

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 9, 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 October 26, 2011, which was seconded by Mr. Smith.

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

Nays: None

Absent: None

Abstain: Mayor Tomaszewski

PAYMENT OF BILLS:

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

Mr. Watters asked about the bill for Celiano for the maintenance contract is this a payment for the year or quarterly.

Ms. Fascanelli stated that this is quarterly.

Mr. Watters asked what is going on with the contracts for the maintenance of the system.

Mr. Watters stated that he is still not in favor of the Harold Pellow bill that is on page 9.

Ms. Nerbak stated that he did the job and we signed the contract so we should pay them.

Mr. Smith stated that in his experience with issues with this the payment would not be made and if this is not a design flaw he would like for someone to explain this.

Mr. DiSessa stated that it is a trail through the woods and there are parts that maybe should have been paved but were only rock.

Mr. DiSessa stated that he felt that the Committee should meet with Corey Stoner and talk through this project.

Ayes: Mr. Clancy, Ms. Nerbak,

Nays: Mr. Smith, Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

Mr. Watters made a motion to approve the bill list minus the bills for Harold Pellow and Associates, which was seconded by Mayor Tomaszewski.

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

Nays: Mr. Clancy

Absent: None

Abstain: None

Mr. Smith asked that the Township Clerk contact Corey Stoner from Harold Pellow and Associates to see when he will be available to come in to discuss the park trails with the township committee.

Ms. Hrebenak stated that she would contact him.

CFO REPORT:

Mrs. Fascanelli stated that the Acting CFO sent out a letter to all department heads that all spending would be cut off as of November 18, 2011.

Mrs. Fascanelli also stated that all department heads received a memo from the Acting CFO in reference to the operating budget and these needed to be returned to the Acting CFO by November 10 and that she is in the process of entering all of this information so that the budget sub-committee could start discussing this.

Mrs. Fascanelli stated that tomorrow night the Environmental Commission will be having a speaker present to go over Sustainable Communities and Selling Energy Conservation in you town and it would be nice if someone from the township committee would attend.

Mrs. Fascanelli stated that the shredding event was successful.

CLERKS REPORT:

Ms. Hrebenak stated that the NJDOT will be at the meeting on November 22, 2011 to discuss the bridge renovations on Route 57.

Ms. Hrebenak stated that the township received a notice of deficiency from the Warren County Board of Health for not having a raw water sample location. Ms. Hrebenak explained that the Board of Health is requiring the township to install a water faucet prior to the water treatment tank.

ENGINEERS REPORT:

Mr. DiSessa stated that the Bright Road project is out to bid and all bids will need to be in by November 17.

Mr. DiSessa also stated that the HVAC balancing is being done and they will need to meet with Honeywell to fix some of the settings.

PUBLIC PORTION:

John Flannegan asked the township committee if there was going to be a town clean up and he believes

that there will not be and if this is true who from the Township Committee will be going to the County to see whom will be doing this clean up.

Mayor Tomaszewski stated that he spoke with Freeholder Sarnowski what the county intends to do and he had no answer.

Mayor Tomaszewski stated that we have a 5 man road department and for the township to chip 30.5 square miles is near impossible.

Bob Acker, 40 Washburn Road, there are tree limbs along the community could we have a central location to drop for them to be chipped.

Ms. Nerbak explained that there are some recycling centers that will take brush but there are size issues.

Mr. Smith stated that there are some communities that have hired contractors to come and clean up the brush and the homeowners all split the cost.

Mayor Tomaszewski stated that there were a number of roads through the township that were affected like Karrsville Road that was still closed as of this morning.

Mike Curto, 26 Country Meadow Road, the residents are just looking for guidance from the township committee. As the leadership of the township the proper answer is not we are not sure what to do.

Mayor Tomaszewski stated that he is waiting for the County to give us an answer and we are working on the clean up.

RESOLUTION:

RESOLUTION # 2011 – 114

TO AUTHORIZE AND APPROVE SALARIES AND WAGES FOR CERTAIN EMPLOYEES

WHEREAS, Ordinance # 2011-16 established the salaries and wages for the employees of the Township of Mansfield, County of Warren,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employees shall be compensated for the year 2011, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
James Hikade	Sergeant	\$84,451.00 1-Dec– 31-Dec

Mayor Tomaszewski made a motion to approve Resolution 2011-114, which was approved by Mr. Watters.

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

Nays: None

Absent: None

Abstain:

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY

RESOLUTION # 2011 – 115

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield has received an incentive award of \$ 4,579.97 from the New Jersey Clean Energy Program and wishes to amend its 2011 Budget to include this amount as revenue.

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$ 4,579.97 which is now available as a revenue from:

Miscellaneous Revenues –

Revenue Offset with Appropriations – New Jersey Clean Energy Program Incentive Award

Total with increase to be \$ 4,579.97

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$ 4,579.97 be and the same is hereby appropriated under the caption of:

General Appropriations –

Public & Private Programs Offset by Revenues – New Jersey Clean Energy Program Incentive Award

State / Federal Share \$ 4,579.97

Non State Share \$

Total with increase to be \$ 4,579.97

BE IT FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Mr. Watters made a motion to approve the passage of Resolution 2011-115, 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 – 116
REFUND OF PLANNING BOARD ESCROW BALANCE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Toll Brothers, Inc. issued checks for Planning Board escrow with the Township of Mansfield, County of Warren,

WHEREAS, Toll Brothers, Inc. sold the property and there remains a balance of \$ 1,451.42 in the escrow account and,

WHEREAS, the Planning Board Attorney and Engineer have determined that the balance can be returned,

NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to refund the amount of \$ 1,451.42 to Toll Brothers, Inc.

Mr. Watters made a motion to approve the passage of Resolution 2011-116, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION NO. 2011-117

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2011:

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

Deputy Municipal Court Administrator	Lisa Rudd	\$37,341.00 per annum beginning 10/28/2011
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Mayor Tomaszewski made a motion to approve the passage of Resolution 2011-117, which was seconded by Mr. Clancy.

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

2011-118
**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 9th day of November 2011 that refund is to be made to the certificate holder as noted:

US Bank Cust for Pro Capital I, LLC
US Bank TLSG
50 S 16th St. Suite 1950
Philadelphia, PA. 19102
Block 801 Lot 20
Certificate # 2011-04
\$3,209.41

Mr. Watters made a motion to approve the passage of Resolution 2011-118, which was seconded by Mr. Smith.

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

Absent: None
Abstain: None

2011-119
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 \$13,600.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 9th day of November 2011 that the \$13,600.00 premium is to be returned to the certificate holder as noted:

<i>CERTIFICATE HOLDER</i>	<i>BLOCK/LOT</i>	<i>CERT #</i>
US Bank Cust for Pro Capital I, LLC 2 Liberty Place 50 s. 16 th Street, Suite 1950 Philadelphia, PA 19102	801/20	2011-04

Mr. Watters made a motion to approve the passage of Resolution 2011-119, which was seconded by Mr. Clancy.

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

RESOLUTION 2011-120

CASH MANAGEMENT PLAN

**CASH MANAGEMENT PLAN OF THE TOWNSHIP OF MANSFIELD
IN THE COUNTY OF WARREN, NEW JERSEY**

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are

deposited in interest or dividend bearing accounts or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. CASH MANAGEMENT POLICY

A. Objectives: The priority of investing policies shall be, in order of descending importance, security, liquidity, and yield.

(1) **Security:** The safety of principal is the foremost objective of the cash management plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk.

(2) **Credit Risk:** Credit risk is the risk of loss due to failure of the security issuer or backer. Credit risk may be mitigated by:

- (a) Limiting investments to the safest types of securities.
- (b) Pre-qualifying the financial institutions, broker/dealers, intermediaries, and advisors with which an entity will do business.
- (c) Diversifying the investment portfolio so that potential losses on individual securities will be *minimized*.

3) **Interest Rate Risk:** Interest rate risk is the risk that the market value of the securities in the portfolio will fall due to changes in general interest rates. Interest rate risk may be mitigated by:

- (a) Structuring the investment portfolio so that securities mature to meet cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity, and
- (b) By investing operating funds primarily in shorter-term securities.

(4) **Liquidity:** The investment portfolio must remain sufficiently liquid to meet all structuring the portfolio so that securities mature concurrent with cash needs to meet anticipated demands (static liquidity).

(5) **Yield:** The investment portfolio must be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objective described above.

B) Standards of Care

(1) Prudence

The standard of prudence to be used by investment officials shall be the “prudent person” standard and shall be applied in the context of managing an overall portfolio in accordance with the State Law and this policy. The Acting Chief Financial Officer, acting in accordance with written procedures and this cash management plan and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of the cash management plan and policy.

Investments shall be made with the judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

(2) Ethics and Conflicts of Interest

The designated officials involved in the investment process shall not have personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their ability to make impartial decisions. Actions of individuals involved in administering the cash management plan shall be governed by the Local Government Ethics Law. They shall disclose any personal financial investment positions that could be related to the performance of the investment portfolio. The designated officials shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Township.

(3) Delegation of Authority

Authority to manage the cash management plan is granted to the Acting Chief Financial Officer pursuant to N.J.S.A. 40A:5-14. Responsibility for the operation of the cash management plan is hereby delegated to the Chief Financial Officer. No person may engage in an investment transaction except as provided under the terms of the policy and the written procedures established by the Chief Financial Officer, The Chief Financial Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

III. AUTHORIZED INVESTMENTS.

• **Authorized Depositories:**

The following institutions are hereby authorized to serve as the primary banks for deposits:

PNC Bank
Fulton Bank of New Jersey

The following institutions are hereby authorized to serve as the primary banks for escrow deposits:

Fulton Bank of New Jersey
TD Bank
PNC Bank

B. Investment of Idle Funds

Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest excess public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Certificates of Deposit in any other institution presenting a GUDPA certificate may be used and approved as a depository by the governing body;
- (2) Government money market mutual funds in any other institution presenting a GUDPA certificate may be used and approved as a depository by the governing body;
- (3) The New Jersey State Cash Management Fund.

IV. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township, then such instrument or security shall be covered by all custodial agreements with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township to assure that there is not unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Township or by a third party custodian prior to or upon the release of the Township's funds.

To assure that all parties with whom the Township deals with by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of the Plan in writing, a copy of which shall be on file with the Designated Officials.

V. REPORTING REQUIREMENTS:

On the first day of each month during which this Plan is in effect, the Designated Officials referred to above shall supply to the governing body of the Township a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township as a Deposit of a Permitted Investment.

- B. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.

- H. All other information which may be deemed reasonable from time to time by the governing body of the Township.

VI. TERM OF PLAN.

This Plan shall be in effect from November 9, 2011 to December 31, 2011. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township committee, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2011-120, which was seconded by Mr. Watters.

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

RESOLUTION 2011-121

RESOLUTION OF CONCURRENCE WITH THE NJDOT FOR A “NO PASSING ZONE” ALONG ROUTE 57

WHEREAS, The Bureau of Traffic Engineering and Investigations on behalf of the New Jersey Department of Transportation has finalized an investigation regarding an inventory of the existing centerline markings along Route 57 in Mansfield Township; and

WHEREAS the Bureau of Traffic Engineering and Investigations Department has recommended to revise the centerline pavement markings to a “No Passing Zone” along Route NJ 57 in the vicinity of Mile Post 14.0 (Co. Rd. 632 / Anderson Road); and

WHEREAS, the NJDOT must promulgate a Traffic Regulation Order (TRO) which requires consent from the municipality;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Mansfield, that this resolution is in support of the new proposed centerline pavings on Route 57 in Mansfield Township to be a “No Passing Zone”.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2011-121, which was seconded by Mr. Clancy.

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

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that there is an invitation to the Sussex Warren League meeting this is a really nice one for networking.

Ms. Nerbak asked if we had Comcast come in to speak with us.

Mr. Watters asked Mr. Lavery about Bright Road and the research that he did.

Mr. Lavery stated that from the paperwork that he was provided by Mr. Woodward it seems that this part of the road was not abandoned so therefore the best way to get an answer is to do a title search.

Ms. Nerbak stated that she was provided paperwork by Shirley Kocher and according to the deeds this was a private road and gave the paperwork to Mr. Lavery.

Mayor Tomaszewski made a motion to do a title search on the Bright Road issue, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski made a motion to take a five minute break. 8:18pm

Return at 9:06.

Mr. Watters motion to sign letter of intent with the same language that was in the original letter of intent, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

Mr. Watters motion to adjourn at 9:09pm.