

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
October 22, 2014
Executive Session
6:00 PM**

The regular meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Robert Higgins, Deputy Mayor Fred Clark, Committeeman Sean Gable, Committeewoman Janice DiGiuseppe, Committeeman Arthur Puglia, Solicitor Michael 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 **Committeewoman DiGiuseppe** go into executive session by adoption of the following resolution. Motion carried.

**RESOLUTION 2014-10-4
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 issues and pending and on-going 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 Robert Higgins, Deputy Mayor, Fred Clark, Committeeman Sean Gable, Committeewoman Janice DiGiuseppe, Committeeman Arthur Puglia, CFO Joseph Monzo, Engineer Tim Staszewski, Attorney Michael Magee, Clerk Linda Semus, and Deputy Clerk Barbara Crammer**

A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to come out of executive session.

Mayor Higgins called the regular meeting to order followed by the Salute to the Flag and a moment of silence.

Attorney Magee explained that the discussion in executive session included personnel issues, pending and on-going litigation.

Mayor Higgins addressed the cold air in the meeting room stating that a meeting will be held on Friday with the contractors involved in the installation. He realizes it is uncomfortable but action is being taken.

ENGINEER'S REPORT

a. CDBG Grant for 2015

Engineer Staszewski asked the Committee for their input on suggestions for a target for an application for this year. Prior applications had included the grants for the elevator, entrance

to the administrative side of the building and handicapped curb ramps along the parking lot. **Committeeman Gable** questioned whether there is any additional handicapped work for access to the police facility. **Engineer Staszewski** said there is potential for access to police and public works. However he is not sure of the timing with the renovation project. However, this is something we could look into. **Committeeman Puglia** asked if it was possible to get a grant for entrance to the municipal complex. **Engineer Staszewski** said he could contact the county to see if it is applicable under the grant. Usually the grant is for removal of architectural barriers.

Clerk Semus said she and **Administrator Fitzpatrick** will meet with Karen Trommelen to discuss projects we can do. She asked **Engineer Staszewski** to join them in the meeting.

b. Proposal Fire Protection Riser Pipe Renovations \$12,650.00

Engineer Staszewski said he had provided a draft proposal for the interior renovations for the water connection for the fire protection system. The exterior work is near completion. A pre-construction meeting had been held last week for the interior work. Testing can now be started with the implementation of the interior work. The proposal is for his firm's construction oversight in regard to the interior work. A motion was offered by **Committeewoman DiGiuseppe** and second by **Committeeman Gable** to approve the proposal. Motion carried on a Roll Call Vote, recorded as follows:

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

c. Lynnwood Farms Pump Station \$2,750.00

Engineer Staszewski said he also has a proposal for construction oversight of the Lynnwood Farms Pump Station. Construction has been begun and should last about a week. His proposal for their oversight will be \$2,750. A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Clark** to approve this expenditure. Motion carried on a Roll Call Vote, recorded as follows:

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

Mayor Higgins asked where we stand on the Lynnwood Farms project. **Engineer Staszewski** said it began on Monday and should be done Friday. **Mayor Higgins** asked about the warranty. **Engineer Staszewski** said there is a one year manufacturer's warranty on the equipment and a two year maintenance bond.

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

ORDINANCE: Second Reading/Final Adoption

ORDINANCE 2014-16

AN ORDINANCE BY MANSFIELD TOWNSHIP AUTHORIZING, PURSUANT TO NJSA 40A:12-14(c) A LEASE OF A PORTION OF MANSFIELD TOWNSHIP MUNICIPAL COMPLEX TO THE BURLINGTON COUNTY SPCA LAW ENFORCEMENT DIVISION HUMANE POLICE, A NON-PROFIT CORPORATION ORGANIZED FOR PUBLIC PURPOSE REASONS

BE IT ORDAINED by the Mansfield Township Committee as follows:

Section 1. Findings. The Committee hereby makes the following findings:

A. Mansfield is the owner of Mansfield Township Municipal Complex, (Complex) which is the former Millennium Building. The Complex houses certain of Mansfield's departments, including administrator's office, clerk's office, finance, tax office, zoning office, construction office, municipal court and fire prevention, and others. The Complex also contains excess space, however, that is not needed at the present time for a municipal purpose.

B. The Burlington County SPCA Law Enforcement Division Humane Police. ("BCHP") is a non-profit corporation of the State of New Jersey that develops, manages and advocates for the humane treatment of animals in Burlington County.

C. The importance to the public health, safety, welfare and morals of providing humane treatment to animals has been recognized by the State of New Jersey and by Mansfield for decades.

D. BCHP is a locally-based non-profit corporation that has fostered and promoted this essential public service for existing and prospective members of the Mansfield community, and enhances the quality of life in the Municipality.

E. It is anticipated that thousands of animals have benefited, and will continue to benefit, from the public purposes served by BCHP's activities.

F. The activities of BCHP promote the health, safety, morals and general welfare of the Mansfield community.

G. It is the intent of the Mansfield Township Committee to lease to BCHP that portion of the Complex which is not otherwise presently needed by Mansfield for other purposes, in furtherance of the above-described public benefits provided by BCHP.

Section 2. Lease Authorized. Pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15(i), the Committee hereby authorizes the lease to BCHP of a portion of the Complex for the purpose of supporting their long standing charter and enabling them to pursue their goal for the humane treatment of animals, including management and advocacy services provided by BCHP. The lease shall be subject to the following conditions:

A. **Term:** Initial term of one (1) year, beginning upon execution of the lease agreement authorized herein and ending on October 31, 2015.

B. **Consideration:** Four thousand two hundred dollars (\$4,200) per year beginning on November 1, 2014, payable in equal monthly installments of three hundred fifty dollars (\$350.00) per month.

C. **Insurance:** BCHP shall insure the leased portion of the Complex for: general comprehensive liability; fire insurance coverage; the contents of the leased portion of the Complex; and any liability associated with the use of the leased portion of the Complex by BCHP and its officers, agents, and employees. BCHP shall provide certificates of insurance acceptable to Mansfield prior to the use and occupancy of the leased portion of the Complex.

D. **Indemnification:** BCHP shall hold harmless and indemnify Mansfield, its officers, employees and agents from and against any cost, expense, loss, claim or liability whatsoever, including attorney's fees, for injury to Mansfield or loss or damage to Mansfield's property caused by, arising out of or resulting from: (a) the negligence or wrongful misconduct of BCHP, its officers, employees, and agents regarding the leased portion of the Complex; (b) the failure by BCHP or its officers, employees or agents to comply with applicable law regarding the leased portion of the Complex or the terms of the lease authorized herein; (c) the performance or non-performance of BCHP's obligations under the lease authorized herein; or (d) BCHP's use or occupancy of the leased portion of the Complex. BCHP shall not be required to indemnify or hold Mansfield harmless for any cost, expense, loss, claim or liability caused by Mansfield's negligence or wrongful misconduct.

E. **Other terms and conditions:** Such other terms and conditions reasonably recommended by the Mansfield Attorney and approved by the Mansfield Township Committee.

Section 3. Mansfield Administrator Responsible for Enforcement of Lease. The Mansfield Administrator is hereby designated as the municipal official responsible for enforcement of the lease being authorized herein.

Section 4. Annual Report. For each calendar year, or portion thereof, the lease herewith authorized is in effect, BCHP shall be required to submit to the Mansfield Administrator a report containing the following information:

A. The activities to which the leasehold was put during that year;

B. The activities taken by BCHP in furtherance of the public purposes as identified in Section 1 of this ordinance;

C. The approximate value or cost, if any, of the activities undertaken by BCHP in furtherance of such public purposes;

D: An affirmation of the continued federal and state tax exempt status of BCHP.

Section 5. Execution of Documents. The Mayor and Clerk are hereby authorized and directed to execute any and all such documents and undertake any and all such acts as necessary and prudent to effectuate to the terms of this ordinance, including the execution of a lease agreement with BCHP pursuant to the terms hereof and as approved by the Mansfield Attorney as to form and substance.

Section 6. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 7. Effective Date. This ordinance shall take effect upon its passage and publication, as required by law.

Mayor Higgins opened the public hearing.

Carl Schwartz, 40 Fitzgerald Lane, asked if there would be any cost associated with having tenants such as construction or water or any other fixes. **Mayor Higgins** said the costs associated with it would be minimal. There is currently heat and electricity available there. We hope to use the money from the tenants to improve the area for additional tenants. We have another tenant interested. This area was in need of improvement when we first took over. He doesn't think this will be an out-of-pocket cost. **CFO Monzo** said that any money we take in this year will go into surplus and, if we need to spend any money, it will be offset with additional rent. **Engineer Staszewski** said there will be a need for some ADA compliance improvements. Planning for that will be necessary.

With no further questions, the public hearing was closed.

A motion was offered by **Committeeman Gable** and second by **Committeeman Puglia** to adopt Ordinance 2014-16. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2014-10-5

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET PURSUANT TO NJSA 40A:4-87 (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 22nd day of October, 2014, 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 2014 in the sum of \$ 159,000.00 which item is now available as an additional revenue for the Mansfield Township Municipal Park Development Program- County of Burlington

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 159,000.00 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Municipal Park Development Program

CFO Monzo said this relates to the park grant which had been received from the County Park Development for Park development.

A motion was offered by **Committeeman Puglia** and second by **Deputy Mayor Clark** to adopt resolution 2014-10-5. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2014-10-6

PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET PURSUANT TO NJSA 40a:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N. J. 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 22nd day of October 2014, 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 2014 in the sum of \$ 1,512.22 which item is now available as an additional revenue for the Mansfield Township Body Armor Replacement Program

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 1,512.22 be and the same is hereby appropriated under the caption of:

Section 1 (a)

Body Armor Replacement Program \$ 1,512.22

CFO Monzo said this relates to a grant for body armor for the police.

A motion as offered by **Committeeman Puglia** and second by **Committeeman Gable** to adopt Resolution 2014-10-6. Motion carried on a Roll Call Vote, recorded as follows:

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

RESOLUTION 2014-10-7

REDEMPTION OF TAX LIEN

WHEREAS, at the Mansfield Township Tax Sale held on September 19, 2014, a lien was sold on Block 24, Lot 42.06, also known as 199 Public Road for 2013 delinquent taxes; and,

WHEREAS, this lien, known as Tax Sale Certificate # 14-00005 was sold to Arthur R. Puglia, in the amount of \$5,039.09 and,

WHEREAS, owner Chris Kamaras has effected redemption of Certificate # 14-00005,

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, authorizes that a check be issued to Arthur R. Puglia, for the redemption of this lien.

Lien Holder	Lien #	Amount
Arthur R. Puglia	14-00005	\$5,375.79

A motion was offered by **Committeeman Gable** and second by **Deputy Mayor Clark** to adopt Resolution 2014-10-7. Motion carried on a Roll Call Vote, recorded as follows:

AYE: GABLE, CLARK, HIGGINS (stated that everything he has read says that it is appropriate, so I will say yes.)
ABSTAIN: NONE **ABSENT:** NONE
NAY: DIGIUSEPPE (commented that, at this point, she was not sure yet that this transaction with a personal profit being experienced by a Governing Body for \$336.70 from a Township action. For this reason, I vote no on this resolution as stated.

**RESOLUTION 2014-10-8
 RESOLUTION AUTHORIZING DISPOSAL OF SURPLUS PROPERTY NO LONGER IN NEEDED FOR PUBLIC USE**

WHEREAS, the Township Committee of the Township of Mansfield are the owners of certain surplus property which is no longer needed for public use; and

WHEREAS, the Township Committee are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Municipal Clerk’s Office in the Township of Mansfield.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold are as follows:
 - * 1984 U-Haul Utility Trailer, with a GVW of 1,800 lbs.;
 - * 1988 2 axle Ford Truck, with a GVW of 62,000;
 - * 2002 3 axle MAC with a GVW of 68,000.
- (4) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (5) The Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey hereby reserves the right to accept or reject any bid submitted.

CFO Monzo said this is for the garbage truck through GovDeals, the same one we use for other municipal surplus property in the past several years.

A motion as offered by **Committeeman Gable** and second by **Committeeman Puglia** to adopt Resolution Number 2014-10-8. Motion carried on a Roll Call Vote, recorded as follows:

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

**RESOLUTION 2014-10-9
 RESOLUTION AMENDING THE PERSONNEL POLICY AND PROCEDURES MANUAL WHICH WAS EFFECTIVE AS OF APRIL 2, 2012 FOR MANSFIELD TOWNSHIP EMPLOYEES**

WHEREAS, the Township Committee has reexamined the personnel policies and procedures manual which was effective as of April 2, 2012; and

WHEREAS, the Township Committee has determined it is in the best interest of the Township and its Employees that certain revisions be made; and

WHEREAS, the following is a revision which is effective as of October 22, 2014 in said policy and procedures manual dated April 2, 2012.

AMENDMENT TO WORKERS COMPENSATION SECTION 311:

Transitional Duty Policy:

The Township of Mansfield, through its Transitional Duty (Light Duty) Contact, will endeavor to bring employees with temporary disabilities back on the job as soon as possible and may assign transitional duty to employees who temporarily cannot perform the essential functions of their positions because of injury or illness. Transitional duty is not guaranteed and will not exceed 45 workdays. If a department already has one employee on transitional duty, it is unlikely that another employee from that department will be assigned transitional duty.

An employee requesting transitional duty or the Workers Compensation Physician shall notify the Transitional Duty Contact for Mansfield Township as soon as the temporarily disabled employee is able to return to work with restrictions. Transitional duty will only be assigned if the employee will probably be able to perform the essential functions of the position after the transitional duty period. The Transitional Duty Contact will consult with the Department Head to determine if there is any meaningful work that can be performed consistent with the restrictions. Transitional duty assignments may be in any department and not just the employee’s normal department. The Transitional Duty Contact will decide if it is in the best interest of Mansfield Township to approve a transitional duty request and will notify the employee of the decision. The Township Committee of the Township of Mansfield reserves the right to terminate the transitional duty assignment at any time without cause.

Employees may not refuse transitional duty assignments that are recommended by the Workers Compensation Physician. In such cases, failure to report to work as directed shall constitute immediate grounds for dismissal. If the employee believes that the transitional duty assignment is beyond the employee's abilities, the employee may request a meeting with the Township Committee who will render a written response within 24 hours.

Employees on transitional duty will receive their regular salaries and are prohibited from engaging in any outside employment of any kind unless they receive prior written approval from the Transitional Duty Contact. If transitional duty is approved, the employee or Workers Compensation Physician must keep the Transitional Duty Contact informed of the medical progress. (Employees assigned to transitional duty will be allotted time off to attend medical or physical therapy appointments but must request leave time for any other reason.) If at the end of transitional duty period the employee is not able to return to work without restrictions, the Township Committee of the Township of Mansfield reserves the right at its sole discretion to extend the transitional duty or place the employee back on Workers Compensation or disability. This policy does not affect an employee's rights under the Americans with Disabilities Act, the Family and Medical Leave Act, the Fair Labor Standards Act, the Contagious or Life Threatening Illnesses Policy or other Federal or State law.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that the Employee Reference Handbook, dated April 2, 2012, is hereby amended as so noted above, effective as of October 22, 2014.

Clerk Semus explained that, in our current personnel policy, there is no mention of our light or transitional duty policies. This was an inquiry on the best practice list. In adopting the foregoing resolution, we will comply with the best practice laws.

A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Clark** to adopt Resolution 2014-10-9. Motion carried.

**RESOLUTION 2014-10-10
REJECTING BID FOR THE 2014-2016 SNOWPLOWING AND SNOW REMOVAL
CONTRACT PURSUANT TO NJSA 40A:11-13.2b**

WHEREAS, on October 3, 2014, the Township accepted bids for the 2014-2016 Snowplowing and Snow Removal Services; and

WHEREAS, the contracting unit wants to substantially revise the specifications for the services; and

WHEREAS, the Chief Financial Officer has recommended that the bids be rejected since the contracting unit wants to substantially revise the specifications for the services; and

WHEREAS, the Township Committee hereby determines that it is in the best interest of the Township to reject said bid;

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of October, 2014, by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey, that:

1. The bid received for the Snowplowing and Snow Removal Services shall be and are hereby rejected pursuant to N.J.S.A. 40A:11-13.2b since the contracting unit wants to substantially revise the specifications for the services.

CFO Monzo said our current snowplowing contract expires the end of November. Two bids were received October 3rd for the snowplowing which is scheduled December 1. However, the two bidders handled the question with respect to the hourly rates. Therefore, we could not compare apples to apples for the two bids. Because of this, her recommended rejecting the bids and rebidding. He adjusted the documents so it is clear about the hourly rates for each piece of equipment. These rates will be used in our evaluation to award the contract. If approved tonight, the notice will be in the paper on Friday with bids due to be received November 5th after which the contract can be awarded on November 12th. A motion was offered by **Committeewoman DiGiuseppe** to adopt Resolution 2014-10-10. Motion carried.

RESOLUTION 2014-10-11

**RESOLUTION ACCEPTING A PORTION OF HOMESTEAD DRIVE LOCATED IN THE TOWNSHIP
OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY**

WHEREAS, the Township Committee has found that certain improvements required in connection with a Final Plan of Lots, Phase 1, Section 1, for Homestead at Mansfield have been constructed, and

WHEREAS, said Final Plan of Lots, Phase 1, Section 1, required that certain improvements be dedicated to the township, and

WHEREAS, the Township Engineer has made an inspection of the improvements to the first two hundred twenty-five (225) feet of homestead drive from Burlington-Columbus Road to the Gatehouse, to be dedicated to the Township, and

WHEREAS, the Township Engineer issued a letter recommending the release of the performance bond and the acceptance of the first two hundred twenty-five (225) feet of Homestead Drive, the approved improvements, to be dedicated to the Township, and

WHEREAS, N.J.S.A. 40:55D-53(j) permit the Township to accept for dedication for public use of streets and roads or any other improvements made in connection with an approved plan, that have been released from the performance bond, and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey accept for dedication the first two hundred twenty-five (225) feet of Homestead Drive, from Burlington-Columbus Road to the Guardhouse, pursuant to the Final Plan of Lots, Phase 1, Section, Homestead at Mansfield, consistent with N.J.S.A. 40:55D-53(j).

Attorney Magee said a law suite was filed between the association and the prior owner of the development. The Township was named as a Third Party Defendant in connection with the law suit regarding the first 225 feet of Homestead Drive from Burlington-Columbus Road to the guard house. They produced correspondence from the Township Engineer at that time who had signed off on the improvements and agreed to release the performance bond and go to maintenance bond on this specific section of the road. It was also to be dedicated to the township. We are accepting that dedication.

A motion was offered by **Deputy Mayor Clark** and second by **Committeeman Gable** to adopt Resolution 2014-10-11. Motion carried on a Roll Call Vote, recorded as follows:

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

BILL LIST

Committeeman Gable had questioned the State Environment in September and whether they were ok to pay. There are more bills tonight and he wanted to make sure these bills were ok to pay. **CFO Monzo** felt action had been taken before to provide an emergency resolution based on the need for the services in two areas, one for pumping out this building and the other for work at Lynnwood Farms. These were declared emergency situations by Public Works Superintendent, Jef Jones. In looking back at the minutes, there was discussion about the work but no formal action taken to declare the situation an emergency. Because of this, two resolutions will be prepared and placed on the agenda for the next meeting. This will address the Lynnwood Farms work as well as work on this building. The monitoring of Lynnwood Farms was already done by resolution at the beginning of the year.

Committeewoman DiGiuseppe thanked **CFO Monzo** for his work on this. She added, that, according to the Administrative Code, we can prepare a procedure for emergency purposes. She felt this should be done from now on.

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

AYE: GABLE, PUGLIA, DIGIUSEPPE (see below), GABLE, HIGGINS
NAY: DIGIUSEPPE (on check #3382 ABSTAIN: NONE
ABSENT: NONE

MINUTES: OCTOBER 8, 2014

Committeewoman DiGiuseppe corrected her statement in regard to repairing the baseball scoreboard. It was the basketball scoreboard. A motion was offered by **Committeewoman DiGiuseppe** to accept the minutes of October 8, 2014 with the correction as stated. Motion second by **Committeeman Gable** and carried on a Roll Call Vote, recorded as follows:

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

MINUTES: SEPTEMBER 24, 2014 EXECUTIVE SESSION

A motion was offered by **Committeewoman DiGiuseppe** and second by **Deputy Mayor Clark** to approve the minutes of September 24, 2014. Motion carried on a Roll Call Vote, recorded as follows:

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

REPORTS: Clerk, Court, Construction, Tax Collector, Zoning, COAH, EMS, Finance and Assessor (Added Assessments/Rollbacks)

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

BILL LIST:

Committeeman Puglia asked to return to the motion for the bill list. He wanted to abstain on the bill made out to him.

A motion was offered by **Deputy Mayor Clark** to correct the vote on the bill list and repay the bills with the correction from **Committeeman Puglia**. The motion was carried on a Roll Call Vote, recorded as follows:

AYE: CLARK, GABLE, PUGLIA (see below), **DIGIUSEPPE** (see below) **HIGGINS**
NAY: DIGIUSEPPE (on check #3382) **ABSTAIN: PUGLIA** (on check #3382)
ABSENT: NONE

Agenda Amendment

A motion was offered by **Committeeman Gable** and second by **Committeeman Puglia** to amend the agenda to include an application from Jersey Outlaws to use the baseball field. He noted they had the proper insurance and the application had been approved at the Recreation Meeting last night. Motion carried.

A motion was offered by **Committeeman Puglia** and second by **Committeeman Gable** to accept the following applications. Motion carried.

- a. **Memorializing the acceptance of Application** for Use of Mansfield Township Parks/Facilities Permit – Mansfield Township Recreation Committee: Dave Grupp – use of Community Park for Soccer Camp Week of August 3, 2015, Week Of August 1, 2016 and Week of July 31, 2017. (Setting these dates will lock in all camp offers associated with the event). No cost to the Township.
- b. **Application** for Use of Mansfield Township Parks/Facilities Permit – Northern Burlington Lacrosse Club– contact person Joe Lippincott – requesting Mansfield Indoor Training Facility, November 2, 2014 through November 2, 2015 Sundays from 4:00 pm to 9:00 pm and Tuesdays from 6:00 pm to 9:00 pm (Pending Insurance)
- c. **Application** for Use of Mansfield Township Parks/Facilities Permit for a birthday party– contact person Malin Kraemer – requesting Community Park Playground Area and overhang of Concession Stand for October 25th OR November 8th OR November 15th in coordination with the Fire Company and the Recreation Committee. All applicable insurances have been received.

PUBLIC COMMENT

Susan Henry, Oaklynn Drive, asked about check #2750, specifically what it was for. **Engineer Staszewski** explained. She then asked if there can be an explanation in the sewer bills to the residents alerting them of a possible increase. **CFO Monzo** said she is assuming there will be an increase. The October 24th bills will be based on the same rates that have been in effect for all of 2014. Therefore, there will be no rate adjustments. He said he was not sure of bills in 2015 as they could remain the same or go up. There is no reason to cause alarm and putting an insert in a bill for something that may not happen until spring of next year. If there is a rate increase for the sewer utility, it will be advertised and an ordinance will be adopted. In addition, a letter will be inserted in the first bill affected. Mrs. Henry asked, that if there is an increase, will there be given a reason why. **CFO Monzo** said this would be something the administration would have to decide, what they will put in a letter going out to the users of the system. **CFO Monzo** further explained the two parts to the bills, one which is a standard quarterly charge, the other is based on consumption. Both rates are set by Township Ordinance. If any is adjusted, it has to be done by ordinance. The revenue collected in 2014 needs to be able to meet the expected expenses in 2015. This includes the electricity, payment for monitoring, payments to NJ American Water for

treatment, and debt service. **CFO Monzo** further explained the debt service, including the interest. He said our intention is to pay off the interest for the next five years in the amount of about \$600. a year. Once the interest is paid, we will start paying down the principal. Hopefully there will be a bigger sewer utility which will be paid for by a larger number of people. She thanked **CFO Monzo** for his explanation.

Bob Harrison, Mansfield Road West asked why he is in a frozen food locker at 63 degrees. He asked who is paying for this since it is cold. He said this has been going on. **Mayor Higgins** explained that someone is coming in on Friday to address the problem. **Attorney Magee** explained that there are 6 or 7 people who have to be at this meeting to get to the bottom of the problem and this is the soonest the meeting can be held. **Mayor Higgins** explained there have been arguments, he has fought with the contractor and someone could be sued. He has threatened to call the bond. He feels this is not a good part of his job as he doesn't want to be mean. However, there are procedures to go through. Again Mr. Harrison complained about the cold and was repeatedly told that the committee has been working on this and the meeting is definitely being held Friday.

Attorney Fitzpatrick added that this has been an on-going problem and is not as easy as it sounds. The Township is trying to push forward and it is hopeful something will take place. We are trying to correct it. **Mayor Higgins** said we are not happy and every day he is on someone to get this thing moved forward. He added that he is spending 40 hours a week on this job as we have a lot going on. **Mr. Harrison** then asked if the tenants will be satisfied with the temperature. **Mayor Higgins** said when he has been upstairs, it is more comfortable than down stairs but he can't explain why.

Carl Schwartz, Fitzgerald Lane, said he appreciates efforts to get things resolved. He questioned that, if someone reviews what happens do we consider how to prevent it the next time. Is there someone that reviews what happens and how do we prevent it the next time. **Mayor Higgins** said, every December, there is a meeting in regard to appointments to select professionals for the next year. Mr. Schwartz asked how it happened to this building which had been purchased and now there is more to consider such as lighting, water, etc. He felt someone needs to do a post-project review to discuss how such a thing happened and how we deal with it next time. He felt you can learn from a project so that in December, you can decide what professional to keep. **Mayor Higgins** said the professional who did the evaluation for this building is no longer with the Township. We have gone through those processes. He feels we do evaluate our professionals. In referring to the Friday meeting, **Administrator Fitzpatrick** explained the Mayor responded to the people involved in the meeting stating that the meeting will be held whether they are here or not. After that, everyone was willing to come.

Michael Ravor, SPCA, thanked everyone on the Committee and the people of Mansfield for allowing them to come in. They promise to be good neighbors as they are happy with the arrangements upstairs.

With no further comments, the public hearing was closed.

MAYOR AND COMMITTEE COMMENTS:

Committeewoman DiGiuseppe thanked all for coming saying she appreciates their attendance.

Committeeman Gable and **Committeeman Clark** thanked all for coming.

Mayor Higgins said **Administrator Fitzpatrick**, **Deputy Mayor Clark** and he met with the other mayors from the surrounding area to discuss various concerns. He felt it was a good meeting as dialogue has been opened up between the municipalities. He then thanked all for coming.

MOTION TO ADJOURN

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

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Barbara A. Crammer, Deputy Clerk

Linda Semus, RMC, Municipal Clerk

Approved: November 12, 2014