

MANSFIELD TOWNSHIP COMMITTEE MEETING

September 14, 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 made a motion to approve the minutes from the regular meeting held on August 24, 2011, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: Mr. Clancy

PAYMENT OF BILLS:

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

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mrs. Fascenelli stated that the tax sale is scheduled for September 19 at 9:30 am and there are about 34 properties and they are hopeful to get some of them off prior to the sale.

Mrs. Fascenelli stated that the Best Practices Survey was completed and submitted early and there are a couple of items that Mrs. Harm, herself and Ms. Hrebenak are working on.

Mrs. Fascenelli asked how often the Township Committee would like to get the financial report.

The Township Committee agreed that quarterly would be good.

Mrs. Fascenelli asked that the Committee was also given information on the flexible savings accounts, which is something new and the Acting CFO wanted to get the Committees approval to offer this to the employees.

The Committee agreed that if there is no cost to the Township that this could be offered to the employees.

Mrs. Fascenelli asked that the Township Committee set up a subcommittee for the property auction.

Mayor Tomaszewski stated that he would like to be on the subcommittee and Mr. Watters stated that he would try to be available for this.

Mrs. Fascenelli stated that she spoke with JCP&L about separately billing the Mansfield Township Fire Companies bill.

Mayor Tomaszewski asked that Ms. Hrebenak send a letter to the Mansfield Fire Company to let them know that they need to change the bill over to their name and that the township will no longer be handling the electric bill, now that the meters have been changed.

Mrs. Fascenelli stated that the Acting CFO and herself need to attend four different classes out of the building and one webinar so the office will need to be closed.

CLERKS REPORT:

Ms. Hrebenak stated that a couple of meetings ago the Township Committee was given a copy of an Ordinance for an administrative charge for vehicles that are impounded, which if we were interested we would need to make a change to the towing ordinance and she was wondering if this is something that the township still was interested in doing.

Mr. Watters asked if this was money that the police would need to collect.

Mayor Tomaszewski stated that the money would need to be collected and a receipt issued.

Mr. Smith asked what the other towns charge.

Ms. Hrebenak stated that the only town that she has found with this was Belvidere and they charge fifty dollars.

Mr. Lavery stated that he would research if this is something that can be done.

Ms. Hrebenak stated that she received correspondence for agricultural development board and they are looking for us to give our input as to any other farms that could be included.

Ms. Hrebenak stated that at the last meeting the Committee asked if there was a fee to join the Morris County CoOp and she thought there was not, but in researching it there is a fee that would need to be paid, but we do end up saving substantially more than we would if we were not a member.

Mr. Watters asked what everyone thought.

Ms. Nerbak stated that we do always have a savings and that she thought that we should join.

The rest of the members agreed.

Ms. Hrebenak stated that the Township Committee members were all given a copy of Bid specs to go out

for bid for electric suppliers, but since this was sent out Mr. Watters has another item that he would like to discuss with the Township Committee.

Mr. Watters stated that he was introduced to someone that did work for Knowlton Twp with the school and the firehouse and what they had done is switch there heating over to electric which allowed them to use more solar. Mr. Watters asked Mr. Lavery if we could still go out to bid for this and go with this other project.

Mr. Lavery stated that he should talk to the other supplier.

Mr. Watters stated that we made this contract for a year and we could make it six months until this project could be started.

Mr. Watters made a motion to approve going out to bid for an Electrical Supplier for a six month period, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak stated that the attorney's office will be reviewing the bid packet and then it would be advertised.

ENGINEERS REPORT:

Mr. DiSessa stated that he sent another letter to the property owner on Thomas Road and they have really made an effort to clean the property and they made a promise to continue to maintain the property.

Mr. DiSessa stated that he also spoke with Kevin Hahn and they will be going to court again with the appliance person on Route 57.

Mr. DiSessa discussed Bright Road and the possible changes to the road and the stream.

Mr. Smith asked if the township plowed the entire road of Bright Road.

Mayor Tomaszewski stated that we do plow all the way down the road.

Mr. DiSessa stated that he was called out for roads that had some flooding during Irene. Mr. DiSessa stated that himself and Mr. Sliker went out and met with a number of property owners and a number of issues were discovered. Mr. DiSessa stated that there was an issue on Cherry Tree Bend with the drainage and there was also an issue with the drainage in the Grandview detention basin.

Mr. DiSessa stated that the air balancing is a little more complex than we thought and that Ms. Hrebenak had met with the contractor from AJ Celiano and we were looking for them to let us know.

Mr. Watters made a motion to approve Mr. DiSessa having access to the Honeywell system through the

internet, which was seconded by Mr. Smith.

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

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski stated that at 211 Cherry Tree Bend Road there is a drainage issue and the homeowner changed a pipe and now the water is routing into the neighbor's property. Mayor Tomaszewski stated that he believes that if the homeowner added a forty five to the pipe and then added another forty five that would divert the water away from the other homeowner's property.

Mr. DiSessa stated that he is looking into a prior approval that was given for that property and if this is something that was included with the approval then we can do something to rectify the situation otherwise we cannot do anything.

PUBLIC PORTION:

Dave Tofani and Pat Eddy, was present to discuss the work that was done by the Mansfield DPW they are from 170 and 180 Westervelt Road. The road department came along and replaced the drain pipe and emptied a 4' pipe that dumps into the stream that runs along the backside of their properties and is causing increased erosion. This problem has been going on for about 6 to 7 weeks. They understand that the DPW is shorthanded. On the properties there were concrete posts and there was heavy vegetation that prevented people going into the old streambed. After the work was completed there is now a gaping 15 to 20' whole that continues to the streambed.

Mr. Smith asked what the size of the previous pipe.

Mayor Tomaszewski stated that the pipe was the same size.

Mr. Tofani also stated that the asphalt that was installed drops so that the water runs off the road into the newly installed pipe and has increased the water into the stream.

Mr. Tofani asked what were the considerations that were given as to the environmental impact to the stream. He would have also liked to be told that this work would be being done.

Mr. DiSessa explained that he spoke with Mr. Sliker and has explained that the check dam will need to be expanded and he will discuss the diversion of the road and also that a guide rail would also be something that will be helpful in this area.

Mayor Tomaszewski believes that if we put in the heavy riprap it would help.

Mr. Tofani stated that there is a gully across the road that the vegetation was disturbed so the water is now flowing at increased speed and then going to the pipe.

Mr. Tofani asked if the catch basin across the street from him is new.

Mayor Tomaszewski stated that the catch basin was reconstructed so it is basically like new.

Mr. Tofani asked when this could be done.

Mayor Tomaszewski stated that Mr. Smith would speak with Mr. Sliker and see about getting some riprap installed.

Mr. Scott Cruts was present from Butler Park stated that the firehouse took a substantial hit during the hurricane and they are in the process of repairing their building. Mr. Cruts stated that on Monday he contacted someone from FEMA and was given a disaster number and they explained that because they are a privately owned firehouse, but receive money from the township they really do not fit in as a small business or a household and they are unsure that they will be eligible to receive public assistance either. Mr. Cruts stated that he spoke with Freeholder Sarnoski and he asked if Mansfield had filled out the paperwork to declare Mansfield a Disaster or certain areas.

Mayor Tomaszewski stated that he signed paperwork with Mr. Griffith.

Ms. Hrebenak stated that she knows that there has been a large amount of paperwork filled out by Mr. Sliker and Mr. Griffith, but that she is not sure of the wording or what areas were declared. Ms. Hrebenak stated that she could look into this and contact Mr. Cruts the following day with any information that she is able to get.

Ms. Hrebenak also stated that the township has completed a Flood Mitigation Plan and that Butler Park is included in that.

Mr. Cruts stated that he will be going to the Communication Center to meet with the FEMA representatives at the Disaster Center and see what advise that they can give.

Mr. DiSessa stated that Mr. Sliker went to a meeting with the FEMA representatives and he is filling out paperwork with all of the moneys that were expended by the township for this storm.

Mr. Cruts stated that is the paperwork for the public assistance and this is also the paperwork that will list all of the pump details that the fire companies go on and the township always keeps the money from this.

Mr. Watters asked when the money comes in from FEMA if it is designated what it is reimbursement for and where they should be going.

Ms. Hrebenak stated that the money comes as one lump and is not separated out other than on our paperwork.

Mr. Cruts stated that FEMA has a listing of what each item that is done is valued at and all of this information goes on the paperwork and that the township never gets that money to the fire companies.

Mr. Cruts also stated that most of the work that is required at the firehouse will be covered under the insurance policy, but there is damage to the tarmac and to the septic system that is not included under the insurance and this is what they are looking to get assistance with.

Mr. Donald Profroch, Diamond Hill, asked about the posting of the minutes when it would be brought up

to date and the last two agendas have not been posted.

Ms. Hrebenak stated that three sets of minutes have been sent over and the last agenda was also sent over.

Mr. Profroch also asked about the posting in the newspaper for this meeting.

Ms. Hrebenak stated that the posting for the meeting is done at the beginning of the year directly following the reorganization meeting.

Mr. Profroch asked if this information was within the Reorganization minutes.

Ms. Hrebenak stated that this information was within the minutes as a resolution that was passed by the Township Committee.

RESOLUTION:

Township of Mansfield
Resolution #2011-93

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Bright Road Rehabilitation project.

NOW, THEREFORE, BE IT RESOLVED that Committee of the Township of Mansfield formally approves the grants application for the above state project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Mansfield Township-00236 to the New Jersey Department of Transportation on behalf of Mansfield.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Mansfield and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Watters made a motion to approve the passage of Resolution 2011-93, which was seconded by Mr. Smith.

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

Nays: None

Absent: None

Abstain: None

Township of Mansfield
Resolution # 2011-94

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Highland Avenue Hance's Brook Culvert Replacement project.

NOW, THEREFORE, BE IT RESOLVED that the Committee of the Township of Mansfield formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2012-Mansfield Township-00230 to the New Jersey Department of Transportation on behalf of Mansfield Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Mansfield and that their signature constitutes acceptance of the terms and conditions of

the grant agreement and approves the execution of the grant agreement.

Mr. Watters made a motion to approve the passage of Resolution 2011-94, which was seconded by Mr. Smith

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

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2011 –95
OVERPAYMENT OF TAXES
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, the following properties have an overpayment of 2011 property taxes:

WHEREAS, overpayments occurred due to the granting of exempt veterans status for the year 2011;

WHEREAS, the bank made payment on the owners behalf;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 14th day of September 2011 that the Tax Collector and Acting Chief Financial Officer are hereby authorized to refund the following overpayments to BAC Tax Services Corporation, 1757 Tapo Canyon Road, Simi Valley, CA 93063:

<u>BLOCK</u>	<u>LOT</u>	<u>OWNER</u>	<u>AMOUNT</u>
0802	25	Brandt, Frances J & Samuel T.	\$ 2,773.97
2401	02	Cintineo, Joseph P.	\$ 1,941.80

Adopted: September 14, 2011

Certification:

I, Dena Hrebenak, Municipal Clerk of the Township of Mansfield, Warren County, New Jersey do hereby certify the foregoing to be a true and exact copy of a resolution adopted by the Mansfield Township Committee at the regular meeting held on September 14, 2011.

Dena Hrebenak

Mr. Watters made a motion to approve the passage of Resolution 2011-95, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

Mayor Tomaszewski introduced Ordinance 2011-18:

ORDINANCE NO. 2011-18

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE TOWNSHIP CODE SECTION ENTITLED “EXTERIOR PROPERTY MAINTENANCE CODE” TO INCLUDE THE ZONING OFFICER, ENGINEER AND ANY OTHER TOWNSHIP OFFICIAL DESIGNATED BY THE TOWNSHIP COMMITTEE AS ENFORCEMENT AGENTS.

WHEREAS, the Township of Mansfield has a “Exterior Property Maintenance Code”; and

WHEREAS, the enforcement provisions of the aforesaid Code Section presently provides that the Housing Inspector is an enforcement officer; and

WHEREAS, the Township does not have the position of Housing Inspector; and

WHEREAS, the Township Committee believes it is in the best interests of the citizens of the Township of Mansfield to amend the Exterior Property Maintenance Ordinance to include the Zoning Officer, the Township Engineer and other Township Official as designated by the Township Committee as enforcement agent for the Township;

NOW, THEREFORE, BE IT ORDAINED THAT Section 2A of the Exterior Property Maintenance Code is hereby amended as follows:

Section 1

Section 2A of the Exterior Property Maintenance Code is hereby amended to delete “Housing Inspector” and amended to insert the “Zoning Officer, Engineer, or any other Township Official designated by the Township Committee”.

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.

Section 4

If any section, subsection, paragraph, phrase or sentence of these amendments to the Township Code is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Mr. Watters made a motion to introduce Ordinance 2011-18 and requested that the public hearing be advertised for September 28, 2011 at 8:00PM, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None
Abstain: None

Executive Session- Personnel,

Mr. Watters made a motion to enter into Executive Session at 8:51, which was seconded by Mr. Clancy.

COMMITTEE PERSON COMMENTS:

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

Mr. Watters made a motion for the attorney to make a offer on what was discussed, which was seconded by Mayor Tomaszewski.

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

Mr. Smith had nothing to report.

Ms. Nerbak made a motion to approve the Mayor to sign a letter of consent for Crown Castle if the attorney's approve the paperwork, which was seconded by Mr. Tomaszewski.

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

Mr. Watters asked if the old fuel tank has been readied for the fuel.

Mayor Tomaszewski made a motion to pay the part time employees from court while they are in required training for court administrator, which was seconded by Mr. Smith.

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

Mr. Watters made a motion to adjourn at 9:28pm.