

MANSFIELD TOWNSHIP COMMITTEE MEETING

March 23, 2011

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, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters stated that on the top of page two it is listed that the police gas usage was over 800 gallons and it was actually almost 3000 gallons.

Ms. Nerbak stated that on page nine under committee person comments it is supposed to say that the Recreation Commission elected Glen Wilkinson as the Recreation Commission President, Diane Margolin as the Vice President, and Stephanie Dittmar as the Recreation Commission Secretary.

Mr. Clancy made a motion to approve the minutes from the meeting held on March 9, 2011 with the changes, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Ms. Nerbak asked about the bill listed on page 5 which was an oil drum and what was this used for.

Mr. Smith explained that this is used for the oil changes for the DPW trucks and that it is bought in bulk for cost effectiveness.

Mr. Watters asked what pump it was that needed to be shimmed up by Celiano on page six was this in the heating and cooling system.

Ms. Hrebenak stated that it was in the heating and cooling system.

Mrs. Fascanelli explained the invoice for this work and that this was on the main pump.

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

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mrs. Fascenelli stated that on March 17 herself, Mrs. Harm, and Mr. Smith met with Sunoco about the gas cards and the possibilities for the police gas.

Mrs. Fascenelli stated that she contacted our gas company and they gave her a company that could repair our current system. She stated that she then contacted that company today and requested a quote to repair the system.

Mrs. Fascenelli also stated that she contacted the police site that deals with police grants to see if there was a grant available for this type of work on the gas tanks and there is not.

Mrs. Fascenelli stated that the timeclock will be installed tomorrow and a training session will be scheduled and the payroll will start with the new company for the April 8th paychecks.

Ms. Fascenelli stated that she also has something that needs to be discussed in Executive Session.

CLERKS REPORT:

Ms. Hrebenak stated that the Recreation Farm bids were received and that there were two bids one was from the person that is currently farming the property, Ed Behre and the amount is \$50.00 per acre and the other is from R Hengst Farms and the amount bid is \$80 per acre. Ms. Hrebenak stated that a motion would be needed to award or reject the bids.

Mayor Tomaszewski asked if it was only the two that were received.

Ms. Hrebenak stated that the two were the only ones that were received.

Mr. Smith asked Mr. Watters if \$80 was a good bid.

Mr. Watters stated that it was good and that the county had suggested \$65 per acre.

Mr. Behre stated that he would like to speak.

Mayor Tomaszewski stated that we would wait to take action on this until after the public portion, so that Mr. Behre can speak.

Ms. Hrebenak stated that we received today the Meadows at Mansfield extension for the Treatment works permit and it was extended until February 21, 2012.

ENGINEERS REPORT:

Mr. DiSessa stated that the HVAC work is underway and is about 50% complete within the municipal building and will be going into the commissioning period next week.

Mr. DiSessa stated that the lighting portion of the work will be starting as soon as the company receives all of the lighting fixtures, so this should be soon.

Mr. DiSessa stated that he and Mr. Sliker had a meeting with the NJ DEP about the Stormwater Management and we are in good shape with this.

Executive Session 7:42, personnel, collective bargaining agreements

Return from Executive Session at 8:33

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

CHIEFS REPORT:

Chief Ort stated that gas that was discussed at the last meeting he had generated a report to go over the hours worked and the gas usage.

Chief Ort explained that Patrolman Hikade had just gased up and Patrolman Gilbert was enroute to gas up when Mr. Watters came here and saw that the lock was off.

Chief Ort asked Mr. Watters if he had any questions no that he has all of the information.

Mr. Watters stated that he has no questions.

Mr. Watters stated that he just stated that the amount of gas that was used in a forty five day period there was about 3000 gallons of gas used and the lock was off the tank when he came to the municipal building.

RESOLUTION:

RESOLUTION # 2011 –41
REFUND OF RECREATION REGISTRATION
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Jodi Sergeant issued credit against her credit card on 11/19/10 in the amount of \$ 130.00 for basketball registration with the Township of Mansfield, County of Warren,
WHEREAS, only one child participated in basketball,
NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to refund the amount of \$ 65.00 to Jodi Sergeant.

Ms. Nerbak made a motion to approve Resolution 2011-41, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION NO. 2011-43

A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING THE PLACEMENT OF "STEEP GRADE" SIGNS AND "USE LOWER GEAR" SIGNS ON HEISER
ROAD

WHEREAS, a portion of Heiser Road consists of a steep grade which poses a safety risk to unsuspecting travelers, particularly truck drivers; and

WHEREAS, the Township Committee has determined that it is in the best interest of said travelers to alert them to the presence of the steep grade on Heiser Road by the placement of a "Steep Grade" sign and the placement of a "Use Lower Gear" sign on Heiser Road; and

WHEREAS, the placement of said signs can be accomplished by resolution as said signs are not subject to Title 39 of the New Jersey Statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, that a "Steep Grade Sign" shall be placed thirty (30) feet south of the speed limit sign located fifty (50) feet south of Waters Road.

BE IT FURTHER RESOLVED that a "Use Lower Gear" sign shall be placed directly beneath the "Steep Grade Sign" located on Heiser Road.

If any section or provision of this Resolution shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Resolution, except so far as the section of the provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Mr. Watters made a motion to approve the passage of Resolution 2011-43, which was seconded by Mr. Clancy.

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

RESOLUTION 2011-44

WHEREAS, The Township of Mansfield Committee of the Township of Mansfield, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Township of Mansfield Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Mansfield Committee has applied for funding to the Governor's Council on alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of Mansfield, County of Warren, State of New Jersey hereby recognizes the following:

- The Township of Mansfield Committee does hereby authorize submission of an application for the Mansfield Township Municipal alliance grant for calendar year 2011 in the amount of \$ 7,402.00.
- The Township of Mansfield Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Ms. Nerbak made a motion to approve the passage of Resolution 2011-44, which was seconded by Mr. Clancy.

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

Absent: None
Abstain: None

RESOLUTION # 2011 –45
REFUND OF RECREATION REGISTRATION
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Melanie Pagan issued checks on 11/08/10 in the amount of \$ 130.00 for basketball registration with the Township of Mansfield, County of Warren,
WHEREAS, her children did not participate in basketball,
NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to refund the amount of \$ 130.00 to Melanie Pagan.

Ms. Nerbak made a motion to approve the passage of Resolution 2011-45, which was seconded by Mr. Clancy.

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

ORDINANCE:

First Reading

Mayor Tomaszewski introduced Ordinance 2011-06;

ORDINANCE 2011-06

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF
WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING
CHAPTER 7, "TRAFFIC" ARTICLE 29, "SPEED LIMITS"

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Township of Mansfield, County of Warren, State of New Jersey, that Chapter 7, "Traffic" Article 29, "Speed Limits" of the Code of the Township of Mansfield shall be amended as follows:

Section 1

Provisions of the speed limit ordinance are hereby amended to include the following:

Name of Street Direction Speed Limit and Location

Heiser Road	Both	30 MPH	50 feet north of its intersection with Route 57 and 50 feet south of the intersection with Waters Road
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Pequest Road	Both	40 MPH	50 feet east of the intersection with Oxford
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Road, and 50 feet west of the intersection with Janes Chapel Road

Section 2

This ordinance shall take effect immediately after passage.

Section 3

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Ms. Nerbak made a motion to introduce Ordinance 2011-06 and requested the public hearing be held on April 11, 2011 and be advertised, which was seconded by Mr. Watters.

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

Second Reading

Mayor Tomaszewski opened the public comment period for Ordinance 2011-04:

Mr. Jewell, Port Murray, asked why the ordinance names the DPW workers as machine operators and asked if there are different classifications within the DPW now.

Ms. Hrebenak stated that this is the way that it was listed in the 2008 salary ordinance and that there are not different classifications this covers all of the DPW workers except the Supervisor and Assistant Supervisor.

Mayor Tomaszewski asked if there were any other comments on this ordinance, seeing that there were none the public comment portion was closed.

ORDINANCE NO. 2011-04

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

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:

Machine Operator	\$30,000 - \$55,000
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This Ordinance shall take effect immediately upon publication as provided by Law.

Mayor Tomaszewski made a motion to approve the passage of Ordinance 2011-04 and requested that the results be advertised, which was seconded by Mr. Watters.

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

RESOLUTION NO. 2011-42

MANSFIELD TOWNSHIP DEPARTMENT OF PUBLIC WORKS

2011 SALARIES

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mansfield, Warren County, New Jersey, that the Salaries for the Department of Public Works for the period beginning January 1, 2011 through December 31, 2011 shall be as follows:

Keith Beam	\$49,500
John Tate	\$49,500
Harry Appleby, Jr.	\$49,500
Ed Watters	\$49,500
Ron Richardson	\$49,500

BE IT FURTHER RESOLVED, that salaries are to be paid in accordance with Salary Ordinance No. 2011-04, which was adopted by the Mansfield Township Committee on March 23, 2011.

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Acting Chief Financial Officer shall be hereby authorized to pay the foregoing salaries commencing January 1, 2011.

Mr. Watters made a motion to approve the passage of Resolution 2011-42, which was seconded by Mayor Tomaszewski.

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

Don Profrach, 50 Slope Drive, questioned why this ordinance needs to be passed with a budget of \$4,000,000 can't the township come up with this money instead of having to pass this ordinance.

Ms. Hrebenak explained that this Ordinance is something that the township statutorily can pass, but that this does not mean that there will be a need to use the extra 1.5%.

2011-05
CALENDAR YEAR 2011 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to

3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.5 % increase in the budget for said year, amounting to \$59,102.68 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 137,906.25 and that the CY 2011 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Clancy made a motion to approve the passage of Ordinance 2011-05 and requested that the results be advertised, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

Ed Behre, Port Murray, asked why he was not notified that the farm was going to be leased.

Ed Behre stated that there is a conflict of interest for the farm property with the highest bidder.

Bill Shade, Janes Chapel road, snowplowing has improved this year and is much better. Mr. Shade stated that there is a need for improvement there is a lack of rock salt for ice and the grit is not helping with the conditions of the roads. Many previous years his mailbox has been destroyed and he fixed it. He filed a report with the police department and fixed it himself. Mr. Shade stated that the mailbox was knocked down again on Monday and he spoke with the snowplow driver who explained that he would fix the mailbox that day. Mr. Shade spoke with the mayor and the snowplow operator came out and repaired the mailbox, but it is very flimsy and the mailman will knock it over.

Mr. Smith stated that he would speak with Mr. Sliker about getting the mailbox fixed.

COMMITTEE PERSON COMMENTS:

Mr. Smith made a motion to accept the highest bid of \$80.00 per acre from R. Hengst Farm for the Recreation farm lease, which was seconded by Mayor Tomaszewski.

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

Nays: Ms. Nerbak

Absent: None

Abstain: None

Ms. Nerbak made a motion to reconsider the use of the time clock machines stating that when she voted yes she was not clear on what was being done and when she thought about it this is an insult to the employees being that all of the employees have been with the township for more than 3 years and are all salaried employees.

Ms. Nerbak stated that the Recreation Park will be having an opening day and ribbon cutting April 16 10am and the girl scouts are hosting the event.

Mr. Watters made a motion to adjourn at 9:10.