

## MANSFIELD TOWNSHIP COMMITTEE MEETING

March 10, 2010

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. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

### PAYMENT OF BILLS:

Mr. Watters asked about the early lease termination for the postage machine.

Mr. Coppola stated that we received a check from the new postage machine company which covered this fee.

Mr. Watters asked if the regular gas was up from the last time or was it a longer period of time.

Mr. Watters asked about the postage and transfer fee.

Mayor Tomaszewski asked about the Police and Fireman's fee for monthly transmittal.

Mr. Coppola stated that this was a late fee for what we pay to the state.

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

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

### CFO REPORT:

Mr. Coppola stated that there is a police overtime report for January and February there is about \$12,000 from February and about \$1300 of that is from January.

Mr. Coppola stated that he received a call about the engineer and attorney bill for the planning board have they been approved and can they be paid.

Ms. Campbell stated that if the planning board has not approved the contract they hold the bills.

Mr. Coppola asked if the Township Committee wanted to pay the planner for the work that was performed for the Highlands Study since we still have not gotten any response from the Highlands about the Initial Assessment grant and the Planning Conformance grants.

Mr. Jewell asked if these bills could be paid out of the Open Space Account.

Mr. Coppola stated that they could probably be paid out of the Small Cities Money.

Ms. Nerbak stated that if these were going to be paid out of the Open Space money we would have to have a public hearing for the spending of this money.

Mr. Coppola stated that he is going to see if any of this was for the affordable housing.

Mr. Watters stated that there was supposed to be grant money for this.

Mr. Coppola stated that the township never received this money.

Mr. Coppola stated that there is about a thousand dollars that was for COAH and that this could be taken out of the COAH account.

Mr. Watters stated that he believed that Mr. Kobert stated that we should hold off on paying this.

Mr. Jewell stated that Independence has not received their money as of yet either.

Ms. Nerbak stated that she received a phone call from Jim Kelsey and that he was very excited that the Highlands Council had passed an exemption for Borealis for the parking lot expansion and that the Highlands Council is completely revamped and that they have a whole new attitude. Mr. Kelsey is also hoping that the township holds out and doesn't agree to opt into the Highlands and that the township still receives the grant that we were told that we were able to receive.

Mr. Watters stated that he read in the paper today that Senator Mike Dougerty stated that a lot of the people that voted for the Highlands are not pleased with the way that things have turned out and have reconsidered and are ready to abolish it.

Mr. Coppola stated that the grant from the Highlands was for \$65,000 and if we don't get the grant from this amount will need to be taken out of the townships surplus.

Mr. Jewell asked if the total amount of the bill was \$35,000 that needs to be paid.

Mr. Coppola stated that we still owe about \$10,000 and the rest was paid previously.

Ms. Campbell stated that if the work was done then the money must be paid.

Mr. Watters made a motion to reimburse Mr. Layton for his work that was done for the Highlands grant, which was seconded by Ms. Nerbak.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Nays: None  
Absent: None  
Abstain: None

Mr. Coppola stated that a bill was received from Harold Pellow and Associates and the Professional Services Contract has expired.

Mr. Watters stated that he believed that the work was completed and we should not get into a new contract.

Ms. Nerbak stated that this work for the parks Master Plan was not completed and that the Professional Services Contract needs to be renewed.

Mr. Coppola stated that he asked Patrolman MacDonough for prices for leasing a new police car and the interest rate for leasing a car is 7% so we should really put this in the note so that we are not incurring extra interest.

Mr. Coppola went through the changes for the budget that were requested by the Mayor the increase goes up to 6.7 cents to 6.9 cents almost 7 cents.

Mr. Coppola stated that Mr. Murdoch stated that at Tax Court the apartments stated that they would take a credit for their reduction and there is some research being done.

Mr. Coppola asked that we have a budget meeting prior to the next meeting at March 24, 2010 at 6:30.

Mayor Tomaszewski stated that he was in on Tuesday and he noticed that there was a bill from Caterpillar and wanted to know what it was for.

Mr. Coppola stated that they spoke to Caterpillar and they are reducing the bill by 25%.

#### CLERKS REPORT:

Ms. Hrebenak spoke about the new PA system for the meeting room to be used by the Planning Board, Township Committee, and the court.

#### ENGINEERS REPORT:

Mr. DiSessa stated that they are proceeding with the tax map revisions.

Mr. DiSessa also stated that he had a preconstruction meeting with WalMart.

Mr. DiSessa stated that he has registered for the Zoning Officials Class in the Spring.

Mr. DiSessa stated that there have been warnings issued to the business owners along Route 57 for additional signage.

PUBLIC PORTION:

Mr. Rick Heurich, Chief Mt Bethel Fire Company, the snow plowing on Mt. Bethel Road and there are concerns with getting the fireman to the firehouse with the snow and there were 8" of snow on the road prior to being plowed. Could the township committee please address this.

Mayor Tomaszewski stated that he would speak to Mr. Sliker tomorrow about this.  
Mrs. Heurich stated that there were 2 trucks coming out to plow at 2:30pm.

Mrs. Heurich also stated that there are a lot of stop signs that are down on Mitchell, Valley, and Park Roads.

Mr. Todd when is Comcast coming back to the township committee meeting.

Ms. Hrebenak stated that the Contract has not been accepted by the BPU and that she believes it would be after the contract is accepted and typically they come in April or May.

Mr. Todd asked Mr. Jewell about 1 or 2 years ago did he state that we needed to save money from the budget.

Jim Sperduto, Rockport Road, stated that there was a letter regarding the changing of the School Bus stop and this issue has been taken care of.

RESOLUTION:

2010-33  
RESOLUTION  
LIEN REDEMPTION

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 10<sup>th</sup> day of March 2010 that refund is to be made to the certificate holder as noted:

Robert Rothman  
411 Grand Avenue  
Englewood, NJ 07631  
Block 601.01 Lot 12  
Certificate # 2009-03  
\$32,941.78

Mr. Jewell made a motion to approve the passage of Resolution 2010-33, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski  
Nays: None  
Absent: None  
Abstain: None

2010-34  
RESOLUTION  
Return of Premium

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$1,000.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 10<sup>th</sup> day of March 2010 that the \$1,000.00 premium is to be returned to the certificate holder as noted:

| <i>CERTIFICATE HOLDER</i>                                 | <i>BLOCK/LOT</i> | <i>CERT #</i> |
|---|------------------|---------------|
| Robert Rothman<br>411 Grand Avenue<br>Englewood, NJ 07631 | 601.01/12        | 2009-03       |

Mr. Watters made a motion to approve the passage of Resolution 2010-34, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski  
Nays: None  
Absent: None  
Abstain: None

RESOLUTION No. 2010-35

FOR TRANSFER OF FUNDS

WHEREAS, there are insufficient funds in some of the 2009 budget line items; and

WHEREAS, it is permissible to transfer appropriation reserve funds before April 1, 2010.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following transfers be made:

| From              |          | To                |          |
|-------------------|----------|-------------------|----------|
| Tax Collector S&W | \$500.00 | Administration OE | \$705.00 |
| Planning Board OE | \$440.00 | Tax Collector OE  | \$235.00 |
| Total             | \$940.00 | Total             | \$940.00 |

Mr. Watters made a motion to approve the passage of Resolution 2010-35, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski  
Nays: None  
Absent: None  
Abstain: None

2010-36  
TOWNSHIP OF MANSFIELD  
Resolution Supporting Participation  
In the Sustainable Jersey™ Municipal Certification Program

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, Township of Mansfield strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, Township of Mansfield hereby acknowledges that the residents of Township of Mansfield desire a stable, sustainable future for themselves and future generations; and

WHEREAS, Township of Mansfield wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path Township of Mansfield is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of Township of Mansfield, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community:

NOW THEREFORE BE IT RESOLVED, that to focus attention and effort within Township of Mansfield on matters of sustainability, the Township of Mansfield Township Committee wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Township Committee of Township of Mansfield that we do hereby authorize Township Engineer, Drew DiSessa to serve as Township of Mansfield's agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf Township of Mansfield.

Mr. Watters made a motion to approve the Resolution 2010-36, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski  
Nays: None  
Absent: None  
Abstain: None

CAPITOL ORDINANCE:

Second Reading:

Mayor Tomaszewski opened the floor for public comment; seeing as there were no comments the public comment period was closed.

ORDINANCE NUMBER – CA-10-01

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY,  
AMENDING ORDINANCE CA 09-06 APPROPRIATING \$100,000 FOR ROAD CONSTRUCTION  
AND RECONSTRUCTION

WHEREAS, there is a need to improve various township roads;

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

1. The amount of \$19,000 appropriated from capital surplus in the general capital fund is hereby amended to \$19,027.14.
2. The amount of \$80,000 appropriated from the Capital Improvement Fund is hereby amended to \$80,972.86.
3. There is no debt incurred by this Ordinance.
4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Jewell made a motion to approve the passage of Capitol Ordinance 10-01 and requested that the results be advertised, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski  
Nays: None

Absent: None  
Abstain: None

Mayor Tomaszewski opened the public comment; seeing as there were no comments

ORDINANCE NUMBER – CA-10-02

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY,  
APPROPRIATING \$126,000 FOR EMERGENCY VEHICLES

WHEREAS, there is a need for emergency vehicles for the emergency squad and various fire departments of the Township of Mansfield;

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

1. The amount of \$111,364.29 is hereby appropriated from the Capital Improvement fund in the general capital fund.
2. The amount of \$14,635.71 is hereby appropriated from a reserve for emergency vehicles in the general capital fund.
3. There is no debt incurred by this Ordinance.
4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Watters made a motion to approve the passage of Capitol Ordinance 10-02 and requested that the results be advertised, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE

First Reading

ORDINANCE 2010-05

AN ORDINANCE TO AMEND ORDINANCE 01-97, ORDINANCE NO. 2002-23, AND ORDINANCE  
NO. 2009-06 OF THE TOWNSHIP OF  
MANSFIELD, WARREN COUNTY, NEW JERSEY,  
ESTABLISHING AN OPEN SPACE TRUST FUND

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren, New Jersey:



1. Ordinance No. 01-97, No. 2002-23, No. 2009-06 creating an Open Space Trust Fund, is hereby amended to read as follows:

**SECTION 3. FUNDING.**

The Municipal Open Space, Recreation and Farmland and Historic Preservation Trust Fund shall be funded through the dedication to the fund of an amount of \$.03 per \$100.00 of assessed valuation of each annual tax levy commencing with the year tax and budget year 2010. The Fund shall also be permitted to accept donations and testamentary bequests. The accumulated receipts and deposits within the Fund may be utilized for the purposes set forth in Section 1 and Section 2 herein. Any and all interest accruing shall be retained in and used for the same purposes as established in accordance with Section 1 and Section 2 herein.

2. All ordinances inconsistent with the foregoing, shall be deemed repealed by this Ordinance.

This Ordinance shall take effect immediately upon publication as provided by Law.

NOTICE IS HEREBY GIVEN, that the foregoing Ordinance was submitted, in writing, at a meeting of the Mayor and Township Committee of the Township of Mansfield, Warren County, New Jersey, held on the 10<sup>th</sup> day of March, 2010, and will be considered for final passage March 24, 2010 at 8 o'clock in the evening, prevailing time, at the Municipal Building in said Township, at which time and place a public hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning the same.

Ms. Nerbak made a motion to approve the ordinance with the change of 1 cent which would be dedicated for Recreation Expenses, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Ms. Nerbak  
Nays: Mr. Watters, Mayor Tomaszewski  
Absent: None  
Abstain: None

**Second Reading**

Mayor Tomaszewski opened the floor for public comment; seeing as there were none the public comment period was closed.

ORDINANCE 2010-04

AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING A NEW SECTION 3 SPORTS ACTIVITY REGISTRATION FEES

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren and State of New Jersey:

1. Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new Section-Sport Activity Registration Fees.
2. Chapter IIIA-12. Sports registration fees for participation of children in athletic programs of the Township of Mansfield shall be as follows:

(b) \$75.00 for football per child for the first two (2) children in the same sport the third child or more are free

3. This ordinance shall take effect immediately after passage.
4. Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Ms. Nerbak made a motion to approve the passage of Ordinance 2010-04 and requested that the results be advertised, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Jewell stated that the sign for Chestnut Street is down and needs to be repaired.

Mr. Watters had nothing to report.

Ms. Nerbak stated that she and Mr. Baldwin, Mr. Sliker, Mr. Cruts, Mr. Hedges met with Corey Stoner to go over the work at the park and this should go out to bid in about two to three weeks at the max.

Mr. Jewell stated that he got a hold of Mr. Mace and he had no answer for how much money needed to be put in the budget. Mr. Mace stated that the State did not require him to core drill Washburn Road. Mr. Jewell stated that Mr. Mace stated that the holiday schedule did not allow for the survey to be completed in December.

Mr. Jewell stated that the old Cat loader that we kept a couple of years ago the motor finally went.

Mr. Jewell stated that the 1979 dump truck just had bent valves so it was repairable.

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:

- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on March 10, 2010 that an Executive Session closed to the public shall be held on March 10, 2010 at 8:40 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.

Mr. Watters made a motion to take a five minute break at 8:30 and enter into Executive Session immediately following, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Return from Executive Session at 8:53.

Mr. Watters stated that he thinks that we are presently with Brown and Brown and we should remain with them until the end of the year and reevaluate.

Ms. Campbell stated that there was mention made to changing the Planning Board fees because there is a contract with the attorney and engineer with meeting fees and not hourly you can not bill the applicants.

Marvin Kocher, Clover Avenue, he had discussed with Mr. Jewell the county road should have a fire truck sign up in each direction on Anderson Road to give some warning that fire trucks can be entering the roadway from Butler Park Road.

Mr. Jewell stated that Mr. Disessa will be contacted the county for this issue.

Ms. Nerbak made a motion to adjourn at 9:08.