

TOWNSHIP OF MANSFIELD COMMITTEE MEETING

October 27, 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. Jewell made a motion to approve the minutes from the regular meeting held on October 13, 2010 with corrections, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mrs. Harm stated that budget requests have been given to all of the department heads and that memos have gone out to cut off spending as of November 1, 2010.

Mr. Baldwin asked where we stand with the contracts for the fire companies because they expire at the end of this year.

Mrs. Harm stated that she was unsure and that she would look into this.

CLERKS REPORT:

Ms. Hrebenak stated that she had given all of the committee members a copy of the contract from Hackettstown for shared fire prevention and that there were a couple of items that needed to be reviewed and possibly changed, and if there is anything that anyone sees that they would like to see changed please contact her.

Ms. Hrebenak also stated that she has an application for a raffle license for April 7, 2011 for the Mansfield PTA it is for a tricky tray and also an application for a 50/50 all items are in order so a motion is needed to approve the license.

Mr. Baldwin made a motion to approve the raffle licenses for Mansfield PTA, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak explained to the township committee that the Durango has been totaled out by the insurance company and explained that the insurance company would be paying the township \$10,161.21 for the Durango and the rest would be paid out to Ford for the last lease payment. The insurance company will be sending a check in the amount of \$12,950.02 for the Crown Victoria that was also totaled out.

Mayor Tomaszewski asked if there were any outstanding lease payments on the Crown Vic.

Ms. Hrebenak stated that there are not any payments that need to be made for the Crown Vic.

CHIEFS REPORT:

Chief Ort stated that since the last meeting we lost another vehicle, so he went out for some quotes for whatever vehicles are available at this time. All committee members were given copies of the quotes for review. Winter Ford's price includes the light bar but the pricing from Warnock and Route 23 Auto Mall does not include the light bar.

Mr. Baldwin asked if this was State Contract pricing.

Chief Ort stated that Winter Ford is state bid, Warnock is Morris County Coop and the other price would have to be bid.

Mr. Baldwin asked where we were at with the vehicle and if the Tahoe was ordered.

Chief Ort stated that the Tahoe was ordered and should be in by December.

Mr. Baldwin asked where we stood with money to purchase a new vehicle.

Mrs. Harm stated that the insurance money could not be used to purchase another vehicle because the Durango was purchased through the Capitol budget.

Chief Ort stated that the money to purchase the equipment for the vehicle could be taken out of Capitol.

Chief Ort stated that there is about \$7900 in the budget to lease a vehicle.

Mr. Baldwin stated that we should order a lease vehicle if there is money in the budget.

Chief Ort stated that at this point the vehicles that are being used are getting about 3,000 miles put on them per week.

Mayor Tomaszewski asked why the old Durango is not being used.

Chief Ort stated that it is used when needed, but most of the officers do not feel that the Durango is safe.

Mayor Tomaszewski asked what the problem is with the vehicle.

Chief Ort stated that he has driven it and the check engine light was flashing and the other officers believe that it rattles and has 103,000 miles on it. Chief Ort also stated that at this point if there are three officers on a shift they are using the detective's car which is unmarked. Chief Ort stated that right now 28-17 has 95,000 miles on it and 28-10 has 65,000 miles on it and the detective's car has 98,000 miles on it.

Mayor Tomaszewski asked that the Durango be taken to Frank Buccini to be looked over to make sure that it is safe.

Mr. Jewell asked if the price from Warnock includes a light bar.

Chief Ort stated that this price does not include the light bar and that the township has one that can be installed on this vehicle.

Mr. Jewell asked what the labor cost would be for the install of the equipment.

Chief Ort stated that the install for the equipment would be about \$5,000 for the video equipment, computer and the light bar.

Mr. Jewell stated that it seems that the best price would be from Warnock.

Ms. Nerbak agreed that Warnock would be the best option.

Mr. Baldwin agreed that we should move forward with the lease from Warnock.

Mr. Jewell asked Mrs. Harm if the money from the insurance company could be put into the budget to lease another vehicle.

Mrs. Harm stated that the lease would need to be included in the budget next year and that the insurance money from this year would go into the surplus account.

Mr. Jewell made a motion to lease the vehicle from Warnock \$24,169.70 through the Morris County Co op, which was seconded by Mr. Baldwin.

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

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

Mr. Watters asked if the work could be bid out for the equipment installation.

Chief Ort stated that this is something that we could bid out at this time we have been using Major Supply in Roxbury.

Mr. Watters asked Chief Ort where would he bid.

Chief Ort stated that he would get pricing from Major Supply, Spectrum, and M&W.

Mr. Watters asked if these are the only people that can be used.

Chief Ort stated that these are the only ones that he knows of that do this work, but that he knows that Hackettstown uses the place on Main Street in Hackettstown to do all of their cars, but he is not sure if they do the repairs or if they do the installs. The only companies that can install the camera are Major Supply, Spectrum, and M&W.

Mr. Watters stated that he has been working to get a vehicle purchased through donations from local businesses he feels that he is 50% there but if we are purchasing a car maybe he will stop working on this.

Chief Ort stated that right now every squad that has three officers on it is using the unmarked vehicle and we are 30.5 square miles so we are averaging about 100 miles per shift per officer.

Mr. Baldwin stated that he commended Mr. Watters for taking the initiative to try to get another vehicle for the police department and suggested that he continues so that maybe we could get another car so that the township would not need to purchase one out of next year's budget.

Chief Ort advised that there are two officers out at this point for medical reasons.

Chief Ort stated that he got a price from decal zone for the decals on the new cars \$260 per vehicle.

ENGINEERS REPORT:

Mr. DiSessa stated that the Washburn Road core results were sent to the DOT with the request to process the close out for the job.

Mr. DiSessa stated that he has spoken with HT Lyons for the Direct Install program and asked him to update the estimate to include the scope of work that was included in the energy audit.

Mayor Tomaszewski asked if anything has happened with the detention basin off of Blau Road.

Mr. DiSessa stated that it seems to be working since it was cleaned out but he is monitoring it to see how it works out.

Mr. Watters asked what is going on with the Hance's Brook bridge that the road department had to clean out.

Mr. DiSessa stated that he is playing phone tag with the county in reference to this to see who owns this and whose responsibility it is to maintain this so nothing has been done as of yet.

Mr. Jewell asked Mr. DiSessa if he was able to meet with Mr. Todd in reference to the drainage issue.

Mr. DiSessa stated that he did look at the spot that is in question, but that he has not been able to meet up with Mr. Todd yet. Mr. DiSessa stated that he did not see any issue with the drainage and would like to have Mr. Todd show him what he is talking about. Mr. DiSessa stated that he did not see any major issues and that all of the drainage pipes that he looked through did not have any siltation. Mr. DiSessa stated that his preliminary review is that there is nothing major but that he was going to meet with Mr. Todd to see what he is referencing.

PUBLIC PORTION:

Linda Del Rio stated that she had inquired about purchasing township property and has heard nothing about it.

Ms. Hrebenak stated that she would contact Ms. Del Rio in reference to this property.

PAYMENT OF BILLS:

Mayor Tomaszewski asked what the fees were for Shongum Sportsman's Assoc. and stated that he had asked Mrs. Fascanelli to look up previous bills and there were none.

Mr. Jewell stated that this was discussed at the budget meetings this year and also at the meeting that the committee discussed the range that was supposed to go into the brickyard.

Mr. Watters and Mayor Tomaszewski did recollect this being discussed.

Mayor Tomaszewski asked how many times the officers are required to qualify.

Chief Ort stated that all of the officers are required to qualify two times daytime, two times at nighttime with their handguns, and with the rifle quarterly which is required by the State Attorney General guidelines.

Mr. Baldwin asked if the police department is now equipped with all of the rifles.

Chief Ort stated that we received a donation from the prosecutor's office for the rest of the rifles.

Mr. Baldwin stated that he made a number of phone calls in reference to the rifle donations and he is glad to see that it paid off.

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

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

Nays: None
Absent: None
Abstain: None

ORDINANCE:

First Reading:

Mayor Tomaszewski introduced Ordinance 2010-18 as follows;

ORDINANCE 2010-18

AN ORDINANCE TO AMEND THE GENERAL CODE OF THE TOWNSHIP OF MANSFIELD,
CHAPTER 2, ARTICLE 35 – OPEN SPACE, FARMLAND PRESERVATION, CONSERVATION,
HISTORICAL, AND RECREATION ADVISORY COMMITTEE

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield:

Section 2-35.3 Membership shall be amended as follows:

- a. The Committee shall be comprised of seven (7) members appointed on a staggered term basis, one (1) four year term, two (2) three year terms, two (2) two year terms, two (2) one year terms, by the Mayor and Township Committee

Section Two: This Ordinance shall take effect upon the publication of notice of final adoption as provided by law.

Ms. Nerbak made a motion to introduce Ordinance 2010-18 and requested that the public hearing be set for November 10 at 8pm and be advertised, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Second Reading:

Mayor Tomaszewski opened the floor for public comment on Ordinance 2010-16; seeing as there were no comments the public comment period was closed.

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, is 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.

Ms. Nerbak made a motion to approve the passage of Ordinance 2010-16 and requested that the results be advertised, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: Mr. Jewell

Mayor Tomaszewski opened the floor for public comment on Ordinance 2010-17; seeing as there were no comments the public comment period was closed.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION:

RESOLUTION NO. 2010-96

AN RESOLUTION 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 RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

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

Joann Fascanelli-Deputy Tax Collector	\$28,000 starting on October 7, 2010
Joseph Mathews-Police Officer	\$30,000 starting on October 1, 2010
Harry Appleby Jr.-Machinery Operator	\$40,000 starting July 1, 2010

BE IT FURTHER RESOLVED, that salaries are to be paid in accordance with Salary Ordinance – Ordinance 2008-01, which was adopted by Mansfield Township Committee on Jan. 23, 2008.

Mr. Jewell made a motion to approve the passage of Resolution 2010-96, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: Mr. Baldwin

RESOLUTION NO. 2010-97

AN RESOLUTION 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 RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

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

Rebecca Harm-Acting Chief Financial Officer	\$10,041 starting on October 4, 2010
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BE IT FURTHER RESOLVED, that salaries are to be paid in accordance with Salary Ordinance – Ordinance 2010-17, which was adopted by Mansfield Township Committee on October 27, 2010.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2010-97, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: Mr. Baldwin

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that she was forwarded an email that was sent to Mr. Sliker and Mr. Hedges and that she would like to read it into the minutes.

“Dear Steve and Brent,

We wrapped up our hockey season this weekend with Games on Sat and Sunday. Saturday at home was as good a fall day as could be had. Frank Spender of Independence brought a team over (to beat us, but that is not the point). You may know he runs and in some cases personally built the Field of Dreams facility on Cemetery Road. He could not get over the condition of our field. With his confirmation I feel confident declaring it the best in the county. We also had games in Morris, Sussex, Somerset and they could not come close either.

It makes a difference to the kids to play on a beautiful and safe field. Thank you again for making it happen.

Sincerely,

Diane Margolin”

Mr. Baldwin asked what was done for Everett when he retired.

Ms. Hrebenak stated that a letter was sent to him.

Mr. Baldwin asked for a copy of the letter.

Mr. Baldwin stated that he spoke with Ms. Hrebenak this today in reference to the Middlesex County Co Op we have been waiting for confirmation that we were accepted into the co op and Ms. Hrebenak advised him that we were accepted, but that the state still needed to approve this. Mr. Baldwin stated that he would like to make a motion to purchase the tractor through the co op as soon as we are approved by the state.

Mr. Baldwin made a motion that Mr. Sliker can order the tractor through the coop, which was seconded by Ms. Nerbak.

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

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

Mr. Baldwin asked where we stand with the drainage issue that Mr. Sliker had concerns with on Airport Road.

Mr. DiSessa stated that he met Mr. Sliker at the property and the drainage issue is due to the work that was done by the property owner, so he would like to send a letter to the property owner if this is ok with the committee.

The Township Committee agreed that a letter should be issued.

Mr. Baldwin stated that there have been two accidents with township vehicles and he feel that it is the Mayor obligation to let the rest of the Committee members know prior to a call being received from the newspapers or hear it off the street.

Mayor Tomaszewski stated that he contacted Mr. Jewell the Co Chair for the police department and that if he had made contact with the whole committee he would have violated the Sunshine law.

Ms. Nerbak stated that he should call Ms. Hrebenak so that she can let the rest of the committee know, because it looks pretty sad when a committee member does not know what is going on when it is our vehicle and our employee.

Mr. Watters stated that the papers were right on the accident and that he received a phone call also prior to knowing what was going on.

Mr. Baldwin stated that he felt that this is something that the whole committee should know.

Ms. Nerbak stated that a letter was received from Joann Fascanelli in reference to the shredding event and that this year we had over a ton more paper that was shredded. Ms. Nerbak thanked Mrs. Fascanelli for her efforts and stated that this is a great event.

Ms. Nerbak stated that she understands that the Green Team is looking for a list of businesses and the Economic Development committee has a list and she will give the list to someone from the Green Team.

Mr. Baldwin stated that he sees that there are prices for the tanks to be abandoned.

Ms. Hrebenak stated that the Fire Inspector from the State is at this point going to start issuing fines so this needs to be taken care of.

Mr. Watters stated that he was under the impression that we were going to get new quotes.

Mr. Jewell stated that only one bid shows the soil samples.

Ms. Hrebenak stated that she spoke to Mr. Sliker and he called the companies and the prices have not changed.

Ms. Hrebenak stated that through speaking to the building inspector if the tank does not show leakage there is not a requirement for soil samples.

Mr. Baldwin asked if the money was put in the budget for this work.

Ms. Hrebenak stated that the money was included in the budget, but she was unsure as to where the money was placed.

Ms. Nerbak made a motion to approve Norton to clean the fuel tanks in the amount of \$3200 dollars and if soil samples are needed if the money is available, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mr. Watters stated that there is one gentleman that is interested in the snowplowing with a CDL and has had previously worked for the DPW and is retired so he would be available when needed.

Ms. Hrebenak asked if there was any requirement to advertise.

Mr. Baldwin asked if a decision was reached in the pay for the part time plowing work.

Ms. Hrebenak and Mrs. Harm stated that it is a little over \$17.

Mr. Baldwin stated that he still thinks that we should hire another person for the DPW department. Mr. Baldwin also stated that he doesn't understand how when someone was going to be laid off that was a catastrophe, but now that we have had someone retire we are not filling the position.

Mr. Wenner, Esq stated that he would look into this and speak with the clerk.

Mr. Jewell stated that he received a letter from the Construction Official from Washington Township, Warren County asking why there was not another meeting scheduled to discuss the contract and counter offer and he asked how to his knowledge the contract ends January 31 or March 31.

Mr. Baldwin stated that a six month notice was issued to Washington Township, Warren County in June.

Mr. Baldwin made a motion to adjourn at 8:27.

Respectfully Submitted,

Dena Hrebenak, RMC