

**TOWNSHIP OF MANSFIELD  
BURLINGTON COUNTY  
MEETING MINUTES  
FEBRUARY 12, 2014  
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 Robert J. Higgins, Deputy Mayor Alfred W. Clark, Committeeman Sean Gable, Committeewoman Janice A. DiGiuseppe, Committeeman Arthur R. Puglia, Solicitor Michael H. Magee, and Clerk Linda Semus.**

**Mayor Higgins** 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 2, 2014. 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 8, 2014.

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

**RESOLUTION 2014-2-1  
RESOLUTION AUTHORIZING CLOSED EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from discussion of, action on and reviewing the Minutes of the hereinafter specified matters.
2. The general nature of the subject matter to be discussed is as follows: personnel, on-going contract negotiations with the police and pending and potential litigation.
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 Robert J. Higgins, Deputy Mayor Alfred W. Clark, Committeeman Sean Gable, Committeewoman Janice A. DiGiuseppe, Committeeman Arthur R. Puglia, CFO Joseph P. Monzo, Attorney Michael H. Magee, and Clerk Linda Semus.**

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

**Attorney Magee** explained that matters discussed in executive session were personnel, on-going contract negotiations with the police, and pending and potential litigation.

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

**PRESENTATION:** Michael J. Pratico, Commercial Real Estate Agent

Mayor Higgins introduced Michael Pratico to advise what could possibly done with the old township properties located in the center town. Mr. Pratico did an inspection of the public works, construction building and former municipal office, former firehouse and police station. Overall condition is average, will need to do some overall cleanup. The Fire Protection and Construction buildings would make a good facility for small business offices. The old municipal building would be good for a church, catering service, business school; there is plenty of parking at site. Good office space. Some renovation would be needed. Mr. Pratico's recommendation for right now, is that these buildings are not sold due to the current market and until sewer is

brought to the site. He feels at this time the Township will not be able to maximize value. The buildings would lend themselves to a mix of commercial on the first floor and residential on second floor.

Leasing the property could generate approx. \$8.00 to \$10.00 per sq. foot, and it is estimated at 20,000 sq. feet. Mr. Pratico was unable to acquire accurate measurements since there were no floor plans available. The Township will probably have three to seven months of marketing time to get the property rented. **Committeeman Puglia** commented that it once was a church and will go back to a church.

**Committeewoman DiGiuseppe** questions a lease purchase; How would it work with the sewer requirements? Would we have to have DEP approval? **Mr. Pratico** stated that septic requirements would be based on what the usage would be. Most likely it would be based on what the Township's usage was in those building when the offices were located there. He felt that most likely anyone renting these facilities would be about the same number of people so the usage would be very close. **Committeeman Clark** agreed with waiting for the sewer to be available.

## ENGINEER'S REPORT

**Engineer Staszewski** had a few items for discussion: CDBG bids are due on February 20, 2014. He feels the work could be complete for the ramps and signage by end of Spring.

Turnpike is starting another phase of improvement on Mill Lane in March. The work will be repairs to the bridge's structure. It will involve a single lane closure. **Mr. Staszewski** suggested that we bring the contractor in for a meeting with the public works and police department so that we are aware of all facets of the improvements and impact on the Township.

**Mr. Staszewski** reminds the Committee of the situation regarding Orleans and the Meadows' At Mansfield and the drywells. The residents were here a few months back voicing concerns about the installation of the drywells. Residents were against access on their property for the installation and the developer cannot get off their Bond without the installation of those drywells. Orleans has proposed to install the three drywells within the right of way, off of Waverly Drive. These facilities are meant to go in roadways. **Mr. Staszewski** does not have a problem with the location, as long as the Association maintains the responsibility for the upkeep of those structures. **Mr. Staszewski** felt the need to bring this up for discussion was fully updated and that he can go back to the Developer with any of the Committees' comments and concerns. He states that there would need to be, at a minimum, a memorandum of agreement between the Township and Orleans. **Mr. Magee** asks the Committee again, if they even want to get in the habit of offering Township land to solve a dispute. **Mr. Staszewski** stated he cannot release them of the responsibility. **Mr. Staszewski** understands that their time frame has expired to enter on the individual properties in question. According to the Deeds and Covenants, Orleans had three years, which has since lapsed. **Mayor Higgins** stated that he attended a meeting approx. 6 months ago, which was held at the school, and the proposal was rejected then. It seemed reasonable, however, that they were designed to go under roadways. **Mr. Magee** stated when we would take over basins, we would use a calculation for the developer to deposit towards maintenance.

**Committeeman Puglia** asked what would happen if the Township did not go along with this? **Mr. Staszewski** stated they have been going back and forth with ideas, all which have been rejected. The only thing they have not done was go back to DEP. **Committeeman Gable** asked who dictated where the wells went, and the DEP was part of the original review. **Mr. Staszewski** was asked if they would have to come back out. He replied, no that there were only certain areas in the development that could accommodate the wells. Some soil is more clay and would not be suited for the well.

**Mayor Higgins** asked the Committee for any thoughts. **Committeeman Gable's** concern is if the wells are put in without noticing the DEP, we may have issues down the line. **Mr. Staszewski** advised that they would have to have soil samples taken as per the State guidelines, so he does not believe there would be any problem. **Mayor Higgins** wanted to know what the Township Attorney's guidance would be on this.

**Mr. Magee** feels that this is a private problem between the Developer and the homeowners and that the Township should not get involved. **Committeeman Puglia** stated they need to go back to the Planning Board. **Committeewoman DiGiuseppe** agreed. The full Committee agreed that they will not get involved and to let the Developer and the Homeowners work it out between them.

**Mr. Staszewski** stated that there was a meeting on Monday with New Jersey American Water an application was provided. **Mr. Staszewski** stated that we will need to come up with the connection fee and there should be another meeting with them. We will need to determine how much this building requires. He stated that we either count the number of fixtures or by square footage. **Mayor Higgins** asked if they were still going with two lines or one larger line. **Mr. Staszewski** stated that it would be an 8 inch line, and a branch off for drinking water. There are some options that need to be worked out with New Jersey American Water.

**Mr. Staszewski** stated that regarding the White Pine Road and Rt. 68, there was a correspondence at last meeting, from Tuskarora. **Mr. Magee** stated that he was leaving it up to the Engineer. Concern was that it was not moving as fast as it could be. **Mr. Staszewski** stated that White Pine Road is in a state of disrepair, and that they were trying to holding off until the builder was complete. **Mr. Staszewski** stated that the township should apply for supplemental state aid and asks the Committee's approval to move forward. He will meet with the Planning Board Engineer.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark**. to approve moving forward with the application process for supplemental state aid and to coordinate a meeting with the civil engineer of the Planning Board to come up with a cost estimate  
Motion carried.

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

## **FINANCE**

### **a. Proposed Budget Presentation**

**CFO Monzo** states the 2014 budget process is beginning. Committee was distributed copies for review tonight. Comparing 2013 expenses as well as revenue coming into the township. Recapped revenue amounts that can be placed into 2014 budget.

Snow removal has already cost \$31,250.00 before the storm expected tonight and tomorrow. Only relief we can expect from the State is that they allow the levy cap and/or the spending cap. Last year we spent total \$27,000.00. Departments have already given request for 2014.

**CFO Monzo** would like to introduce the budget at the March 12<sup>th</sup> meeting. **Mayor Higgins** stated that there already is a few areas that need to be looked at.

CFO Monzo met with Doug Borgstrom, they presented a few change orders totaling \$7,979.00 for layout changes. This is common and there are sufficient funds.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark** approving the change order requests. Motion carried with one abstention from **Committeeman Gable**.

## **ORDINANCES**

### **SECOND READING/FINAL ADOPTION**

#### **ORDINANCE 2014-5 CALENDAR YEAR 2014**

#### **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 2014 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 \$ 144,204 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 ORDAINED**, by the Township Committee of the 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 2014 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 \$ 4,976,410 and that the CY 2014 municipal budget for the Township of Mansfield shall be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, 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 ORDAINED**, 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 ORDAINED**, 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.

**Mayor Higgins** opened the public hearing. With no comments or questions, the public hearing was closed.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Gable** to adopt Ordinance 2014-5. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTIONS:**

**RESOLUTION 2014-2-2  
 RESOLUTION FOR THE TRANSFER OF FUNDS IN THE CURRENT  
 FUND IN THE  
 TOWNSHIP OF MANSFIELD FOR THE BUDGET YEAR 2013**

**BE IT RESOLVED** on this 12th day of February, 2014 by the Township Committee for the Township of Mansfield, County of Burlington, that from the surplus balance in the 2013 budget appropriations reserves Transfers be made as follows:

**CURRENT FUND: Inside the CAP to Inside the CAP**  
**Operating Expenses and Salaries & Wages**

<u>Title</u>	<u>Transfer From</u>	<u>Transfer To</u>
Clerk	OE	5.00
Recycling	OE	140.00
Condo Service Act	OE	14,250.00
Park Maintenance	OE	600.00
Street Lighting	OE	17,000.00
Water	OE	

1,110.00

Admin	OE	2,700.00	
Employee Group	OE	2,800.00	
Police	SW	2,300.00	
Fire	SW	1,000.00	
Vehicle Maintenance	OE	1,200.00	
Landfill	OE	4,100.00	
Petroleum	OE	15,000.00	
Streets	OE	4,005.00	
<b>TOTAL</b>		<b>\$ 33,105.00</b>	<b>\$33,105.00</b>

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark** to adopt Resolution 2014-2-2. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2014-2-3  
REDEMPTION OF TAX LIEN**

**WHEREAS**, at the Mansfield Township Tax Sale held on October 3, 2013, a lien was sold on Block 3, Lot 6.08, also known as 3224 Route 206 for 2012 delinquent taxes; and,

**WHEREAS**, this lien, known as Tax Sale Certificate # 13-00003 was sold to US Bank Cust for BV001 Trust, in the amount of \$1,034.39, with a premium paid of \$99,000.00; and,

**WHEREAS**, MLC Developers, LLC, as the owner has effected redemption of Certificate # 13-00003.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, memorializes that a check was issued to US Bank Cust for BV001 Trust, for the redemption of this lien.

Lien Holder	Lien #	Amount	Ck#
US Bank Cust for BV001 Trust	13-00003	\$140,542.56	2434

A motion was offered by **Committeeman Gable** and second by **Committeeman Puglia** to adopt Resolution 2014-2-3. Motion carried on a Roll Call Vote, recorded as follows:

**MOTION: GABLE SECOND: PUGLIA**  
**ROLL CALL VOTE:**  
**AYES: GABLE, PUGLIA, DIGIUSEPPE, CLARK, HIGGINS**  
**NAYS: NONE ABSTAIN: NONE ABSENT: NONE**

**RESOLUTION 2014-2-4  
REFUND OF TAX DUE TO VETERAN EXEMPTION**

**WHEREAS**, the homeowner listed was declared to be a Disabled Veteran; and,

**WHEREAS**, the homeowner, therefore is totally exempt from paying property taxes according to N.J.S.A. 54:4-3.30; and,

**WHEREAS**, the homeowner paid the Taxes for 2013;

**NOW THEREFORE BE IT RESOLVED**, that the Township of Committee of the Township of Mansfield, County of Burlington and State of New Jersey at their Regular Meeting held on February 12, 2014 hereby authorizes the Tax Collector to refund taxes to the following, retroactive to September 30, 2013.

Block	Lot		Amount
42.05	8	Amy Wiedman-Brizzi	\$842.56

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark** to adopt Resolution 2014-2-4. Motion carried on a Roll Call Vote, recorded as follows:





- b. Application for Use of Mansfield Township Parks/Facilities Permit – CTAA, - contact person: Ralph Wehner – Indoor Facility for baseball and softball assessments
- c. Application For Use of Mansfield Township Parks/Facilities Permit – NJLC,- contact person: Brian Wolchok – Indoor Facility for Lacrosse practice
- d. Application For Use of Mansfield Township Parks/Facilities Permit – Northern Burlington Bulldogs 8U – contact person: Rob Siverio – Indoor facility for baseball Practice and use of fields for practices and games
- e. Application For Use Of Mansfield Township Parks/Facilities Permit – Northern Burlington Bulldogs, contact person: Scott Hubbard – Civil Field and 50/70 field at Community Park

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to approve the discussion items b,c,d and e. Motion carried.

- f. Membership Application for the Franklin Fire Company- Youth Explorer Program – Carrie Alpin

**Committeeman Gable** asks for a correction to be made from “youth program” to “junior program” which means she will be moving up to full coverage under the Township as she will be able to respond to calls.

**Clerk Semus** states that the application before her states “youth” not “junior” ... she asks that the Committee approve her as a Junior Member and she will provide Carrie Alpin with the proper documents to complete.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark** to approve the Carrie Alpin and a Junior Member to the Franklin Fire Company. Motion carried.

#### **Municipal Complex access driveway:**

**Clerk Semus** advised the Committee that the Police Department have been monitoring the Municipal Complex’s parking lot and access driveway and there have been numerous vehicles cutting through to avoid having to go up through town to get on Route 206 North. **Mayor Higgins** asks that **Clerk Semus** read the law, which was furnished her by Chief Mulhall.

#### **39:4-66.2. Avoidance of traffic control signal, sign; violations, penalties**

1. Except for emergency vehicles and motor vehicles being operated at the direction of a law enforcement officer, no person shall drive a motor vehicle on public property, except public roads or highways, or private property, with or without the permission of the owner, for the purpose of avoiding a traffic control signal or sign.

Any person found guilty of violating the provisions of this act shall be liable for a penalty of not less than \$50.00 or more than \$200.00 or imprisonment for a term not exceeding 15 days, or both.

**Clerk Semus** states that thus far, there have been 5 tickets issued.

#### **PUBLIC COMMENT**

**John Kampo**, 17 Sunset – Stated he is concerned that if we sell or lease the old municipal building will the old ball field stay in place which is adjacent to the old municipal parking lot? **Mayor Higgins** stated that we are probably about 5 years or so out before anything happens, but he has had numerous concerns over the field. No decisions have been made.

**Judy Harrison** – Mansfield Road West – If you could add a line to the agenda to clarify what meeting it is. They get several Agendas and they do get confused at times.

**CFO Monzo** advised the committee that the Mayor of Harrison, Raymond McDonough, had passed away. He served for 37 years as an elected official.

**Brian Robins** – 7 Kelly Drive- Stated that he was not aware of an Ordinance about parking on the road during snow. He states that he is not complaining about the ticket, he is more so complaining about not being notified of the Ordinance or even warned by the Police first before a ticket is issued.

He states, as per Ordinance, that parking is allowed at all community parks, but the closest park to his home is quite a distance. He expressed his concern as well for some residents who also may not be in good health, and that walk would be too far. The ordinance may need to be re looked at. **Solicitor Magee** informs Mr. Robins that not only was the Ordinance mailed to each household when it was adopted but that notice was also placed on Facebook pages, websites and was even discussed at the Township meetings.

**Mr. Magee** states that this is now in the hands of the Court and that the Committee is unable to do anything regarding the tickets. It is now a legal issue. He stated that if the Committee decides that they would like the Ordinance revisited as to fines and penalties, most especially the mandatory appearance portion, he will amend the Ordinance on their behalf.

The Committee agreed that the Ordinance needs to be revisited and will be in place for next year.

Seeing no one further, **Mayor Higgins** closes the public comment portion of the meeting.

#### **MAYOR AND COMMITTEE COMMENTS:**

**Committeewoman DiGiuseppe** thanked everyone for coming.

**Committeeman Gable** and **Committeeman Puglia** both thanked everyone for coming and to be safe over the next several days.

**Deputy Mayor Clark** advised that updated signs have been ordered for Mansfield Road West and should be going up shortly.

**Mayor Higgins** apologized to the public for his inability to hear very well. We have been waiting on quotes to redo the speaker systems and until then, he struggles.

**Clerk Semus** made the announcement that the Municipal offices will be closed tomorrow (February 13, 2014) due to the weather.

#### **MOTION FOR ADJOURNMENT**

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

RESPECTFULLY SUBMITTED BY:

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Linda Semus, RMC, CMR, Municipal Clerk

Approved: September 10, 2014