVED that the Mansfield Township Committee, on behalf of the Township, its Officials, Employees, and Citizens thereof, hereby wish to express their sincere congratulations to Patrick Carver and to convey deep pride in the example he sets for the youth of our community; and*

*BE IT FURTHER RESOLVED, that it is the desire and intent of the Township Committee of the Township of Mansfield to publicly acknowledge Patrick Carver's determination, good skills and enthusiasm toward Scouting and to see that such recognition is permanently made a part of the record of this Township.*

**Patrick Carver** was congratulated on his success as an Eagle Scout and was presented the proclamation. **Committeeman Clark** commented on his status as an Eagle Scout and how meaningful this honor would be if Patrick were to enter the military as they take this very serious.

The following Proclamation for Eugene Johnson on his retirement from Mansfield Township was read by **Clerk Semus**. The proclamation will be presented to Mr. Johnson at a later date.

#### **PROCLAMATION**

*WHEREAS, on June 5, 1990, Eugene Calvin Johnson became part of the Mansfield Township family, and*

*WHEREAS, Eugene became a true team player, earning the trust of his supervisor, as well as, his fellow employees, and worked in cooperation with others in a productive manner, and*

*WHEREAS, Eugene always showed respect for his co-workers and the public, keeping in mind, the safety and health of the residents and exhibiting his compassion by saving the life of a resident with his quick thinking and life saving techniques, and*

*WHEREAS, Eugene demonstrated his leadership and dedication to the Township of Mansfield, producing quality work in a cost conscious manner, and*

*WHEREAS, The Mansfield Township Committee hereby applauds Eugene's 20 plus years of service to the people of Mansfield Township and commends his dedication to the Township and the citizens thereof.*

*NOW, THEREFORE, BE IT RESOLVED that the Mansfield Township Committee, on behalf of the Township, its Officials, Employees, and Citizens thereof, expresses their congratulations to Eugene Calvin Johnson and wish him a pleasant, relaxing, and adventurous time in his retired life.*

*BE IT FURTHER RESOLVED that it is the desire and intent of the Township Committee of the Township of Mansfield to publicly acknowledge Eugene Calvin Johnson's years of service to the Township and to see that such recognition is permanently made a part of the record of this Township.*

The following Proclamation was read into the record by **Clerk Semus** to commemorate the 9/11 10<sup>th</sup> Anniversary.

#### **Proclamation**

*Whereas, the governing body of the Township of Mansfield expresses their support of the United State's Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Times on September 11, 2011, in honor of the 10<sup>th</sup> anniversary of the terrorist attacks committed against the United States on September 11, 2001; and*

*Whereas, at 8:46 AM, ON September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York, and*

*Whereas, 17 minutes later, at 9:03AM, hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center, and*

*Whereas, at 9:37 AM, the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and*

*Whereas, at approximately 10:00AM, the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others, and*

*Whereas, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001, and*

*Whereas, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed, and*

*Whereas, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events, and*

*Whereas, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history;*

*Whereas, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day;*

*Whereas, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks, and*

*Whereas, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored, and*

*Whereas, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day, and*

*Whereas, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States, and*

*Whereas, on the 10<sup>th</sup> anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the events of September 11, 2001, and their families, and*

*Whereas, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life, and*

*Whereas, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve America Act (Public Law 111-13; 123 Stat. 1460), and*

*Whereas in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and*

*Whereas, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States.*

**Now, Therefore, be it Resolved,** that the governing body of the Township of Mansfield;

(1) recognizes September 11, 2011, as a day of solemn commemoration of events of September 11, 2001, as a day to come together as a Nation:

(2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks;

(3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives;

(4) recognizes the valiant service, actions, and sacrifices of United States Personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States;

(5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

**Be it Further Resolved,** that on the 10<sup>th</sup> anniversary of this tragic day in United States history, the governing body of the Township of Mansfield calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including (i) media

outlets: (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

**Be It Further Resolved** that on the 10<sup>th</sup> anniversary of this tragic day in United States history, the governing body of the Township of Mansfield encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

**Committeeman Gable** explained there will be a 9-11 remembrance in the center of town observed by the Fire Department, Police Department, and Ambulance Corp from 11AM to 1PM on September 11<sup>th</sup>. Also, there will be a piece of steel from the World Trade Center on display. The students built the table to hold the display. He invited everyone to join them on that day.

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

**Engineer Len Faiola** referred to his status report of August 15<sup>th</sup> and added the trust fund applications are due on September 23<sup>rd</sup>. There are three candidate roads being considered once a meeting is held with Committeeman Clark to finalize. One or two will be picked for the grant. They are also considering an application for discretionary aid for one or the other of the three roads to compensate for the Mill Lane Grant.

**Engineer Faiola** went through the following agenda items:

##### **a. Stormwater pipe failure of Mansfield Road West.**

An inspection was made at the site revealing a segment of 32 inch concrete pipe had fallen out of the road. This is near the turnpike where there is a drainage pipe connecting a drainage field on one side which discharges into a swale on the other side. On the swale side, the pipe had come loose and rolled down into the swale. This is not in danger of undermining the road. However, with it gone, the tree growing next to the pipe segment is in danger of eroding. In a storm, the tree could come lose and fall over. If that happens, then the road would be undermined. He felt this is an emergency situation and recommended taking steps to have the tree removed and the road stabilized so we don't lose the road. The pipe itself is not in good condition and would need replacement. Currently we should remove the tree, stabilize the bank and take the necessary steps to replace the pipe as a safety precaution. **Engineer Faiola** recommended we do something before we are forced to on an emergency basis. He said he would recommend calculating a cost estimate for the tree and look at the pipe more closely. **CFO Monzo** said that we could do an emergency appropriation. For the pipe, he suggested a general improvement ordinance since it would be an improvement that would be bondable given the useful life of the improvement. The tree would have to come from the budget or an emergency appropriation. **Engineer Faiola** felt the tree would cost more than \$2,000 but three quotes should be obtained. **CFO Monzo** said an emergency resolution could be passed at the next meeting to authorize the removal. **Committeeman Sean** felt we shouldn't wait until the next meeting as it is a hazard. **Committeeman Clark** is to contact Jef Jones for contractors to remove the tree. **Deputy Mayor Higgins** questioned whether we should charge this to Streets & Roads as there is money there.

##### **b. Villages at Mapleton – Grant Funding**

**Engineer Faiola** said there is an issue with regard to ADA accessibility. It is being resolved and will be taken care of probably by the end of the year. As far as the CDBG Grant issue, it is under process. There needs to be discussion as it is tied to proposal for services and is tied into the Millennium Building.

##### **c. No Passing Zone – Petticoat Bridge Road**

**Engineer Faiola** said they have been coordinating with Jef Jones in regard to installing a no passing zone in front of both Fieldcrest and Country Lane exits onto Petticoat Bridge Road. Mr. Jones would like to include this corrective action with striping projects unrelated to this in one purchase order by the end of October.

#### **d. Millennium Building**

Bids were received about two weeks ago. They came in much higher than the estimate that was prepared for the project. **Engineer Faiola** has prepared a letter to the Committee recommending the bids to be rejected at this time. The bids came in \$175. per square foot. The estimate was \$125 per square foot based on the costs at the Fire House renovation. They are looking at the design to see if they can find specific modification to reduce the overall budget to be spent. He handed out a listing of the suggestions for modification to reduce the budget for the project for the Committee's edification. The floor plan layout will remain the same. The two major changes are mechanical in nature or postponing some of the minor spaces for a later date. He said they may re-use some of the existing features. He asked that a resolution be passed to reject the bids and, in conjunction with that, to authorize the engineer to make the necessary modifications to re-advertise the project. He felt it would take about three weeks to make the changes, then to go out to bid hopefully at the first meeting in October, If the proposed changes are acceptable, it would reduce the budget by 1.35 million.

#### **e. Ordinance to amend street excavation chapter.**

**Engineer Faiola** explained that there had been some administrative difficulties in dealing with the street opening ordinance as it is currently structured. A draft of modifications was presented for the Committee's review. The biggest changes are how to account for reviewing the street opening permit and then establishing a fair process for inspecting the street opening. The changes provide flexibility so that permits, whether dealing with small projects or large projects, can be dealt with in a simple matter. The draft is for the Committee to review and decide upon.

In addition to his report, **Engineer Faiola** said the DEP has been waiting with a review period after advertising the Waste Water Management plan. One public comment has been received from the Sierra Club relating to the portion of the plan dealing with the Margolis proposed development. Currently the DEP has not made a decision as to whether or not they plan on having a public hearing. If they do not have the public hearing, the plan should be finalized by the end of September. They do have an option for a public hearing and, if they do, it would be held in the municipal complex. **Engineer Faiola** asked the Committee if he can forward the letter to Margolis Enterprises' engineer who worked as our sub-consultant to prepare the technical data with respect to the Margolis site. They can respond to the comments point by point and get them to the DEP. Then the DEP can have a counter offer for concerns pointed out in the letter. **Engineer Faiola** said he would also like to communicate directly with the DEP to try to find out where they stand in regard to a possible public hearing. The comments brought up address drainage concerns. He felt they are really not material to the Waste Water Management Plan.

**Mayor Puglia** explained to the public that this would give us the ability to sewer the town of Columbus plus a much needed ratable. Margolis expects to break ground within 6 months if approvals are granted. This is a real issue for the township. A motion was offered by **Committeeman Higgins** and second by **Committeeman Gable** to authorize Remington & Vernick to deliver a letter to the developer to contact the DEP. Motion carried.

**Deputy Mayor Higgins** asked about Joyce Court. **Engineer Faiola** commented that there has been no response since the last time the topic was discussed. **Deputy Mayor Higgins** also questioned the Millennium Building. and some items been taken out of the bidding process will be dealt with separately. **Engineer Faiola** said some of the items have been deducted in the current structure of the bid. He wants to make others part of the base bid by changing the design. He spoke of the use of the existing air condition which won't be under warranty but would probably last 10 to 15 years before needing serious work. This is a risk associated with it. We could eliminate some of the thermostats, therefore, there would be no individual controls. One unit will be replaced which will have a warranty.

**Committeewoman DiGiuseppe** asked what contributed to the high cost. **Engineer Faiola** felt the cost of materials were underestimated. They also

underestimated the amount of work the demolition was going to take. We can save money by re-using some of the things in the existing space which are in reasonable condition. These are the two major factors that drove the estimate higher. **Committeewoman DiGiuseppe** questioned the roof and whether that was included. **Engineer Faiola** said they did include repairs to sections of the roof which are in very bad shape. **Committeewoman DiGiuseppe** questioned how you could renovate a building with a leaky roof. **Engineer Faiola** said this was a good question because the roof has to be addressed within the year or prior to finishing the space or we will run the risk of leakage. **Committeewoman DiGiuseppe** felt this is serious and she is very concerned. **Engineer Faiola** felt the roof has to be addressed but it is not something can fit in the existing budget constraints. **Deputy Mayor Higgins** questioned the site work asked if the \$80,000 grant would cover all the things being removed. Committeeman Higgins was concerned that we have a 7 million dollar fire house with a leaky roof. Do we want an eight million dollar fire house/municipal complex with a leaky roof? **Engineer Faiola** explained that the site work is, for the most part, to improve what is there. What is there is functional. However, the proposal is for re-striping, landscape to beautify and install handicap access. Some of the grant could apply to cover that line item. However, their approval will be needed before we can spend the money. **Deputy Mayor Higgins** questioned how much it would cost to fix the roof. **Engineer Faiola** said about \$300,000. **Deputy Mayor Higgins** questioned **CFO Monzo** on available money to which he said that we have \$100,000 down payment money which would get us two million dollars of improvements. **Deputy Mayor Higgins** noted that borrowing rates are low and asked if this would be a better time to borrow rather than wait for the future. **CFO Monzo** said that, if we wanted to do all that has been discussed, we would need additional funding. The way to do that would be to do another bond ordinance. It was noted the bid does not include the police department. **Engineer Faiola** said the site work could be removed entirely and leave to the last. This could even bid separately at a later date.

**Deputy Mayor Higgins** made a motion to advise Remington & Vernick to move forward and come up with revisions based on tonight's suggestions, with a decision to be made on the roof at the next meeting. The motion was second by **Committeewoman DiGiuseppe** and carried on a Roll Call Vote, recorded as follows:

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

**Committeeman Gable** said they have already fixed 5 spots of water damage in the fire house and there are at least three more. He felt the roof should be addressed as soon as possible. **Committeeman Gable** referred to renting the rest of the building which would be impossible because of the water damage. He then referred to the ordinance proposal covered the road access for the construction site. **Engineer Faiola** said this is covered.

**Mayor Puglia** said he is disappointed in Liberty Lake and felt the town is being held hostage for something so important to so many people.

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

**RESOLUTIONS**

**RESOLUTION 2011-8-2**

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2011 BUDGET PURSUANT TO NJSA 40A:-87 (CHAPTER 159, P.L. 1948)**

**WHEREAS**, NJSA 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of any item of appropriation for equal amount.

**SECTION 1**

**NOW, THEREFORE, BE IT RESOLVED** on this 24th day of August 24, 2011, that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to

approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$ 9,421.74 which item is now available as an additional revenue for the Mansfield Township Recycling Tonnage Grant

**SECTION 2**

**BE IT FURTHER RESOLVED** that a like sum of \$ 9,421.74 be and the same is hereby appropriated under the caption of:

**Section 1 (a)**

**Recycling Tonnage Grant**

**\$9,421.74**

**CFO Monzo** said that this is a standard item required after the adoption of the budget. We received our annually recycling tonnage grant. The resolution has to be adopted so we can spend the money.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to adopt Resolution 2011-8-2. Motion carried on Roll Call Vote, recorded as follows:

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

**RESOLUTION 2011-8-3**  
**REJECTING ALL BIDS FOR THE IMPROVEMENT TO THE NEW TOWNSHIP MUNICIPAL BUILDING**

**WHEREAS**, on August 9, 2011, the Township accepted bids for Improvements to the New Township Municipal Building

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

**WHEREAS**, the Chief Financial Officer has recommended that all bids be rejected since the lowest bid substantially exceeds the amount appropriated for the project; and

**WHEREAS**, the Township Committee hereby determines that it is in the best interest of the Township to reject all bids;

**NOW, THEREFORE, BE IT RESOLVED** on this 24<sup>th</sup> day of August, 2011, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that:

1. All bids for Improvements to the New Township Municipal Building shall be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2 since the lowest bid substantially exceeds the available funding for the project.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Higgins** to adopt Resolution 2011-8-3. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2011-8-4**  
**MANSFIELD TOWNSHIP PRELIMINARY APPROVAL OF FARMLAND APPLICATION**

**WHEREAS**, the Township of Mansfield is committed to preserving, to the extent possible, farmland within the Township for the benefit of the citizens of the Township of Mansfield as well as for the County of Burlington and for the State of New Jersey; and

**WHEREAS**, the Burlington County Agriculture Development Board is proceeding with the preservation of the following farm: DiTullio Farm, Block 6.01, Lot 6.01, through the Farmland Preservation Easement Purchase Program; and

**WHEREAS**, at this time, the Township of Mansfield cannot commit to providing the 15% municipal cost share; and

**WHEREAS**, it is in the best interest of the citizens of the Township of Mansfield to give preliminary approval on the County's acquisition of development easements for the above farm through the Farmland Preservation Easement Purchase Program;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Mansfield, County of Burlington, and State of New Jersey that they grant preliminary approval for the acquisition of development easements on the aforementioned properties through the Burlington County Farmland Preservation Program.

**Mayor Puglia** explained that the resolutions states that we approve the application but we don't have the money. **Deputy Mayor Higgins** noted that we are agreeing to the farmland and, if we agree, we are responsible for the money. **Attorney Magee** said we are responsible for the dollars under the state program and the county can force us to do it. **Deputy Mayor Higgins** asked **Attorney Magee** to follow up on this as the county can do the farmland preservation without an endorsement and we still have to pay. **Deputy Mayor Higgins** felt this doesn't make sense. If we can't afford it, why are

we responsible for it. A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Clark** to table this. Motion carried.

## **ORDINANCE**

### **ORDINANCE 2011-9**

#### **AN ORDINANCE AMENDING CHAPTER 60 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED "TRAFFIC CONTROL", BY ADDING SECTION 20 TO BE ENTITLED "PROHIBITING PARKING ON PUBLIC ROADS, STREETS, RIGHT-OF-WAYS OR OTHER IMPROVED ROAD SURFACES WHEN SNOW COVERED IN EXCESS OF THREE INCHES"**

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

**WHEREAS**, the Township Committee has determined that snow removal on all public roads, streets, right-of-ways or other improved road surfaces have been problematic for the Township's emergency vehicles and snow removal operators;

**WHEREAS**, the Township Committee, in order to address this problem, will prohibit parking on all public roads, streets, right-of-ways or other improved road surfaces when snow covered in excess of three (3) inches.

**NOW, THEREFORE, BE IT ORDAINED** that Chapter 60 of the Code Of The Township Of Mansfield Entitled "Traffic Control" is amended by adding Chapter 60-20 to be entitled "Prohibiting Parking On Public roads, streets, right-of-ways or other improved road surfaces when snow covered in excess of three (3) inches."

#### **A. No Parking on any street when snow covered**

Parking on any street, road, alley or other improved road surface used by motorized vehicles and maintained by the Township shall be prohibited when snowfall is in excess of three (3) inches, as measured on the municipal parking lot and posted on the Township's Official Website, or that sufficient ice or slippery conditions have developed so as to create driving and walking hazards. Vehicles found to be parked on said roadways shall be ticketed.

#### **B. Violations and Penalties:**

Unless otherwise in another Section of this Chapter or Title 39 of the New Jersey Statutes, any person who violates any provisions of this Chapter shall upon conviction therefore, be subject to a fine of \$50.00 for the First Offense; \$100.00 for the Second Offense; and \$250.00 for the Third and any subsequent Offense.

#### **C. Approved off street parking**

Off Street Parking shall be permitted during such weather events in the following parking areas; Mansfield Community Park, Country Walk Recreation area parking lot, Georgetown Park in the Mapleton Development

#### **D. Approved lawn parking**

Lawn parking will be permitted for 48 hours following the conclusion of the storm event creating a minimum of three inches of accumulated snowfall. All vehicles must be removed from any lawn area at the conclusion of the 48 hours period or be subject to the same fines and penalties referred in this chapter.

#### **E. Fire Hydrant accessibility**

Fire hydrants located on private property, or rights of way shall be kept clear of snow, ice and debris by the property owner. Hydrants located on public property shall be kept clear by the Township Fire Marshall, who shall be responsible for the enforcement of this provision.

#### **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 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.

The ordinance was read by title. The public hearing is scheduled for September 28, 2011 at 7:30PM.

A motion was offered by **Deputy Mayor Higgins** and second by **Committeeman Gable** to introduce Ordinance 2011-9. Motion carried.

## **BILL LIST**

**Deputy Mayor Higgins** asked if it would be possible, in the future, to distinguish in the capital fund which ordinance the charge is being made against. **CFO Monzo** said the bill list can be generated in many formats and he can give samples of what the bill list can look like. It could be changed in the near future. **Deputy Mayor Higgins** spoke of the many components of ordinances and how hard it is to tell how much money is left. **CFO Monzo** said he can provide a capital balance report for the next meeting. **Deputy Mayor Higgins** questioned the special law enforcement money. **CFO Monzo** explained it had been accumulated over the years and permission was granted by the prosecutor to use the money for new cars. **Mayor Puglia** said we got two new, used cars

from NADE. **Deputy Mayor Higgins** questioned money for the Ambulance Squad. It was explained to him that it had to do with a sewerage pump. **Deputy Mayor Higgins** spoke of the \$9,000 dedicated for baseball in the budget. He felt that expenditures should be limited to the \$9,000 and money should not be taken from other sport's line items. He suggested that the current bill of \$607. is charged to the special revenue fund. A motion was offered by **Deputy Mayor Higgins** and second by **Committeewoman DiGiuseppe** to amend the bill list to stipulate that \$607 from purchase order 9776 is charged to the Revenue Trust and not the General Fund. This motion was carried on a Roll Call Vote, recorded as follows:

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

From the audience, Lou Wargo questioned the bill in the amount of \$620 for the garage doors. **Committeeman Gable** said either lightning hit the doors or there was a surge of electric as the motor was burned out. The insurance didn't cover because of the deductible.

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

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

**REPORTS: Clerk, Finance, Zoning, COAH, Tax Collector, Construction, Police, EMS, Court, Recreation**

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

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

**MINUTES: JULY 27, 2011**

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to accept the minutes of the July 27, 2011 meeting. Motion carried on a Roll Call Vote, recorded as follows:

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

**DISCUSSION/ACTION:**

- a. Application for the use of Mansfield Township Parks Permit-Columbus Home and School – Michelle Jackson and JoEllen Boyd contact persons-October 2, 2011 from 11:00 am to 6:00pm – Mansfield Park, soccer fields to left of concession stand and parking lot**

**Clerk Semus** explained that they do have their insurance and their request was approved by the Recreation Committee as to the availability.

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

- b. Use of park fees – outside organizations(Action on Park Permit submitted by Toby Peacock (South Jersey Iron Pigs)**

**Clerk Semus** explained that there is an application from South Jersey Iron Pigs in reference to the use of our park. One area is available. The request is for a baseball tournament for one weekend. The Recreation Committee did not have an issue with this. **Committeeman Gable** said he spoke to someone at Green Acres who said that, if it is

unfunded Green Acres Property, we can establish a fee schedule. If it is funded Green Acres property, we can charge twice the amount we charge local people to use it. He questioned which properties that we have are funded and unfunded. **Mayor Puglia** said the only funded property is across from the Elementary School. **Committeeman Gable** is to get something in writing pertaining to this. Since we don't have a fee ordinance presently, **Attorney Magee** is to look into the fees with **Deputy Mayor Higgins** and **Committeeman Gable**.

A motion was offered by **Committeeman Gable** and second by **Deputy Mayor Higgins** to permit the South Jersey Iron Pigs to utilize the recreation field. Motion carried.

**c. "Absence from Meeting Policy" for elected officials and appointed board members – Draft Ordinance.**

**Attorney Magee** said he was looking into this ordinance for the best practice check list. There are no statutory requirements for elected officials or zoning board. The only mandatory language states that any member who has failed to attend three consecutive meetings of the board, without good cause, may be removed. **Attorney Magee** said he contacted the DCA and spoke to Eugene McCarthy who is suppose to provide language that the DCA has already reviewed and approved. He will share the wording as soon as it is received.

**Liquor License**

**Clerk Semus** said the extension for the liquor license for the Columbus Inn will be expiring next Wednesday. She asked the Committee if they are interested in extending the license if he files for the extension. There are still issues with the fire suppression. If no extension is granted, the license will come back to the township. It was the general consensus of the Committee not to extend the license.

**Clerk Semus** informed the Committee that the other new liquor license holder has found a location and is moving forward.

**PUBLIC COMMENT**

**Lou Wargo**, Main Street, thanked **Committeeman Clark** for taking care of the fox hold on Mill Lane.

**Bob Tallon** asked about the money for the trees. **Attorney Magee** said he spoke with Mary Pat Robbie about the Interlocal Services Agreement which he will comment on after returning from his vacation. **Bob Tallon** said he thought Columbus could get sewer with the Centex but there haven't been approvals.

**Bob Harrison**, Mansfield Road West questioned the tree on Mansfield Road West. **Engineer Faiola** explained what he plans to do as erosion has to be prevented.

With no more comments, the Public Hearing was closed.

**MAYOR AND COMMITTEE COMMENTS:**

**Committeewoman DiGiuseppe** asked for wording change on the grant from flag pole grant to municipal park development grant. She also suggested that department heads are included in the initial review budget process. **Committeewoman DiGiuseppe** said the janitorial services are over the threshold and there are no quotes. She asked that a scope of work is written up. **Mayor Puglia** asked that **Jef Jones** and **CFO Monzo** work with **Clerk Semus** in preparing a scope of work.

**Deputy Mayor Higgins** wished everyone a nice Labor Day.

**Committeeman Gable** thanked those in the audience for coming out to the meeting and he hoped to see everyone on September 11<sup>th</sup> from 11am to 1pm.

**Mayor Puglia** spoke of employees who went to part time and are doing a good job. He noted that **Barbara Crammer** has shown a lot of effort. Although retired, **Mayor**

**Puglia** thanked her for being so helpful during these times. **Mayor Puglia** wished everyone a happy Labor Day.

**MOTION TO ADJOURN**

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

**PREPARED BY:**

**RESPECTFULLY SUBMITTED BY:**

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**BARBARA A. CRAMMER**  
Deputy Clerk

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**LINDA SEMUS, RMC, CMR**  
Municipal Clerk

**Approved: September 28, 2011**