

MANSFIELD TOWNSHIP COMMITTEE MEETING

September 25, 2013

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, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Clancy made a motion to approve the minutes from the regular meeting on September 11, 2013, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: None

Abstain: Mayor Tomaszewski

APPROVAL OF THE BILL LIST:

Mr. Watters asked if we have the truck back that is listed on the addendum.

Mr. Smith stated that we do and that it looks good.

Mr. Watters asked about the purchase order for Safeguard for purchase orders and how much we pay per piece.

Ms. Hrebenak explained that this is an order for the preprinted purchase orders that we send to vendors and that we paid .2267 cents per purchase order and we ordered 2075 purchase orders and the shipping was \$33.46 and the total was \$503.95.

Mr. Watters asked about the controller joystick replacement for the v blade and what truck it was for.

Mr. Smith stated that he was unsure of which truck this was for.

Mayor Tomaszewski stated that this must be for one of the Mason Dumps.

Ms. Hrebenak asked who the bill was for.

Mr. Watters stated that the bill was for Sanitation Truck Repair.

Ms. Hrebenak pulled the bill and stated that there was not a truck listed.

Mr. Watters made a motion to approve the bill list and addendum, which was seconded by Mr. Clancy.

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

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that the Combo Seminar was held at the municipal building last week and there was a good turnout of employees.

ENGINEERS REPORT:

Mr. DiSessa stated that there were 3 Bid packets picked up for the Diamond Hill Project and there is a pre- bid meeting tomorrow at the DPW building.

Mr. DiSessa stated that there is a Resolution on the agenda for next years' Municipal Aid grant application.

Mayor Tomaszewski asked Mr. DiSessa what he thinks the chances are.

Mr. DiSessa stated that it is better than a long shot since a good part of the damage is from the detour for the State road project

Mr. Smith asked if the Diamond Hill Road project estimate is still the same with the drainage changes and changes to paving heights.

Mr. DiSessa stated that there really are no differences to the estimate.

Mr. Lavery, Esq. stated that he needed a motion to enter into Executive Session to discuss contractual matters to deal with HMUA, Mount Bethel Church, Chief's Contract, and Municipal Court.

Return from Executive Session at 8:43pm.

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

RESOLUTION:

RESOLUTION # 2013 -101
TRANSFER OF MANSFIELD TOWNSHIP TRUST FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Mansfield deemed it in the best interest of the Township to amend the Cash Management Plan to include as a authorized bank for deposit Unity Bank,

NOW, THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer is authorized to transfer the following Mansfield Township trust accounts from Fulton Bank of New Jersey to Unity Bank.

Unemployment Account

Mr. Clancy made a motion to approve the passage of Resolution 2013-101, which was seconded by Mrs. Kocher.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2013 –102
REFUND OF RECREATION REGISTRATION
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Mrs. Milaschewski paid \$85.00 on June 26, 2013 for her daughter to participate in summer tennis lessons with the Township of Mansfield, County of Warren,

WHEREAS, her daughter was not able to attend many of the summer tennis lessons,

NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to do a partial refund in the amount of \$ 30.00 to Mrs. Milaschewski.

Mrs. Kocher made a motion to approve Resolution 2013-102, which was seconded by Mr. Smith.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION NO. 2013 – 103

**A RESOLUTION AUTHORIZING THE CANCELLATION OF A STALE CHECK FROM
FULTON BANK OF NEW JERSEY FOR THE TOWNSHIP OF MANSFIELD, COUNTY
OF WARREN,
STATE OF NEW JERSEY**

WHEREAS, a check was issued by the Township of Mansfield for more than a year ago, more particularly set out below as the Check Date, Check Number, and Amount, has never been presented for payment; and

WHEREAS, this outstanding check, causes additional work and expense in keeping the books of Mansfield Township;

NOW, THEREFORE BE IT RESOLVED, by the Township of Mansfield Committee that the Acting Chief Financial Officer is authorized to cancel the following stale check and to adjust the

financial records to reflect the same.

RECREATION ACCOUNT	DATE	CHECK #	AMOUNT
	3/23/11	1735	\$ 65.00
		TOTAL	\$ 65.00

Mayor Tomaszewski made a motion to approve Resolution 2013-103, which was seconded by Mr. Clancy.

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

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2013-104
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

RESOLUTION ADOPTING A GREEN GROUNDS AND MAINTENANCE POLICY

WHEREAS, the Township of Mansfield, Warren County, State of New Jersey supports policies that encourage sustainable municipal operations, promote healthy communities, waste reduction, biodiversity, and water quality protection and conservation; and

WHEREAS, Sustainable Jersey Green Grounds and Maintenance Policy is such a policy; and

WHEREAS, in an effort to support the Sustainable Jersey guidelines to reduce the State's carbon footprint, the governing body has created a green grounds and maintenance policy; and

WHEREAS, the Mayor and Township Committee reconfirm their commitment to its existing recycling program and will continue to evaluate and/or implement additional principals and measures where applicable for Efficient Landscape Design, Minimizing Water Consumption, Recycling Materials and Composting, and Integrated Pest Management that encourages sustainability.

- Recycle materials in recycling depot.
- Compost landscape waste (e.g. leaves, pruning's, etc) or use the waste as mulch (backyard composting)
- Use native species instead of exotic plants whenever possible.
- Minimize lawn areas to reduce required maintenance, and replace lawn areas with higher value landscaping.
- Design landscaping with stormwater management in mind. Consider property contours and create plantings that will slow water flows and filter runoff to improve groundwater recharge and prevent erosion.
- Reduce or use conventional pesticides as needed and/or adopt an Integrated Pest Management program outlining same.

- Avoid excessive fertilizer use.
- Improve operations with efficient watering schedules, improved irrigation equipment, and rain-water capture (rain barrel workshop). Water the landscape only when needed. Be sure to search for and fix leaks promptly.

Mr. Watters made a motion to approve the passage of Resolution 2013-104, which was seconded by Mr. Clancy.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2013-105

TOWNSHIP OF MANSFIELD

WARREN COUNTY, STATE OF NEW JERSEY

**Resolution of Support from Local Governing Body Authorizing the
Sustainable Jersey Grant Application for
MINIMIZE WATER CONSUMPTION – RAIN BARREL WORKSHOP**

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Township of Mansfield, Warren County, New Jersey strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Township of Mansfield, Warren County, New Jersey is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program;

THEREFORE, the Township Committee of the Township of Mansfield, Warren County, New Jersey has determined that the Township of Mansfield should apply for the aforementioned Grant in the amount of \$ 2,500.00.

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield, Warren County, State of New Jersey, authorize the submission of the aforementioned Grant.

Mr. Watters made a motion to approve the passage of Resolution 2013-105, which was seconded by Mr. Clancy.

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

Nays: None

Absent: None

Abstain: None

2013-106 State Aid for Heiser Road and Watters Road Project

Mr. Watters made a motion to approve the passage of Resolution 2013-106, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

ORDINANCE

First Reading

Mayor Tomaszewski introduced Capital Ordinance 2013-01 by title only;

**ORDINANCE NUMBER – CA-2013-01
AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY, APPROPRIATING \$6,766.00 FOR A SERVER
(INCLUDING INSTALLATION)**

WHEREAS, there is a need for a new server to ensure the continuous operation of the administrative offices of the Township of Mansfield; and

WHEREAS, it has been recommend that the current server be replaced;

BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

- The amount of \$ 6,766.00 is hereby appropriated from the Capital Improvement fund in the general capital fund.
- There is no debt incurred by this Ordinance.
- This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Watters made a motion to introduce Capital Ordinance 2013-01 and requested that the public hearing be advertised to be held on October 9, 2013, which was seconded by Mr. Clancy.

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

Nays: None
Absent: None
Abstain: None

Second Reading

Mayor Tomaszewski opened the floor for public comment on Ordinance 2013-14, seeing as there were no comments the public comment portion was closed.

ORDINANCE # 2013-14

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$432,000 FOR VARIOUS IMPROVEMENTS TO DIAMOND HILLS ROADS IN AND BY THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$196,650 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Mansfield, in the County of Warren, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$432,000. Such sum includes the sum of (a) \$125,000 expected to be received as a grant from the New Jersey Department of Transportation; (b) \$100,000 expected to be received from the Hackettstown Municipal Utilities Authority and (c) \$10,350 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$196,650 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$196,650 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

The improvement hereby authorized and the purpose for which obligations are to be issued is for various improvements to roads within the Diamond Hills Development, including

all work and materials necessary therefor or incidental thereto.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$196,650.

The estimated cost of the Improvement is \$432,000 which amount represents the initial appropriation made by the Township.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (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 ordinance, and the signature of the Chief Financial Officer 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 Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time 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 Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this 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.

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

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

The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this

Bond Ordinance, is 20 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, 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 \$196,650 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$108,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and 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 property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$196,650.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mr. Watters made a motion to approve the passage of Ordinance 2013-14 and requested that the results be advertised, which was seconded by Mayor Tomaszewski.

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

Ms. Hrebenak stated that there were two bids received one from Vanguard Energy with a charge of .0825 per kwh and one from Ambit Energy with a charge of .0899 per kwh. The apparent low bidder stated that they can conform to all of the requests of the township, but we need to review how this will be done and also check for all of the required paperwork with the bid.

Mr. Lavery suggested that a motion be made that if the lowest bidder can meet all of the requirements and all of the paperwork is in order that the bid may be awarded.

Mr. Watters made a motion to approve award of the bid to the lowest bidder if all paperwork is in order and all requirements can be met, which was seconded by Mr. Clancy.

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

PUBLIC PORTION:

John General, 54 Country Meadow Road, spoke to the township committee about the sidewalk and the slabs that are heaving and there are 12 trees that could be affecting the slabs. Mr. General explained that this is where the school bus stops and also many of the homeowners around there walk and jog on this sidewalk.

Mayor Tomaszewski stated that the placement of trees between the road and the sidewalk is a crazy idea and the canopy effect does not work.

Mr. Lavery asked Mr. General to get a copy of his survey to Ms. Hrebenak and stated that he will look over the survey and also look over the sidewalk ordinance for the township.

Connie Adasavage, Snyder Road, read the following into the record:

Township Committee Members-

I am here to implore the Township Committee to appoint the 5 members of the Recreation Committee as soon as possible.

As a current member of Recreation as Soccer Coordinator I feel that the Township Committee's action to have all members remain in place until 12/31/13 which may have sounded as a good idea has inadvertently made an already dysfunctional situation worse.

The Township Committee's determination the Recreation Commission governing body had not provided for the recreational needs of all the citizens of the township and subsequent abolishment had caused

further lack of initiative and motivation.

Last evening's Recreation meeting was not held due to lack of quorum, after the Township Clerk sent out documents to all members advising the procedures for the committee to follow. The second procedure "the meetings will remain as previously scheduled for the last Tuesday of the month at 8pm" was not followed.

Significant Recreation business remains open, neglected and in some case blatantly ignored. Top 3: financial reporting & oversight due to open Treasurer position, open Recording Secretary position and the Twp Committee's request for background process to be put in place for Fall Sports.

In the best interest of the Township, its residents and surrounding communities the Township Committee established the Recreation Committee as it deemed it necessary for the proper and efficient conduct of affairs of the municipality.

Rip the Band-Aid off, appoint the Recreation Committee members, so the new Committee members can begin the process of creating its bylaws, processes and procedures while current sports coordinators continue to run fall sports and are available to assist with transition. Waiting until December 31 to appoint members will only continue to exasperate the situation.

Lastly I'd like to thank all those members of the soccer community who have been a significant part of very successful spring and fall soccer programs.

Darlene Bertoldi, Christene Bland, Steve Cagnassola, Juan Cosme, Rob Delseni, John Falco, Tom Garabed, Chris Ghio, Tim Harris, Mike McAlpin, Jim McGreevy, Laura McGreevy, Mark Murawski, Tom Riedinger, Tom Staada, John Thomas, Frank Vira, Jay Wester.

Without their volunteerism and that of many others in the greater soccer community not mentioned due to limited time the soccer program would not be made possible.

Thank you for your time.

Mr. Garabed stated that the Recreation Committee is not working.

Mr. Kocher asked about the decision that was made with the Recreation Committee.

Mr. Lavery explained that the decision that was made is through December 31, 2013 and to make any changes it could take up to December.

JoAnn Fascenelli, 70 Schaffer Road, Freeholder Smith attended the September 5, 2013 SWAC meeting and advised that the Freeholders will be discussing the possibility of adding a cell to the landfill. At present the landfill will be at full capacity in 2020-2021 and a new cell will increase the capacity to 2030-2031.

The Townwide shredding event is planned to be held on October 26, 2013 from 9am to 1pm.

Mrs. Fascenelli stated that there was a request from one of the employees to keep the cardboard container at its present location.

The Committee spoke on the topic and decided that due to the issues with the pavement the cardboard container would need to be relocated back to its previous location once the concrete pad is completed.

Mrs. Fascenelli stated that the Township Committee received a copy of a letter that the Green Team would like to send out to the Fire Companies requesting the use of their building to have a Zumbathon.

Mayor Tomaszewski asked what that is.

Mrs. Fascenelli and Ms. Valderrama explained that it is an aerobic form of dance done to Latin music which is very popular now.

Mrs. Fascenelli stated that she would like to open up a discussion with Washington Twp, Warren County as they have a Class C facility for recycling items such as grass, leaves, vegetative waste, and branches up to a certain diameter and she would like to see if they would allow Mansfield Residents to also have use of their facility in order to recycle the above listed items. This would require a pass that the residents would have to purchase.

COMMITTEE PERSON COMMENTS:

Mr. Smith made a motion to hire two more additional police officers for Mansfield Township and give Lieutenant Reilly permission immediately to begin the hiring process.

Mr. Smith asked for a second.

Mr. Clancy seconded the motion.

Mayor Tomaszewski told Mr. Smith that he would call for a second and stated that he is the Mayor not Mr. Smith.

Mayor Tomaszewski asked for a second.

Mr. Clancy seconded Mr. Smith's motion.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher

Nays: Mayor Tomaszewski

Absent: None

Abstain: None

Mayor Tomaszewski explained that he had voted no because he does not know where our finances are for this and that he would like to hear from Bill Pandos he has not been here due to classes that he is taking so he is going to vote no until he finds out whether the town has the finances to do so from him.

Mr. Smith asked Mayor Tomaszewski if he checked his email that he sent you?

Mr. Smith stated that he said that he got that out to every Committee person.

Mr. Smith stated that he is concerned now.

Mrs. Kocher stated that we got a cost analysis.

Mayor Tomaszewski stated that a cost analysis is one thing he knows what a cost analysis is that he wanted to see if we have the finances to do it and that there is a difference between a cost analysis and having the money to do it.

Mr. Smith made a motion to cancel the reevaluation.

Mayor Tomaszewski asked for a second to the motion.

Mr. Clancy made a second to the motion.

Ayes: Mr. Smith, Mr. Clancy, Mrs. Kocher

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

Mayor Tomaszewski stated that he is voting no because he feels that this puts the town at risk for a lawsuit, seeing that we have a signed contract with a company that does reevaluations on townships and has been approved by the bond council and Warren County. I think that it opens the town up to litigation and I think it's a bad move at this point. Again our tax as JoAnn can tell us we are not at 100% nowhere near it and it will help get the town on a level playing field and bring the tax revenues in and I think by cancelling this is gonna put the town at risk for a litigation cause we have a signed contract so I am voting no.

Mr. Smith asked if anyone else had anything to say.

Mr. Watters stated that he agreed with the Mayor 100%.

Mayor Tomaszewski made a motion to adjourn at 9:30pm.