

TOWNSHIP OF MANSFIELD COMMITTEE MEETING

October 13, 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, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the minutes from the regular meeting held on September 22, 2010, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Ms. Harm reported that she started classes last week for budget and the requests for next year's budget will sent out to all department head tomorrow.

CLERKS REPORT:

Ms. Hrebenak stated that she had nothing to report other than the new recording system is in and seems to be functioning properly.

ENGINEERS REPORT:

Mr. DiSessa stated that he gave everyone a copy of the zoning report for last month.

Mr. DiSessa stated that the core reports came back and that the pricing was more in line with what we had figured.

Mr. DiSessa stated that at the last meeting there were discussions in reference to Heiser Road and the truck traffic and he took a ride out there and notice that there is no signage out on the road and no truck traffic warning signage. Mr. DiSessa stated that if the township committee would like he would look into what the township could do on this road.

The township committee advised that Mr. DiSessa should speak with the Chief in reference to this.

Mr. DiSessa stated that he spoke with the county in reference to Watters Road and they told him that this was on their list for next year, but since there are no accidents on this section of the road it will probably be low on the list.

Mr. Watters stated that there was an accident last week with the rain with a school bus.

Mr. DiSessa asked if this was reported to the police and if there was a report.

Mr. DiSessa stated that the report was received from the Direct Install Program and there are some items that were missing from the report and he has questioned them and they will be getting back to him within this week.

RESOLUTION:

RESOLUTION NO. 2010-90

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2010:

BE IT RESOLVED, that the following person to the following respective municipal offices and/or positions of the Township of Mansfield:

Acting Chief Financial Officer	Rebecca Harm
Tax/Finance Clerk	Joann Fascanelli
Deputy Treasurer	Joann Fascanelli

Mr. Jewell made a motion to approve the passage of Resolution 2010-90, which was seconded by Mr. Watters.

Mr. Kobert asked if we could go through the memo that was received from Dena Hrebenak about the salaries. Mr. Kobert stated that the minutes should reflect the salary changes.

Ms. Nerbak made a motion to amend the resolution to change Tax/Finance Clerk to Deputy Tax Collector, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION NO. 2010-91

WHEREAS, it is necessary to designate a custodian of petty cash in order to ensure internal controls over the use of the Petty Cash Fund; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that Rebecca Harm be designated as Custodian of Petty Cash.

Mr. Jewell made a motion to approve the passage of Resolution 2010-91, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION 2010-92

OFFICIALS AUTHORIZED TO SIGN CHECKS AND WARRANTS

BE IT RESOLVED, that each check and warrant of the Township be signed by two of the following and that they hereby are authorized to sign

- (1) Mayor, Ted Tomaszewski
- (2) Township Clerk, Dena Hrebenak
- (3) Acting Chief Financial Officer, Rebecca Harm

Mr. Watters made a motion to approve the passage of Resolution 2010-92, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Resolution 2010-93

RESOLUTION TO APPOINTING A MUNICIPAL HOUSING LIAISON OF THE TOWNSHIP OF
MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

WHEREAS, the Governing Body of the Township of Mansfield petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan on August 2, 2006 and

WHEREAS, the Township of Mansfield's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq., the Township of Mansfield is required to appoint a Municipal Housing Liaison for the administration of the Township of Mansfield's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

Ms. Nerbak made a motion to approve the passage of Resolution 2010-94, which was seconded by Mr. Baldwin.

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

Mayor Tomaszewski read Resolution 2010-95 into the minutes;

Resolution
2010-95

WHEREAS, Patrolman Jeffrey R. Conklin was born on December 26, 1978; and

WHEREAS, Patrolman Jeffrey R. Conklin graduated from St. Peters College with a Bachelor of Arts degree, and graduated from the Trenton Police Academy on July 11, 2003, Patrolman Conklin was then hired by Hunterdon Co. Sheriff's Dept.; and

WHEREAS, on January 3, 2005 the Township of Mansfield hired Jeffrey Conklin as a Patrolman; and

WHEREAS, while serving the past five years with the township Patrolman Conklin received many letters of thanks and sincere appreciation for his dedicated service; and

WHEREAS, Patrolman Conklin was also awarded the Medal of Honor, which is given for an outstanding act in the line of duty, by the Township of Mansfield on February 11, 2009 for his ability to coax a suspect of a possible double homicide out of a building; and

WHEREAS, Patrolman Conklin was a courageous police officer who loved his family, and friends; and

WHEREAS, it is appropriate and fitting for the Committee of the Township of Mansfield, Warren County, New Jersey, to mourn the passing of Patrolman Jeffrey R. Conklin, and our thoughts and deepest sympathy are extended to his family and friends, as they mourn their loss, and honor his memory

NOW THEREFORE BE IT RESOLVED, the Township Committee will have a moment of silence to honor the memory of Patrolman Jeffrey R. Conklin; and extend sincerest sympathy to all of his fellow officers, past and present coworkers who all mourn his passing on September 13, 2010.

Ms. Nerbak made a motion to approve Resolution 2010-95, which was seconded by Mr. Baldwin

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

Mayor Tomaszewski called for a moment of silence in honor of Jeffrey Conklin.

CHIEFS REPORT:

Chief Ort stated that the estimate was received from J&D for the Durango and it is totaled.

Chief Ort stated that the last couple of times that the cars were totaled we towed the cars to the township garage and the equipment was removed and stored and then the vehicles were taken away by the insurance company.

Mayor Tomaszewski stated that he decided to sign the purchase order for the Tahoe after the Durango was in the accident. Mayor Tomaszewski stated that he and Chief Ort feel this is the best vehicle for the police instead of the smaller SUV.

Chief Ort stated that the dealer for the Ford Edge stated that there have been no sales of this vehicle have been for a marked car.

Mr. Baldwin asked if there was a possibility of purchasing a Crown Victoria with the check from the insurance company.

Mr. Baldwin made a motion to purchase a Crown Victoria if the Durango is totaled through the insurance company, which was seconded by Ms. Nerbak.

Ayes: Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: Mr. Jewell, Mr. Watters

Absent: None

Abstain: None

Mr. Kobert suggested that we deal with the Tahoe first.

Ms. Nerbak made a motion to approve the purchase of the Tahoe in the amount of \$28,349.10, which was seconded by Mr. Jewell

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

Nays: Mr. Watters

Absent: None

Abstain: None

Mr. Kobert stated that the Chief was asked for information about a certain member of the police department and this information cannot be requested without a rice notice being issued.

PAYMENT OF BILLS:

Ms. Nerbak made a motion to approve the bill list and addendum, which was seconded by Mr. Baldwin.

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

Nays: Mr. Watters

Absent: None

Abstain: None

ORDINANCE:

First Reading:

Mayor Tomaszewski introduced Ordinance 2010-16;

ORDINANCE 2010-16

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 1401, LOT 8.

WHEREAS, the Township of Mansfield is the owner of certain real property known as Block 1401, Lot 8; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-21 authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by private sale for nominal consideration to certain organizations defined within the statute; and

WHEREAS, said property is not needed for public use, and the Township Committee has determined that it is in the best interest of the Township to sell the property; and

WHEREAS, said property is a non-buildable property which is wetland encumbered and therefore is of little or no resale value; and

WHEREAS, the Heritage Conservancy is a not-for-profit organization dedicated to natural and historic preservation, and therefore, the Heritage Conservancy is a qualified organization pursuant to N.J.S.A. 40A:12-21, Sections (f) and (k); and

WHEREAS, Heritage Conservancy is currently the owner of the property directly adjacent to Block 1401, Lot 8; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that:

1. The property known as Block 1401, Lot 8 shall be offered for sale for one dollar (\$1.00) to the Heritage Conservancy, pursuant to N.J.S.A. 40A:12-21.

2. The deed transferring the property shall be a quit claim deed containing a limitation, as required by N.J.S.A. 40A:12-21, that such land shall be used only for purposes of the Heritage Conservancy, and to render such services or to provide such facilities for use by the Heritage Conservancy, and not for commercial business, trade or manufacture, and that, unless waived, released or modified, or subordinated pursuant to N.J.S.A. 40:60-51.2, if said lands are not used in accordance with said limitation, title thereto shall revert to the municipality without any entry or reentry made thereon behalf of the municipality.

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

Mr. Watters made a motion to approve the introduction of Ordinance 2010-16 and requested that the public hearing be held on October 27, 2010 at 8pm, which was seconded by Ms. Nerbak.

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

Mayor Tomaszewski introduced Ordinance 2010-17;

ORDINANCE NO. 2010-17

AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARIES AND COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARIES AND COMPENSATION.

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

The salaries ranges per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:

Acting CFO	\$9,000 to \$11,045
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Ms. Nerbak made a motion to introduce Ordinance 2010-17 and requested that the public hearing be held on October 27, 2010 at 8pm, which was seconded by Mr. Jewell.

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

PUBLIC PORTION:

Mr. Todd, Washburn Road, explained to the Township Committee that as he had discussed with the township committee last year the drainage on Washburn Road is not up to par and it never should have been signed off on.

Mayor Tomaszewski stated that he could have Mr. DiSessa meet Mr. Todd and they could go over what the drainage is and the issues that are happening.

Mr. DiSessa asked Mr. Todd if there is a flooding problem at this problem.

Mr. Todd stated that the pipe was installed uphill and there is a sediment issue and there is no way the drain is working.

Mr. DiSessa stated that he will go out and look at this.

Mrs. Averal brought in the information for the bill for S286 Banking Integrity ACT 2009. Mrs. Averal explained that this will put an end to the banking mixing money. Asked the committee to pass a resolution in support of this and send to our congressman.

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that Joann Fascenelli sent a memo in reference to having a clothing box here at the municipal building.

Ms. Nerbak made a motion to approve having a Millenium Textile dumpster at the municipal building, which was seconded by Mr. Jewell.

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

Ms. Nerbak stated that she read an article in the Express last week in reference to the shared court and she understands that there was a press conference here in the municipal building and she was a little upset that she was not notified.

Mr. Baldwin stated that he was the person who started the shared court in Mansfield and that worked the shared court through and he was upset that he was not even invited to attend after all of his efforts. He spent a lot of time on all of this including going to Somerset County to the AOC.

Mr. Baldwin stated that he also started the Warren Morris Council of Government to cover all of shared service agreements.

Mr. Baldwin stated that this is a good example of why Andrew left the township because of how this has been handled.

Mr. Baldwin also asked about whether the DPW position would be filled for the person that retired.

Mr. Tomaszewski stated that at this time he believes that we should not hire anyone for this position.

Mr. Jewell proposed that we get a list of people that could come in to plow part time when needed.

Mr. Kobert asked if this is something that we could advertise to have a list together for when there is snow if needed.

The township committee agreed that the attorney should research if this is something that can be done with the Teamsters Union.

Mr. Jewell stated that there was a letter from Mr. Sliker about the trees that are down on the lines.

Ms. Hrebenak stated that she would call the PUC and report that the calls have been made and there has been nothing that has been done.

Ms. Nerbak asked about the memo in reference to Hance's Brook and the culvert repair.

Mr. Kobert stated that he spoke with Mr. DiSessa and that we will need to go back to the county and speak with them about the maintenance.

Mayor Tomaszewski stated that we were advised by Hackettstown that they will be pulling out of the Wash bay agreement.

Mr. Kobert stated that they will be able to use the County Wash Bay for a lot less money then what they are paying the township.

Mr. Watters stated that he spoke with Scott Cruets today about the fact that Washington Township and Washington Boro were allowed to play and why we were not allowed to play on the field.

Ms. Nerbak asked about the letter that was sent from Mr. Sliker in reference to Donaldson's property and the drainage and the request for a letter to be sent to Mr. Donaldson.

Mayor Tomaszewski stated that there was a bill received a copy of a bill from the Mansfield Township Fire Company #1 for the well pump \$2516 and there was a discount of \$500, they are requesting that township assist with this bill.

Mr. Kobert stated that the bill should not have been paid before they asked for the money.

Ms. Nerbak stated that she felt that we should pay a portion of this.

Ayes: None

Nays: Mr. Jewell, Mr. Watters, Ms. Nerbak, Mr. Baldwin, Mayor Tomaszewski no.

Absent: None

Abstain: None

Mr. Watters made a motion to adjourn at 9:00pm.