

**TOWNSHIP OF MANSFIELD
BURLINGTON COUNTY
MEETING MINUTES
January 24, 2018
Executive Session: 5:30PM
Regular Session: 6:00PM**

The Regular Meeting of the Mansfield Township Committee was held on the above shown date with the following in attendance: **Mayor Robert Higgins, Committeeman Sean Gable, Committeeman Michael Magee, and Committeeman Frederick Cain.** Also in attendance were **Municipal Clerk Linda Semus, Township Administrator Michael Fitzpatrick, Chief Financial Officer Joseph Monzo, Township Engineer Chris Briglia, Township Solicitor John Gillespie, and Deputy Clerk Caitlin Midgette.** **Deputy Mayor Janice DiGiuseppe** was not in attendance.

Mayor Higgins called the meeting to order, followed by the following opening statement read by **Municipal Clerk Semus:**

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, 2018. 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, 2018.

EXECUTIVE SESSION

**RESOLUTION 2018-1-26
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 matters, contracts, and negotiations.
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.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to adopt Resolution 2018-1-26. Motion carried. Township Committee entered Executive Session at 5:36PM.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to exit Executive Session. Motion carried. Township Committee returned to Public Session at 6:00PM.

Township Solicitor Gillespie stated that the purpose of Executive Session was to discuss personnel matters, sale of municipal property, and the procurement of goods and services.

The above was followed by the Flag Salute and a moment of silence.

ENGINEERS REPORT

Township Engineer Briglia provided an updated report of projects currently in design, summarized as follows: the revised bid specs for the Georgetown Community Park project have been advertised, the design for the resurfacing of Mansfield Road East is set to be finalized shortly, and the demolition of the pump house at the Municipal Complex is underway.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to accept the Engineer's Report. Motion carried.

ORDINANCES – SECOND READING/PUBLIC HEARING

ORDINANCE NO. 2018-1

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR ACQUISITION OF EMT VEHICLES (AMBULANCE) IN AND FOR THE TOWNSHIP, APPROPRIATING \$250,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$237,500 IN GENERAL IMPROVEMENT BONDS OR NOTES OF THE TOWNSHIP TO FINANCE THE SAME.

BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Burlington, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the Township of Mansfield, in the County of Burlington, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$250,000, including the sum of \$12,500 as the down payment for the improvement and purpose required by the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$237,500, pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is the acquisition of an ambulance for the Township's EMT services, and including customization, painting, decals and related equipment to allow the vehicle to be used for its intended use.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes authorized herein is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8(a). The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not current expenses. It is an improvement or purpose the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, computed on the basis of respective amounts or obligations for the several purposes and the respective reasonable life thereof within the limitations of the Local Bond Law, is 5 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$237,500, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Township reasonably expects to commence the acquisition of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Township further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 1 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to

this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Higgins opened the public hearing for Ordinance 2018-1.

Paul Narwid, 13 Cobblestone Court, inquired about the number of vehicles that would be purchased with said ordinance. **CFO Monzo** stated that the same will fund one vehicle.

Carl Schwartz, 40 Fitzgerald Lane, inquired if the Mansfield EMS services other areas. **Mayor Higgins** responded that the ambulance corps has an extensive service agreement with Chesterfield Township. Mr. Schwartz expressed concern that Mansfield Township is funding the costs of a new ambulance in full to service another municipality. **Committeeman Gable** explained that Chesterfield provides its own ambulances. Discussion ensued on the details of the same. Mr. Schwartz then inquired if there was another option to fund the purchase of an ambulance without adopting a bond ordinance. **Mayor Higgins** replied that utilizing a bond would prove feasible to finance the vehicle, as it will allow the township to pay off the costs of the same over a period of time. Mr. Schwartz inquired if there were any funds in reserves that could be utilized instead. **CFO Monzo** stated that no such funds are available. Ryan Lewis, Chief of the Ambulance Corps, commented that this bond will fund the organization's fourth ambulance, which will mainly serve the residents of Mansfield. **Committeeman Gable** added that the ambulance that will be replaced by this new purchase has cost over \$10,000 in maintenance repairs over the last few years. **Mayor Higgins** questioned the disposal method of retired ambulances. Ryan Lewis stated that the decision for the specific ambulance discussed tonight would be made by the ambulance corps, as the same currently owns the vehicle. Mr. Swartz suggested that since the township is going to fund the new ambulance, the EMS should sell the retired vehicle and contribute the funds to the municipality to offset costs. Ryan Lewis responded by stating that the EMS would use the revenue to finance operating expenses to offset the financial losses the corps has experienced.

Paul Narwid, 13 Cobblestone Court, inquired if Mr. Lewis has investigated the possibility of a remount, which would negate the need for the purchase of a new ambulance. Mr. Lewis explained that the ambulance that would be retired was manufactured in the year 2000 and consequently contains outdated equipment, which would require significant effort and finances to remount. Furthermore, Mr. Lewis stated that remount of ambulances has been rendered in the past, but due to the maturity of the ambulance set to be retired, a remount is not feasible for the same. Discussion ensued.

Mayor Higgins inquired as to the ages of all active ambulances. Mr. Lewis replied that two vehicles were manufactured in 2008 and will be considered for remount in the future, and the third vehicle was manufactured in 2004 and remounted in 2014. **Committeeman Gable** requested that Mr. Lewis provided Township Committee with a report on the status of all ambulances.

Mayor Higgins questioned the ownership of current ambulances. Mr. Lewis explained that should Township Committee adopt Ordinance 2018-1, which would allow the retirement of the ambulance currently owned by the EMS, all four ambulances would then be owned by the municipality. Additionally, Mr. Lewis advised Township Committee that the \$10,000 appropriation for ambulance repair as stipulated in the township's agreement should be increased to service four vehicles.

There being no further public comments, the hearing on Ordinance 2018-1 was closed.

Committeeman Cain inquired if there are any previously adopted bond ordinances that have yet to be expended for which funds for the ambulance purchase could be derived. **CFO Monzo** stated that there is a bond from the year 2008 which provided for \$400,000 for sports related projects;

however, said bond has yet to be borrowed against and no interest has been accumulated. **Committeeman Cain** questioned if the aforementioned funds could be repurposed for the purchase of the new ambulance. **CFO Monzo** stated that should Township Committee decided to reappropriate the funds for a purchase other than its intended purpose, the bond ordinance would need to be amended to change its purpose and to adjust the useful life of the bond to fit the life of the ambulance. For clarification, **Committeeman Cain**, inquired if adopting Ordinance 2018-1 would add additional debt to the municipality, as the bond ordinance from 2008 has yet to be utilized. **CFO Monzo** confirmed that no additional debt would be accumulated.

Mayor Higgins requested **CFO Monzo** explain the Annual Debt Statement. In response, Mr. Monzo stated that the purpose of the same is to give an overview of the debt owed by the municipality. Of the 3.5% allowable debt capacity, Mansfield has utilized only 0.6%. Accordingly, **Mayor Higgins** stressed that utilizing bonds is a feasible and efficient method to fund municipal services. Moreover, **CFO Monzo** stated that, if adopted, the interest rate to be paid on Ordinance 2018-1 is approximately 1%.

Municipal Clerk Semus explained that **Deputy Mayor DiGiuseppe**, who is not present at tonight's meeting, requested that she read a prepared statement on her behalf regarding the adoption of Ordinance 2018-1 into the record. The statement read as follows:

"I want residents to understand that approval of this Bond Ordinance is not approval to purchase an Ambulance but rather it is an approval/disapproval for a method of financing. Approval of this Bond Ordinance will add another long-term debt to the already long-term debt service that the Mansfield taxpayers are currently paying, and it will add an expenditure of \$12,500 for a down payment which will be charged to the township's 2018 budget, if approved tonight. The means to save the expenditure of \$12,500 is to use an already approved Bond Ordinance that was approved in 2008 for \$400,000 which currently has a balance of \$379,000. That 2008 Bond Ordinance was approved for a soccer complex which never became a reality. It is time to seek approval to amend its purpose and utilize this Bond Ordinance from 2008 to purchase an ambulance, if approval to purchase an ambulance is so determined by the governing body at a subsequent meeting. Amending the purpose of the 2008 Bond Ordinance is an allowed procedure pursuant to CFO Monzo.

By no means do I attempt to slight the great work done by the Emergency squad, but I want Mansfield Township taxpayers to understand the importance that the Mansfield Township Ambulance is not a township department. It is a private, non-profit independent contractor that services other municipalities as well and manages its own budget and has all paid employees. Further, it receives an annual contribution of \$200,000 from Mansfield Township, it currently has 3 ambulances for which the township pays maintenance and it occupies a township building free of charge.

Be clear, I am not against an expenditure that is reasonably necessary for Mansfield taxpayers but I am concerned about incurring another long-term debt for only Mansfield residents and unnecessarily expending \$12,500 when there is a more efficient means to finance an ambulance if that purchase is approved. As a newly elected official of the Township Committee who did not participate in the "Service Agreement" executed on January 1, 2017 between the township and MTAC to purchase a new ambulance in 2018, I have concerns that need clarification regarding the financing legality of committing to make a capital purchase by financing, prior to the financing execution, for a subsequent budget year; and any potential liability to the township if the specifications of a purchase differ from those of the Service Agreement.

I recommend that Bond Ordinance 2018-1 be tabled at this time."

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt Ordinance 2018-1. The motion was defeated on a Roll Call Vote, as follows:

AYE: GABLE, MAGEE, HIGGINS

NAY: CAIN

ABSENT: DIGIUSEPPE

ABSTAIN:

CFO Monzo stated that as a bond ordinance requires four affirmative votes to be adopted, the ordinance is defeated.

ORDINANCE 2018-2

CALENDAR YEAR 2018

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 2018 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 180,405.23 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 2018 budget year, the final in cap appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$ 5,334.840.23 and that the CY 2018 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.

CFO Monzo, in summary, explained that the above ordinance allows the municipality to increase CAP appropriations by 3.5%, in which unutilized funds can be banked for future use. On inquiry by **Mayor Higgins**, **CFO Monzo** stated that the township has never increased CAP appropriations to the maximum limit of 3.5%.

Mayor Higgins opened the floor for public hearing. There being no public comments, the public hearing on Ordinance 2018-2 was closed.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Magee** to adopt Ordinance 2018-2. Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, MAGEE, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

RESOLUTIONS

**RESOLUTION 2018-1-27
RESOLUTION AMENDING RESOLUTION 2018-1-18 REAUTHORIZING
PETTY CASH FUNDS FOR CALENDAR YEAR 2018**

WHEREAS, N.J.S.A 40A:5-21 authorizes the establishment of Petty Cash funds in municipalities by application and resolution; and

WHEREAS, the Township Committee of the Township of Mansfield, at its Reorganization Meeting of January 3, 2018, adopted Resolution 2018-1-18, reauthorizing petty cash funds for the calendar year 2018; and

WHEREAS, said resolution contained an error and incorrectly authorized petty cash funds for “Construction” in the amount of \$200.00; and

WHEREAS, it is the desire of the Township Committee of the Township of Mansfield to rectify the same and reestablish petty cash funds for municipal departments as follows:

Type	Date Authorized	Amount Authorized	Bonding Required
Police	8/20/85	\$100	\$0
Finance	1/08/93	\$250	\$0
Recreation	2/28/91	\$200	\$0

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Burlington hereby authorizes said amendment and directs that a copy of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-1-27. Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, GABLE, MAGEE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

RESOLUTION 2018-1-28
RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH H-GAC COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Township of Mansfield makes purchases from many potential sources for services, management, supplies, and equipment to support municipal operations; and

WHEREAS, H-GAC, having its principal place of business located at 3555 Timmons Lane, Suite 120, Houston, Texas 77027, is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391 of the Texas Local Government Code; and

WHEREAS, pursuant to the aforementioned Act, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities classified as a “local government”; and

WHEREAS, the Township of Mansfield, recognized as said eligible entity in the aforementioned agreement attached hereto and made part hereof, wishes to execute an agreement with H-GAC for the purchase of goods and services as deemed necessary and beneficial by Township Committee and subject to a certification of available funds provided by the Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, that the execution of an interlocal agreement with H-GAC Cooperative Purchasing Program for the purchase of goods and services is hereby approved and authorized.

CFO Monzo suggested that the aforementioned resolution, which would have been utilized to purchase the new ambulance, be tabled in light of the defeat of Ordinance 2018-1. **Township Solicitor Gillespie**, however, noted that it may be in the best interest of tax payers to adopt said resolution regardless, as it will allow for the procurement of goods and services at a lower cost.

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt Resolution 2018-1-28. Motion carried on a Roll Call Vote, as follows:

AYE: GABLE, MAGEE, CAIN, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

RESOLUTION NO. 2018-1-29
RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT BETWEEN TOWNSHIP OF MANSFIELD AND TOWNSHIP OF MANSFIELD PATROLMAN ASSOCIATION

WHEREAS, certain police department employees within the Township formed a Collective Bargaining Unit, recognized by the Township, under the auspices of the Township Of Mansfield Patrolman Association, and as a result of said formation, have negotiated a Contract with the Township Committee of the Township of Mansfield; and

WHEREAS, the Parties have completed those negotiations, and are desirous of memorializing their agreements by way of formal Collective Bargaining Agreement; and

WHEREAS, the Township Committee has reviewed the attached “Agreement between the Township of Mansfield and Township Of Mansfield Patrolman Association, covering a time frame January 1, 2018 through December 31, 2021; and

WHEREAS, said Agreement sets forth the various terms and conditions, rights, privileges, benefits and emoluments that the Parties have agreed to relating to the employment relationship; and

WHEREAS, the salaries and wages to be paid under said Agreement were generally authorized under Ordinance 2017-3, which established ranges for the wages to be paid, and the wages and salaries set forth in the Agreement fall within the parameters of the ranges established under Ordinance 2017-3;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Burlington, State of New Jersey that Mayor Higgins and Municipal Clerk Linda Semus be and are hereby authorized and directed to execute the attached Collective Bargaining Agreement between the Township of Mansfield and the Township of Mansfield Patrolman Association.

At the request of **Mayor Higgins**, **CFO Monzo** stated that Resolution 2018-1-29 authorizes a four year contract with the Mansfield Township Police Department (PBA) from 2018-2021. Among various aspects negotiated, this contract maintains employer contributions pursuant to Chapter 78,

and increases the individual grades patrolman must meet to acquire a higher salary level. Mr. Monzo spoke highly of the quality of said contract. **Committeeman Gable** expressed that he believes the contract to be beneficial for the community and thanked the hardworking efforts of both the township and the Police Department in negotiations for the same. **Mayor Higgins** reflected **Committeeman Gable's** comments, and noted that this contract will benefit officers who have served the community for an extended period of time.

Municipal Clerk Semus explained that **Deputy Mayor DiGiuseppe**, who is not present at tonight's meeting, requested that she read a prepared statement on her behalf regarding the adoption of Resolution 2018-1-29 into the record. The statement read as follows:

"I want residents to know that I had no participation in the contract agreement that is on the agenda for approval tonight at this meeting. After review, I have concerns and questions for which I have not received convincing responses regarding why the township taxpayers would continue to pay employee health benefits from taxpayer funds after retirement when the employees are members of the NJ Police & Fireman Public Employee Retirement System.

I request and recommend that Resolution 2018-1-29 be tabled at this time for further review."

CFO Monzo commented that the PBA contract states that the township will provide health benefits for certain eligible retired police officers. However, Mr. Monzo noted that there was perplexity regarding the applicability of Chapter 330 of state law, which states that the State of New Jersey will provide benefits to retirees under a certain circumstance. This circumstance would only be met if, in the PBA contract effective July 1, 1998, the municipality did not provide benefits for retirees. Accordingly, Mr. Monzo confirmed that the township did provide retiree benefits during this time, and has consistently continued to do so since. In other words, Chapter 330 was nullified by the township's PBA contract of 1998. The contract presented tonight contains the same verbiage for retiree benefits as established in the contract of 1998, except that certain retirees are now required to contribute to said benefits pursuant to Chapter 78. **Committeeman Magee** inquired if contributing to retiree benefits is negotiable. **CFO Monzo** responded that though it is a negotiable unit, Chapter 330 would not apply should the township decide to cease paying for retiree benefits, as said chapter was not evoked in the contract of 1998.

Committeeman Cain expressed that **Committeeman Gable** and **Mayor Higgins** put forth a proactive effort in negotiating the aforementioned contract.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-1-29. Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, GABLE, MAGEE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

**RESOLUTION 2018-1-30
 RESOLUTION REFUNDING TAX OVERPAYMENT**

WHEREAS, a County Appeal for 2017 Added Assessment Property Taxes was granted to property listed below and,

WHEREAS, this Appeal resulted in an overpayment which is due to the homeowner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, State of New Jersey authorizes the refunding of the following by the Tax Collector:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
42.05	22	Theresa Cook 121 Chestnut Hill Lane	\$319.14

Appeal Amount:	315.50
Interest to 1/24/18	<u>3.64</u>
	319.14

**RESOLUTION 2018-1-31
REFUND OF TAX OVERPAYMENT**

WHEREAS, a County Appeal for 2017 Added Assessment Property Taxes was granted to property listed below and,

WHEREAS, this Appeal resulted in an overpayment which is due to the homeowner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, State of New Jersey authorizes the refunding of the following by the Tax Collector:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
42.08	18	Sharon & Jerry Dangelo 20 Fireside Circle	\$209.90

Appeal Amount:	207.74
Interest to 1/24/18	<u>2.16</u>
	209.90

**RESOLUTION 2018-1-32
REFUND OF TAX OVERPAYMENT**

WHEREAS, a County Appeal for 2017 Added Assessment Property Taxes was granted to property listed below and,

WHEREAS, this Appeal resulted in an overpayment which is due to the homeowner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, State of New Jersey authorizes the refunding of the following by the Tax Collector:

<u>Block</u>	<u>Lot</u>	<u>Name</u>	<u>Amount</u>
8.03	14	Michael & Elisa McKeon 5 Landview Lane	\$402.87

Appeal Amount:	398.34
Interest to 1/24/18	<u>4.53</u>
	402.87

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt the above listed resolutions. Motion carried on a Roll Call Vote, as follows:

AYE: GABLE, MAGEE, CAIN, HIGGINS

NAY: ABSENT: DIGIUSEPPE ABSTAIN:

**RESOLUTION 2018-1-33
A RESOLUTION FOR THE CONSENT OF THE TREATMENT WORKS APPROVAL (TWA)
APPLICATION FOR A NEW WASTEWATER SYSTEM AT THE PROPOSED MANSFIELD
WAREHOUSING DEVELOPMENT**

WHEREAS, Mansfield Realty North, LLC, the owners and operators of the Mansfield Warehousing Development, propose a new sewer system which will flow into the Mansfield Farms Sewer Service Area; and

WHEREAS, said system requires Mansfield Realty North, LLC to apply to the New Jersey Department of Environmental Protection for a Treatment Works Approval (TWA) permit to construct this system; and

WHEREAS, said permit application requires that endorsement of the application be made by the Mansfield Township Committee; and

WHEREAS, the proposed system is intended to collect the sewage flow from the proposed warehousing development and discharge it into the Mansfield Farms Sewer System, and shall not alter the Mapleton Waste Water Treatment Plant (WWTP) rated flow capacity, or allocation of flow capacity to the Mapleton WWTP current and future connection users; and

WHEREAS, Mansfield Farms Sewer Service Area has a permitted flow capacity of 376,000 gallons per day, as permitted by the New Jersey Department of Environmental Protection (NJPDES Permit NJ0108120); and

WHEREAS, the NJPDES-DGW Permit was renewed on December 1, 2014 and a minor modification to the permit was effective on February 1, 2015 from the New Jersey Department of Environmental Protection (NJDEP).

THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee, that Mansfield Township hereby endorses the TWA application, with the following conditions:

1. Mansfield Realty North, LLC shall provide Mansfield Township with a written guarantee that the proposed Sewer System will not change the Mapleton WWTP permitted capacity, or change the allocation of flow capacity to the Mapleton WWTP current and future connection users in any way.
2. If the New Jersey Department of Environmental Protection, due to the proposed warehousing development sewer system and the simultaneously proposed Mansfield Farms Sewer System modifications, should impose TWA permit conditions that alter flow capacity and flow allocation in any way, this endorsement of the application shall be deemed null and void, and thus making the present permit application incomplete.

Township Engineer Briglia explained that, as the Mansfield Farms Sewer Service Area fits certain conditions required by the New Jersey Department of Environment Protection for a Treatment Works Approval, Township Committee must endorse the same to allow the project as stipulated in the resolution to continue.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt the Resolution 2018-1-33. Motion carried.

RESOLUTION 2018-1-34
A RESOLUTION FOR THE CONSENT OF THE TREATMENT WORKS APPROVAL (TWA)
APPLICATION FOR THE MODIFICATIONS TO THE EXISTING WASTEWATER SYSTEM WITHIN
THE MANSFIELD FARMS SEWER SERVICE AREA

WHEREAS, New Jersey American Water Company, the owners of the Mansfield Farms Sewer Service Area and Mapleton Waste Water Treatment Plant (WWTP), propose modifications to the Mansfield Farms Sewer System; and

WHEREAS, said modifications require New Jersey American Water Company to apply to the New Jersey Department of Environmental Protection for a Treatment Works Approval (TWA) permit to perform these modifications; and

WHEREAS, said permit application requires that endorsement of the application be made by the Mansfield Township Committee; and

WHEREAS, the proposed modifications to the system are intended to upgrade the system to accept new sewage flow from the proposed Mansfield Warehousing Development, and shall not alter the rated flow capacity or allocation of flow capacity to the Mansfield Farms Sewer Service Area current and future connection users; and

WHEREAS, the Mansfield Farms Sewer Service Area has a permitted flow capacity of 376,000 gallons per day, as permitted by the New Jersey Department of Environmental Protection (NJPDES Permit NJ0108120); and

WHEREAS, the NJPDES-DGW Permit was renewed on December 1, 2014 and a minor modification to the permit was effective on February 1, 2015 from the New Jersey Department of Environmental Protection (NJDEP).

WHEREAS, the operator of the facilities is Natural Systems Utilities.

NOW, THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee, that Mansfield Township hereby endorses the TWA application, with the following conditions:

1. New Jersey American Water Company shall provide Mansfield Township with a written guarantee that the proposed Mansfield Farms Sewer System modifications will not change the Mapleton WWTP permitted capacity, or change the allocation of flow capacity to the Mapleton WWTP current and future connection users in any way.
2. If the New Jersey Department of Environmental Protection, due to these proposed Mansfield Farms Sewer System modifications, should impose TWA permit conditions that alter flow capacity and flow allocation in any way, this endorsement of the application shall be deemed null and void, and thus making the present permit application incomplete.

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to adopt the Resolution 2018-1-34. Motion carried.

RESOLUTION 2018-1-35
AMENDMENTS/CORRECTIONS TO RESOLUTION 2018-1-5, "APPOINTMENT OF MUNICIPAL
POSITIONS/BOARDS/EMPLOYEES"

BE IT HEREBY RESOLVED that the following individuals were recommended by the Mansfield Township Committee as members to various boards and committees for the year 2018; and

WHEREAS, Resolution 2018-1-5, which was adopted by the Mansfield Township Committee at their Reorganization Meeting of January 3, 2018, be and is hereby amended as follows:

Mansfield Township Recreation Committee Members:

Amy Lewis and Steve Landis

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to adopt the Resolution 2018-1-35. Motion carried.

Mayor Higgins called for a motion to amend the agenda to include Resolution 2018-1-36. A motion was offered by **Committeeman Gable** and seconded by **Committeeman Magee** to amend the agenda accordingly. Motion carried.

RESOLUTION 2018-1-36
RESOLUTION TO AMEND RESOLUTION 2018-1-8 (FIXING TIME
AND PLACE OF REGULAR MEETINGS OF THE TOWNSHIP
COMMITTEE AND THE BOARD OF HEALTH)

WHEREAS, by Resolution 2018-1-8, the Township Committee of the Township of Mansfield established its regular schedule of meetings pursuant to the Open Public Meetings Act, and specifically N.J.S.A. 10:4-18; and

WHEREAS, within said schedule, the Township Committee indicated that Executive/Closed Sessions of the Mansfield Township Committee will be held as needed in accordance with the statute and prior to the regular Township Committee meeting scheduled; and

WHEREAS, the Township Committee has determined to amend the schedule to provide that meetings will begin at 5:30PM for Executive/Closed Sessions, if needed; to be followed by the regular Township Committee meetings as scheduled in Resolution 2018-1-8, and commencing at the times set forth therein: 6:00PM for most dates, 5:00PM for February 12, 2018; except as otherwise provided with regard to the Board of Health. In the event that an Executive/Closed Session is not necessary, the 5:30PM meeting will simply be cancelled.

BE IT FURTHER RESOLVED that all other provisions of Resolution 2018-1-8 shall remain in full force and effect.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Gable** to adopt Resolution 2018-1-36. Motion carried.

BILL LIST: Regular and Escrow

Mayor Higgins requested that check #7459 and #7464 be removed from the bill list and presented at the subsequent Committee Meeting.

A motion was offered by **Committeeman Cain** and seconded by **Committeeman Magee** to approve the bill list with the exception of check number 7459 and . Motion carried on a Roll Call Vote, as follows:

AYE: CAIN, MAGEE, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE
ABSTAIN: MAGEE (7459), GABLE (7411, 7435, 7474)

APPROVAL OF MINUTES

- December 28, 2017

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Gable** to approve the above listed minutes. Motion carried on a Roll Call Vote, as follows:

AYE: MAGEE, GABLE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN: CAIN

- January 3, 2018, January 11, 2018

A motion was offered by **Committeeman Gable** and seconded by **Committeeman Cain** to approve the above listed minutes. Motion carried on a Roll Call Vote, as follows:

AYE: GABLE, CAIN, MAGEE, HIGGINS
NAY: ABSENT: DIGIUSEPPE ABSTAIN:

REPORTS: Clerk, Court, Construction, Tax, Police, EMS, Zoning

A motion was offered by **Committeeman Magee** and seconded by **Committeeman Cain** to accept the above listed reports. Motion carried.

DISCUSSION/ACTION

A. Manheim Lease of Stevenson Lumber: Township Administrator Fitzpatrick stated that Manheim Auto would like to lease the Stevenson Lumber property for the purpose of vehicle storage. Mr. Fitzpatrick explained that said vehicles will not be transported frequently or create a fluctuation of traffic in that area. **Committeeman Gable** inquired if utilizing the property for that purpose will require approval from the Zoning Board. **Township Solicitor Gillespie** confirmed that said approval will be necessary, unless Township Committee should choose to amend the zoning designation of the area via ordinance. **Mayor Higgins** suggested that the matter be brought before the Zoning Board.

B. Field Day 2018: Township Administrator Fitzpatrick explained that the Special Events Committee would like to collaborate with the township to influence increased participation in this year's Field Day event by rallying business support and increasing the budget appropriation for community event expenditures. Mr. Fitzpatrick explained that the Special Events Committee is investigating the possibility of establishing a beer garden at the event, as it may prove profitable and increase community participation. **Committeeman Cain** stated that as the liaison to said committee, he will report back to Township Committee on the specifics of the Field Day event.

Mayor Higgins requested that **Township Solicitor Gillespie** look into the legalities of a beer garden. **Committeeman Gable** asked that **Township Administrator Fitzpatrick** relay information of the potential beer garden to the Chief of Police, as the Special Events Committee will need his written approval should a Special Affairs Permit be utilized to implement the same.

PUBLIC COMMENT

Carol Foster, 191 Atlantic Avenue, suggested that in order to increase Field Day participation, the activities should be geared more toward adults rather than children. Ms. Foster then inquired about the status of the sale of land that housed the former municipal complex. **Mayor Higgins** stated that a contract for the sale of the properties is currently be prepared. Reflecting on the lease of the Stevenson Lumber property by Manheim Auto, Ms. Foster questioned if the same will be considered alongside plans for redevelopment in that area, and inquired as to future construction plans for the same. Extensive discussion ensued between Township Committee and support staff on the matter.

Carl Schwartz, 40 Fitzgerald Lane, asked for clarification on the location in which Resolution 2018-1-33 and Resolution 2018-1-34 will apply. **Mayor Higgins** provided clarification.

Ryan Lewis, Chief of the Ambulance Corps, commented on the result of tonight's decision for Ordinance 2018-1. He expressed that though he understands approval of the bond seems to have been defeated due to financial constraints, the purchase of an ambulance should not be sacrificed due to prior poor decisions and disagreements within the Township Committee. Moreover, Mr. Lewis stated that the purchase of said ambulance was stipulated in the service agreement with the EMS, and hopes that the same will be honored. Furthermore, Mr. Lewis noted that the EMS organization already proves to be a cost effective operation, as staff is not provided with certain benefits, such as pensions and retirement plans. Mr. Lewis also stressed that the services provided by the EMS are free to residents. Mr. Lewis presented ambulance use statistics to demonstrate the necessity of a new ambulance. Finally, Mr. Lewis noted that the new ambulance has already been placed on hold by a certain vendor, in which the EMS will be receiving a discount of \$11,000. Should Township Committee choose not to act on this opportunity, the discount will not be realized. Mr. Lewis emphasized that the EMS should be held in higher regards similar to other emergency services.

Committeeman Gable expressed concern for this situation, and complimented the high quality of services provided by the EMS. Mr. Gable noted that the township does not have to supply the employees for the EMS, but only has to provide the vehicle. Furthermore, Mr. Gable stated that this purchase will better utilize taxpayer dollars as it will save on costs for ambulance repairs on the aged vehicles.

Mayor Higgins expressed his agreement with **Committeeman Gable's** statements. Mr. Higgins noted the low debt service of the municipality, and expressed how beneficial a new ambulance would be the senior communities.

CFO Monzo explained that should Township Committee chose to bring the matter on the agenda in the future or revise the bond ordinance from 2008 as previously mentioned, a new ordinance must be introduced.

There being no additional comments, the public comment portion of the meeting was closed.

MAYOR AND COMMITTEE COMMENT

Committeeman Cain stated that he is not opposed to the purchase of an ambulance, but would like to examine additional ways of financing the same.

Township Committee thanked the public for attending.

MOTION FOR ADJOURNMENT

A motion was offered by **Committeeman Gable** and second by **Committeeman Magee** to adjourn the meeting. Motion carried. Meeting adjourned at 7:36PM.

PREPARED BY:

RESPECTFULLY SUBMITTED BY:

Caitlin Midgette
Deputy Clerk

Linda Semus, RMC, CMR
Municipal Clerk