

**TOWNSHIP OF MANSFIELD
TOWNSHIP COMMITTEE MEETING
July 26, 2023
OFFICIAL MINUTES
Adopted August 9, 2023**

The Regular Meeting was called to order at 7:30 pm by Mayor Watters who read the "Sunshine Statement" indicating the meeting was being held in accordance with the Open Public Meetings Act. He then led the Flag Salute.

ROLL CALL

Present: Mr. Farino, Mr. McGuinness, Mr. Hayes, Mayor Watters

Absent: Mrs. Mora Dillon

Also present were Township Attorney Wade Baldwin, Police Chief MacDonough, CFO/Tax Collector Judith Curran, Deputy Treasurer JoAnn Fascenelli, and Township Deputy Clerk Illena Raffaele.

Approximately 6 people from the public were in attendance.

APPROVAL OF MINUTES

July 12, 2023 – EXECUTIVE SESSION

The minutes of the meeting noted above were approved on a motion by Mr. McGuinness, seconded by Mr. Farino.

Recorded Vote

Aye: Mr. Farino, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: Mr. Hayes

July 12, 2023 – REGULAR SESSION

The minutes of the meeting noted above were approved on a motion by Mr. McGuinness, seconded by Mr. Farino.

Recorded Vote

Aye: Mr. Farino, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: Mr. Hayes

CLERK'S REPORT

Mrs. Raffaele reported:

Kessler Rehabilitation – Invited the Committee to Grand Opening August 25, 2023. If interested in attending, please contact Mrs. Raffaele for information.

Mt. Bethel Fire Co. Report – Report in packet on loaning fire truck to Mansfield Fire Co.

Seniors – In packet for Committee is thank you letter, By Laws, Operating Procedures and Trip Procedures.

Mt. Bethel Fire Vehicles – Mrs. Curran registered the fire truck and pickup in the Township's name yesterday. Mrs. Raffaele contacted the insurance company today and waiting for the vehicles to be added to the coverage schedule tomorrow.

Meadows Phase 2B – Final Platt was signed today and Bill Hotz was called to pick them up.

FINANCE REPORT

Mrs. Curran reported:

Award Bids – Asked for authorization to award competitive bidding for Stormwater and another for Mt. Bethel Community Center septic system.

Bid Opening – Three (3) companies submitted bids for Snyder Road. Lowest bid - American Asphalt \$150,963.82. Other two bids \$191K and \$196K. They will be sent to Mr. Lavery for review.

Auditors – Anticipate to be done on Friday of this week.

File Grant – DOT for Snyder Road.

Right to Know – Has been completed and submitted.

EMPLOYEES' REPORT

None at this time

ENGINEER'S REPORT

Mr. Quamme sent a letter for the Committee to review.

POLICE DEPARTMENT REPORT

Chief MacDonough reported none at this time.

PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for public comments.

Seeing none, the Public Portion was closed.

ORDINANCES

Second Reading

2023-18 AN ORDINANCE PERMITTING THE LICENSING OF FOOD TRUCKS WITHIN THE TOWNSHIP

Mr. Hayes made a motion to approve to introduction of Ordinance 2023-18, which was seconded by Mr. McGuinness.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Recorded Vote

Aye: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: XXXXXX

**TOWNSHIP OF MANSFIELD
WARREN COUNTY**

ORDINANCE 2023-18

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY PERMITTED THE LICENSING OF FOOD TRUCKS WITHIN THE TOWNSHIP

WHEREAS, The Township of Mansfield wishes to permit and regulate food trucks within the bounds of the Township in order to ensure they are safe and organized.

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

SECTION 1

Purpose:

The Township Committee do hereby deem it necessary for the full protection of the health and safety of the Township that the licensing of mobile food vendor and/or vehicles be restricted in the Township of Mansfield.

SECTION 2

Definitions

As used in this chapter, the following terms shall have the meanings indicated:

Mobile Food Vendor

Any automobile, truck or motor-powered vehicle engaged in the business of selling cooked or prepared food to persons.

Mobile Food Vendor Licensee

Any license issued under this chapter for either a mobile food truck or a vehicular vehicle.

Vehicular Vehicles

Any and all other types of vehicles engaged in the selling of cooked or prepared foods.

SECTION 3

License Required

No mobile food vendor or other vehicle engaged in the business of selling cooked or prepared foods in the Township shall operate within the Township without first having obtained a license to do so. Such license shall be issued by the Township Clerk as of January 1 of each year and to expire December 31 of the year in which it was issued unless sooner revoked by the Township Committee and shall be good as to only one vehicle. The license fee shall be set at twenty-five dollars (\$25.00).

SECTION 4

Form of Application

All applications for the issuance or renewal of a license shall be made to the Township Clerk on the official forms designed to elicit information respecting the vehicle to be so used and the identification, responsibility, and law-abiding habits of the owner of the vehicle.

SECTION 5

Application Verified; Insurance

Each applicant for a license shall supply the information requested on the application in full and verify its correctness and file the completed application with the Office of the Township Clerk together with the full amount of the fees as hereinafter set forth. In addition, the applicant shall submit a drawing of the proposed location(s) of the food truck; a Zoning Application if the mobile food vendor operates in one location for more than 48 hours; a signed letter of approval by the current property owner; the applicant shall be fingerprinted by a Township approved facility; the applicant shall exhibit public liability insurance to the Township Clerk covering the vehicle to be licensed and for the term of the license applied for; the applicant shall submit proof of approvals and/or inspections from the Warren County Board of Health and the Township Fire Official.

SECTION 6

License Fee

The annual fee for a mobile vendor license issued or renewed shall be yearly for each year or portion thereof, and such licenses shall be under the charge and control of the applicant applying therefor, and the applicant shall be responsible for the operation of the vehicle so licensed for the term of the license applied for. The annual fee shall be set at twenty-five dollars (\$25.00).

SECTION 7

Regulations Covering Parking

- A. No person shall stop, stand or park for the purpose of selling cooked or prepared foods in a public place or prohibited area within the Township unless authorized by the Township for a special or seasonal event. Mobile food restaurants shall provide written consent of the property owner/s submitted at the time of the application.
- B. The licensee shall see to it that all premises used by the vehicle shall be left in a clean and orderly state and that no waste or garbage from its operation be deposited or left remaining on any property or street located within the Township.

SECTION 8

Revocation of License

The Township Committee, or its designee, may in its discretion refuse to issue or renew or may after notice and hearing revoke or suspend any license if the applicant has been convicted of a crime in this or any other jurisdiction, or convicted of being a disorderly person or of a violation of Title 39, Motor Vehicles and Traffic Regulations of the Revised Statutes of New Jersey, or who has been dishonorably discharged from the Armed Forces of the United States of America, or who violates provision of this Chapter, or who has any judgement unsatisfied against him arising out of an automobile accident, or who is an alien citizen of any nation between whom and the United States of America a state of war exists or who has made false answers in the application for such license, or renewal thereof, or who has not fully complied with all the requirements of this chapter, or if the vehicle licensed or to be licensed by any reason of unsafe or unsanitary conditions is dangerous to the health and safety of the people, or if the policy of insurance required to be exhibited under the terms of this chapter is not in full effect and force during the licensed period or the applicant has failed to comply with any and all other laws of this Municipality, County or State.

SECTION 9

Display of License

Each vehicle licensed under the terms of this chapter shall have displayed in a conspicuous place fully visible to the public the license issued.

SECTION 10

Approval by Township Committee

Upon approval by the Township Committee by resolution, the Township Clerk shall issue and sign the license in the official form.

SECTION 11

Prohibited Areas:

Mobile food vendors are prohibited in all commercial and retail zones.

Second Reading

2023-20 AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF A DONATION OF PROPERTY KNOWN AS BLOCK 2724, LOT 13, BLOCK 2804, LOTS 3 AND 5, AND BLOCK 2805, LOT 2 PURSUANT TO N.J.S.A. 40A:12-5

Mr. Hayes made a motion to approve Ordinance 2023-20, which was seconded by Mr. Farino.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Recorded Vote

Aye: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: XXXXXX

ORDINANCE 2023 -20

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF WARREN, STATE OF NEW JERSEY,
AUTHORIZING THE ACCEPTANCE OF A DONATION
OF PROPERTY KNOWN AS BLOCK 2724, LOT 13,
BLOCK 2804, LOTS 3 AND 5, AND BLOCK 2805, LOT 2
PURSUANT TO N.J.S.A. 40A:12-5**

WHEREAS, Kathleen K. Wattles, Kevin Salisbury and Bessemer Trust Co., Tri-Executors of the Last Will and Testament of Gurdon B. Wattles, hold title to certain properties located in Mansfield Township known as Block 2724, Lot 13, Block 2804, Lots 3 and 5, and Block 2805, Lot 2; and

WHEREAS, the Executors have offered to donate said property to the Township of Mansfield; and

WHEREAS, a contract for the conveyance of the property will be prepared for execution by the Executors and the Township; and

WHEREAS, the Township desires to accept the property to be donated.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that the Township is hereby authorized to accept title to the aforementioned property, subject to the Township's due diligence review being satisfied, including without limitation review and acceptance of the title binder.

BE IT FURTHER ORDAINED, that the Mayor and Chief Financial Officer of the Township of Mansfield are hereby authorized to execute all necessary documents, including the Contract of Sale in order to obtain title to said property.

Section 2 - Severability

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3 - Repealer

Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4 - Effective Date

This Ordinance shall take effect as required by law.

CONSENT AGENDA – PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for comments on the Consent Agenda.

Seeing none, the Public Portion for Consent Agenda was closed.

CONSENT AGENDA/RESOLUTIONS

Resolution 2023-219 – 2023-226.

The following Resolutions 2023-219 through 2023-226, as filed in the Township Clerk’s Office, were adopted on motion by Mr. Hayes and seconded by Mr. McGuinness:

Recorded Vote

Aye: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: XXXXXX

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

A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, ACCEPTING THE CASH PORTION OF THE PERFORMANCE BOND FOR MEADOWS AT MANSFIELD, PHASE 2B

NO: 219

ADOPTED: JULY 26, 2023

WHEREAS, the Mansfield Township Land Use Board established the amount due for the cash portion of the performance bond for the Meadows At Mansfield, Phase 2B; and

WHEREAS, this amount concurs with the Developer’s Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, and the State of New Jersey, that the cash portion of the performance bond for the Meadows At Mansfield, Phase 2B submitted by Meadows At Mansfield is hereby accepted. The Clerk’s office is authorized and directed to forward a copy of this resolution to the developer.

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

A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY AUTHORIZING TAX SALE CERTIFICATE SIGNATURE AND RELEASE

NO. 220

ADOPTED: JULY 26, 2023

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificates, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township Deputy Clerk are hereby authorized and directed to endorse same for cancellation, affix the Township Seal, and return same to the Tax Collector for delivery to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

Tax Sale		Original Certificate
Certificate Number	Block / Lot	Amount
16-00066	2806 / 22	\$ 143.30

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY
REFUND LAND USE BOARD ESCROW
BRINKERHOFF ENTERPRISES**

NO. 221

ADOPTED: JULY 26, 2023

WHEREAS, Brinkerhoff Enterprises issued checks for a Land Use Board escrow to the Township of Mansfield, County of Warren; and
WHEREAS, Brinkerhoff Enterprises has since sold the property; and
WHEREAS, there remains a balance of \$ 800.00 in the escrow account; and
WHEREAS, the Township Engineer has determined that the escrow balance can be refunded.
NOW, THEREFORE, BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 800.00 to Brinkerhoff Enterprises.

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY
REFUND LAND USE BOARD ESCROW
BRINKERHOFF ENTERPRISES (UTILITY & IMPROVEMENT PLAN)**

NO. 222

ADOPTED: JULY 26, 2023

WHEREAS, Brinkerhoff Enterprises issued an escrow check in 2016 for a Utility & Improvement Plan to the Township of Mansfield, County of Warren; and
WHEREAS, Brinkerhoff Enterprises has since sold the property; and
WHEREAS, there remains a balance of \$ 675.00 in the escrow account; and

WHEREAS, the Township Engineer has determined that the escrow balance can be refunded.
NOW, THEREFORE, BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 675.00 to Brinkerhoff Enterprises.

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY
AUTHORIZING THE TEMPORARY QPA TO UTILIZE COMPETITIVE CONTRACTING TO
HIRE A PROFESSIONAL FIRM TO COMPLY WITH TIER A STORMWATER PERMIT**

NO. 223

ADOPTED: July 26, 2023

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds it necessary to hire a professional firm to assure that Mansfield’s municipal obligation are met under the newly adopted Tier A stormwater permit which became effective January 1, 2023;
WHEREAS, such services are authorized under New Jersey Public Contracts Law (N.J.S.A. 40A-11;4.1(n)) to be procured through the competitive contracting process; and
WHEREAS, the Township desires to evaluate such service offerings from vendors within the procedures as set forth in the New Jersey Local Public Contracts Law (N.J.S.A. 40A:11-4.1 et seq. and N.J.A.C. 5:3404 et seq.,) and;
WHEREAS, under competitive contracting services of this type can be for a contract period of up to five years;
WHEREAS, as per statute the process will be administered by the Temporary Purchasing Agent (N.J.S.A. 40a:11-4.5(d));
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize the Temporary Purchasing Agent to commence the competitive contract/procurement for a professional firm to assure that Mansfield is in compliance with Tier A stormwater permit per the above.

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY
AUTHORIZING PAYMENT OF BILL LIST**

NO. 224

ADOPTED: July 26, 2023

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and
WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;
NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$

CAPITAL	
TRUST	\$
DOG	\$
RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$

BILLS LIST	
CURRENT	\$2,212,837.94
CAPITAL	\$859.38
TRUST	\$
DOG	\$29.40
RECREATION	\$
OPEN SPACE	\$1,409.38
DEV ESCROW	\$1,475.00
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
GRANT	\$1,260.00
GREEN TEAM	\$
TOTAL	\$2,217,871.10

**TOWNSHIP OF MANSFIELD
 WARREN COUNTY, NEW JERSEY
 RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO
 STONE HILL EXCAVATING, LLC TO INSTALL A SEPTIC SYSTEM AT THE MOUNT
 BETHEL COMMUNITY CENTER**

NO. 225

ADOPTED: July 26, 2023

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, needs to hire a contractor to install a septic system at the Mount Bethel Community Center;

WHEREAS, a purchase that is not awarded under State contract can be awarded by the Temporary QPA under the Non-Fair and Open Award process when the total contract exceeds \$17,500 but does not exceed the Township’s bid threshold of \$44,000;

WHEREAS, the Township Committee has authorized the Temporary QPA to award such contract to Stone Hill Excavating, LLC;

WHEREAS, Stone Hill Excavating LLC has submitted the following documentation in compliance with the awarding of a contact under the New Jersey Pay to Play Law within 10 days of the awarding of the contract;

- a. Business Entity Disclosure Certification for Non-Fair and Open Contracts which certifies that Stone Hill has not made any reportable contributions to a political or candidate committee in the Township of Mansfield in the previous one year,
- b. Stockholder Disclosure Certification
- c. 271 Political Contribution Disclosure Form (required per N.J.S.A. 19:44A-20.26)
- d. Non-collusion affidavit

WHEREAS, the CFO has certified that funds will be available in the Open Space Trust Fund Account, account number, T-12-56-289-0375-4041/4200 and /or capital reserve, account number

C-04-44-215-0000-0003;

WHEREAS, the CFO has also filed a grant for the septic system with the Warren County Department of Land Preservation to help with the cost of the septic system;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby award a contract to Stone Hill Excavating, LLC not to exceed the amount of \$42,800 for the installation of aseptic system under the provision of the Non-Fair and Open Process and that Stone Hill Excavating, LLC is in compliance with the New Jersey Pay to Play Law per the above.

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

**A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY,
ACCEPTING THE CASH PORTION OF THE PERFORMANCE BOND FOR MEADOWS AT MANSFIELD
PHASE 1**

NO: 226

ADOPTED: JULY 26, 2023

WHEREAS, the Mansfield Township Land Use Board established the amount due for the cash portion of the performance bond for the Meadows At Mansfield, Phase 1; and

WHEREAS, this amount concurs with the Developer’s Agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren and the State of New Jersey, that the cash portion of the performance bond for the Meadows At Mansfield, Phase 1 submitted by Meadows At Mansfield is hereby accepted. The Clerk’s office is authorized and directed to forward a copy of this resolution to the developer.

EXECUTIVE SESSION

On a motion by Mr. Hayes, seconded by Mr. Farino, the Township Committee voted to enter into executive session at 7:38 pm.

Recorded Vote

Aye: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mayor Watters
Nay: XXXXXX
Absent: Mrs. Mora Dillon
Abstain: XXXXXX

Mr. Baldwin announced the following to be discussed in Executive Session:

- Mansfield Fire Company
- Tri-County Fire Company
- Two personnel matters
- Deed restriction removal matter

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain;

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Personnel: Mansfield Fire Company – Closure of Mt. Bethel Fire
 Tri-County Fire Company - Fire Company Matters
 Two (2) Personnel Matters
 Removal of Deed Restriction

NOW THEREFORE BE IT RESOLVED, that the public be excluded from this meeting.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

RETURN TO REGULAR SESSION

On a motion by Mr. Hayes, seconded by Mr. Farino, the Township Committee unanimously voted to return to public session at 9:04 pm.

Note: Mrs. Mora Dillon now present at the meeting.

Mr. Baldwin announced the following discussed in Executive Session:

- Two contractual matters regarding Mansfield Fire & Tri-County Fire Companies
- Two personnel matters
- Contractual matter regarding removal of deed restrictions

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

There being no further business, Mr. Hayes made a motion and the Regular Meeting was unanimously adjourned at 9:05 pm.

Respectfully submitted,



Illena Raffaele
Township Deputy Clerk