

MANSFIELD TOWNSHIP COMMITTEE MEETING

February 22, 2012

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Smith, Mr. Watters, Mrs. Kocher, Mayor Tomaszewski
Absent: Mr. Clancy

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the regular meeting minutes from December 28, 2011, January 25, 2012, and February 8, 2012 which was seconded by Mr. Smith

Ayes: Mr. Watters, Mrs. Kocher, Mr. Smith, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain: None

PAYMENT OF BILLS:

Mr. Watters questioned the Celiano bill on page 7 in regards to the hourly rate. Mr. Watters stated that Mr. Smith with talk with Mr. Sliker since he was on the job at the time.

Mr. Watters made a motion to move the bill list excluding the payment to Celiano, which was seconded by Mayor Tomaszewski.

Ayes: Mrs. Kocher, Mr. Smith, Mr. Watters, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain: None

CFO REPORT:

Mrs. Fascenelli stated that the auditors were here today to look at the financial statements and reports for submission.

Mrs. Fascenelli stated that there will be an auditor from the state in tomorrow to go over the deductions.

Mrs. Fascenelli stated that the Green Team is collaborating with Washington Township, Morris County for a green fair and will keep the committee up to date with the progress.

LIEUTENANTS REPORT:

Lieutenant Reilly had nothing to report.

CLERKS REPORT:

Ms. McGarity had nothing to report.

ENGINEERS REPORT:

Mr. DiSessa stated that there was a HVAC meeting with all of the contractors last Thursday for the entire day. He met with A.J. Celiano, the balancer, and Brent Sliker. They were able to correct some issues.

Mr. DiSessa stated that air was being misdirected downstairs. He stated that there were some issues with the sensors in the box and it is possible that the sensors will need to be replaced. He also stated that the issue with the baseboard not turning off was the thermostats are being affected by the drafts behind the walls. The fan motor was adjusted. It is starting to slow down and save energy.

Mr. DiSessa stated that the schedule for the building is up and running and that all these rooms are being shut off at night.

Mayor Tomaszewski asked if it could be controlled by a thermostat.

Mr. DiSessa stated that the thermostat controls it during the day.

Mayor Tomaszewski asked Mrs. Fascenelli if the temperature in her room was better.

Mrs. Fascenelli stated that her room is still one of the problems areas where the thermostat shutting off and the heat is on.

Mr. DiSessa says he thinks that they have to go to the outside walls and insulate and he thinks that all of the mechanical work is done.

PUBLIC PORTION:

Chris Fournier – Chief of Mansfield Fire Department. Mr. Fournier stated that he asked questions two weeks ago about the fuel tanks. He asked if they were good to use if they put a proper containment area.

Mr. Watters stated that he doesn't believe so and stated that the tank and the containment unit belong to the town.

Mayor Tomaszewski stated that he can bid on it when the auction is held.

Mr. Fournier asked where we were at with the fire contracts.

Mr. Lavery stated that an email was sent to Ms. Hrebenak the day after the last meeting. He stated that Mr. Vex will email the contracts to Mrs. Fascenelli or to Ms. McGarity and that they will be ready to sign tomorrow.

Mayor Tomaszewski stated that he would make sure that the contract would be sent to Mr. Fournier and the other chiefs.

Mr. Fournier stated that there is a pile of dirt from Bright Road that has been dumped behind the fire house and wants to know if it's been tested for contamination. He stated that it contains railroad ties, chunks of dirt.

Mayor Tomaszewski stated it will be taken care of.

Mr. Fournier stated that it is located next to a spring, which is his concern.

Mr. Fournier stated there was a discrepancy about the fuel and asked if the cut off was March 7th.

Mayor Tomaszewski stated at the last meeting that it was to be effective immediately. He stated that Mr. Vex had discussed this with Mr. Watters and that March 1st was the original deadline, but Mr. Vex moved it to March 7th.

Carol Thompson – 510 Route 57

Mrs. Thompson stated that she wants to know if there is a noise ordinance.

Lt. Reilly stated that it is a disturbing the peace ordinance.

Mrs. Thompson asked if she could get a copy of that ordinance.

Mrs. Thompson stated that she is concerned with the work hours and noise while the solar farm is being constructed and wants to know if there is any restriction on work hours.

Mr. Kobert stated that it might say in the developer's agreement in regards to work hours and what the vehicles are doing.

Mr. Watters stated that on Monday night at the planning board meeting, they abide to all rules and regulations.

Mr. Kobert stated that the developers agreement can cover work hours for start and end time and explained the disturbing the peace ordinance and that it won't protect her, but it could be put in the developers agreement. Mr. Kobert explained that this agreement is between the town and the developer.

Mr. DiSessa stated that the Land Use Board attorney will create a draft.

Mr. Kobert stated that he will coordinate with Mr. Edelston and make him aware of the concerns.

Mr. DiSessa stated that it could take a couple months and that the resolution for approval was just passed on Monday.

Mr. Kobert stated the resolution for approval of agreement will be on the agenda for the township committee.

Mrs. Thompson stated that we are behind in internet postings for the agendas and minutes for all meetings and wants to be current like other towns.

Mrs. Kocher asked if the webmaster was doing what he's supposed to be doing.

Ms. McGarity stated that she has seen the emails that Ms. Hrebenak has sent him asking to post those items.

Mr. Smith stated that we are working on getting it updated.

7 Cheerio Lane – Carol Borden

Mrs. Borden stated that she has lived in Mansfield for 47 years. She stated that there are two abandoned buildings at the entrance of Mansfield on the left hand side. She stated that it has been empty for at least 45 years and is an eye sore. She stated that they are abandoned and dangerous on Route 57 at the township line at the bottom of the

hill.

Mayor Tomaszewski asked Mrs. Fascenelli if the taxes are current.

Mrs. Fascenelli stated she would need a block and lot number to look it up.

She stated that five years ago there was a chimney in an abandoned house in Washington Township where a brick fell killing one of two kids that she knew personally. She stated there is a house above it that has also been empty for many years. She stated that Route 57 is a scenic byway and it is not taken care of.

Mr. Kobert stated that it is very difficult for the town to do anything if the taxes are current.

She stated it should be boarded up because she was afraid of her tax money going to paying for insurance or a lawsuit if someone gets hurt there. She stated that nobody checks it.

Mr. Watters stated that if the taxes aren't current we can foreclose on the property.

Don Proefrock – Diamond Hill

Mr. Proefrock asked about our property maintenance ordinance and stated that we should contact the property owner in regards to the abandoned property just discussed.

Mr. Proefrock stated that the website is not up to date.

Mr. Smith stated that he has spoken to the website designer for improvements for each section of the website. He stated that all departments will have input for improving their page and he is looking for overall improvement and that he is aware of the problems.

Mr. Proefrock stated that he was at the Open Space meeting on February 21st and asked what was going to be done about a display case for artifacts.

Mayor Tomaszewski stated that Jim Watters filled him in and mentioned putting it by the offices behind glass. He stated that he would need to see what would need to be moved, but didn't see a problem with it.

Mr. Proefrock stated that he made a sketch to use framing and glass for the window that's already there.

Mrs. Kocher stated that she spoke with Andy Parks and doesn't think that we can have a cabinet in the hallway because there's too much traffic.

Mr. Proefrock stated that we could have a recessed cabinet.

RESOLUTION:

2012-34

TOWNSHIP OF MANSFIELD

Resolution appointing a Sustainability Subcommittee "Green Team" as part of the Mansfield Township Environmental Commission

WHEREAS, the Township Committee of the Township of Mansfield strives to save tax dollars, assure clean air and water, improve working and living environments, to build a community that is sustainable economically, environmentally and socially; a community which would thrive well into the new century; and

WHEREAS, the Township Committee of the Township of Mansfield wishes to build a model of government which benefits our residents now and far into the future with green community initiatives which are easy to replicate and affordable to implement; and

WHEREAS, in an attempt to focus attention on “Green” issues, the Township Committee has, through prior resolution passed on July 14, 2010, established a Sustainability Subcommittee as part of the Mansfield Township Environmental Commission, also to be known as the “Green Team;” and

WHEREAS, the Township Committee of the Township of Mansfield wants to continue the process of focusing on “Green” issues by starting with audits of municipality facilities and operations.

WHEREAS, the Township Committee of the Township of Mansfield desires to continue the process of making its operations greener, more environmentally friendly, and more energy efficient;

WHEREAS, alternative power sources, changes to fleet purchasing and maintenance, water quality improvements, and operational changes will all be considered as the Township moves to do their share to lessen the environmental impact of its operations.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that we do hereby establish an Environmental Commission Sustainability Subcommittee “Green Team” consisting of nine (9) members who shall be residents or employees of Mansfield Township, appointed annually, for a term of one (1) calendar year.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Mansfield that the Mission, Goals and Objectives for the Green Team are established as follows:

Mission

The Mansfield Township Green Team will advise the township committee on ways to improve municipal operations with “Green” initiatives which are economically and environmentally sound through research and evaluation.

Goals

Obtain certification as a “Green” municipality by the Sustainable Jersey program through completion of projects and initiatives that are part of that program.

Apply for applicable grants and financial aid available through the Sustainable Jersey program for projects and initiatives that would assist the township in meeting its goal as a green community and for the benefit of all its citizens.

Objectives

1. Collaborate with township employees, service providers and other governmental agencies to share resource information and ideas consistent with the Mission of the Green Team.
2. Encourage participation of all township employees to solicit ideas on green initiatives.
3. Research and analyze green initiatives which make practical environmental and financial sense.
4. Develop strategies for sustainable green initiatives in municipal operations.

NOW THEREFORE BE IT FINALLY RESOLVED, by the Township Committee of the Township of Mansfield that the following persons are hereby appointed to the Green Team for the year 2012:

NAME	POSITION	REPRESENTATIVE
JoAnn Fascenelli	Regular Member MT	Recycling/Clean Communities Coordinator
Michael Clancy	Regular Member MT	Township Committeeman
Robert Jewell	Regular Member	Citizen Representative
Drew Di Sessa	Regular Member MT	Township Engineer
Kathy Todd	Regular Member	Environmental Commission
Orson Kirk	Regular Member	Environmental Commission
Jennifer Keggan	Regular Member	Citizen Representative
Dan Gross	Regular Member	Citizen Representative
Don Proefrock	Regular Member	Citizen Representative

Mr. Watters made a motion to approve the passage of Resolution 2012-34, which was seconded by Mr. Smith.

Ayes: Mr. Watters, Mrs. Kocher, Mr. Smith, Mayor Tomaszewski

Nays: None

Absent: Mr. Clancy

Abstain: None

RESOLUTION # 2012-35
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2011 budget line items; and

WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of appropriation reserve funds before April 1, 2012.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively

concurring) that the Finance Office of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

CURRENT FUND		
Account:	From:	To:
Legal OE	\$ 360.00	
Planning Board O/E		\$ 360.00
TOTALS	\$ 360.00	\$ 360.00

Mr. Watters made a motion to approve the passage of Resolution 2012-35, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain: None

Mayor Tomaszewski made a motion to go into executive session, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain: Mrs. Kocher

EXECUTIVE SESSION: Attorney Client Privilege

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Committee of the Township of Mansfield is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Committee of the Township of Mansfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (7) Matters Relating to Litigation, Negotiations, and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled

in public session on February 8, 2012, that an Executive Session closed to the public shall be held on February 8, 2012 at 8:47 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in the closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mayor Tomaszewski made a motion to return from Executive Session at 8:54pm, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mrs. Kocher, Mr. Smith, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain:

Mr. Lavery stated that attorney client issues were discussed including building hours and contractual matters regarding a potential shared service with Greenwich Township.

Mayor Tomaszewski stated that the township building will be operated from 9am-5pm for regular offices and court will remain 8am-4pm Monday through Friday effective this Monday, February 27, 2012.

Mr. Kobert asked if everyone was clear in regards to the advertisements and it was.

Mayor Tomaszewski made a motion to advertise for Chief Financial Officer and Tax Collector, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mrs. Kocher, Mayor Tomaszewski
Nays: None
Absent: Mr. Clancy
Abstain:

COMMITTEE PERSON COMMENTS:

Mayor Tomaszewski read a letter that was put in the mailboxes in the Mt. Bethel Road area regarding the Cherry Tree Bend Road work and that the mess left behind should be cleaned. He stated that it was put in mailboxes illegally and was about brush cutting. He stated that the roads haven't been cut back in years.

Mayor Tomaszewski stated that it was a safety issue and needed to be cut back because the roads were becoming overgrown. Mayor Tomaszewski stated that the township bought a flail mower and some residents are not happy with it, but the township is trying to clean up using our right of way.

Mayor Tomaszewski stated that he will have Brent notify the clerk and the webmaster to let residents know when the road department will be mowing and they can discuss their concerns with Brent.

Mr. Watters had nothing to report.

Mrs. Kocher had nothing to report.

Mr. Smith had nothing to report.

Mr. Watters made a motion to adjourn at 9:16 pm which was carried by all.