MANSFIELD TOWNSHIP COMMITTEE MEETING

March 24, 2021

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 Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

This meeting was held in person and on the Zoom platform. The Township Committee and the public were able to remotely hear the meeting audio.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES

Mr. Hayes made a motion to approve the March 10, 2021 Regular Session Minutes, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

Mr. Hayes made a motion to approve the March 10, 2021 Executive Session Minutes, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

BILL LIST

Mrs. Mora Dillon made a motion to approve the March 24, 2021 Bill List, which was seconded by Mr. McGuinness.

Mayor Watters asked about the two bills on page three for COAH, $540.00 & $634.50 to Mr. Lavery’s office. Mr. Lavery explained it was the attorney portion that came out of COAH 20% and out of legal.

Mr. Hayes asked about page 6 regarding the grit that was bought. There is a $1,200 charge for trucking, $152.00 per load. Mr. Hayes suggested hiring a truck for $450 a day to pick up all the loads.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
EXECUTIVE SESSION

Mayor Watters announced entering into Executive Session to discuss:
- Contractual issues with the Meadows

Mr. Hayes made a motion to go into Executive Session at 7:40 pm, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

RETURN TO REGULAR SESSION

Mayor Watters announced the return to Regular Session at 8:08 pm.

Mr. Hayes made a motion to return to Regular Session, which was seconded by Mrs. Mora Dillon.

Roll Call: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters

Mr. Lavery announced they emerged from Executive Session at 8:08 pm where they discussed:
- Attorney client privilege matter dealing with the Meadow at Mansfield tax issue where Mr. Lavery was not present which was conducted by Conflict Counsel Robert McBriar, Esq
- Potential DEP lease with the Township which is a contractual matter

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.

CLERK’S REPORT

Ms. Hrebenak stated there is no report at this time.

FINANCE REPORT

Mrs. Mollineaux reported they went over the budget in our last meeting.

There are a couple of items on the agenda:
- Rescinding the resolution done earlier in the year for rock salt and moved the money to a new resolution
- Rescinding another resolution because Maser Consulting is now Collier Engineering and we were in the middle of a contract with them. Rescinding that resolution due to the name change
- A transfer resolution for appropriation reserves
Mayor Watters asked about road money. Mrs. Mollineaux stated she was given road money to do Janes Chapel and Airport which are both grant projects and Mt. Bethel so that’s what was funded. When the engineer said he was going to discuss some other road projects, she did send him an email that we were pretty much squared away with roads we were doing. She thought he was getting prices on milling and paving for what we were budgeting. She wasn’t aware of the other roads being discussed. She cannot say if there is funding for those because the estimates the engineer had given her are obviously a few months old now and they could have been estimates as if going out to bid as opposed to Co-Op paving, but she cannot confirm that. She cannot say at this point if there is money for other roads because while we increased the road budget, we increased it by over $400,000.00 to focus on these roads. It wasn’t her understanding that we were going to do anything else. If it is the pleasure of the Committee to do more, we would fund more and have to use more surplus, but that’s the decision the Committee has to make.

Mayor Watters suggested Mr. Snyder and Mr. Kastrud get together with Mrs. Mollineaux so they can get it figured out as soon as possible. Mrs. Mollineaux stated she can do a conference call with them. Based on the list that Mr. Snyder had read, Mrs. Mollineaux asked if there were other roads that were the Committee’s intention to also do this year. Mayor Watters stated Mt. Bethel, Janes Chapel and Airport were the main concerned. If there is extra money after we do them, then we could possibly do those other roads. Mayor Watters asked if the conference call could happen tomorrow; Mrs. Mollineaux said she’d try to make that happen.

**EMPLOYEES’ REPORTS**

Mrs. Fasccenelli asked the Committee if the shredding event times could be changed from 9 – 12 to 8 – 11 allowing the shredding company to be able to do another job in the afternoon. Committee agreed to the change.

2018 Recycling Tonnage Grant – The Committee has a memo regarding the tonnage grant. We received a letter today that Mansfield is the second highest payout of 2018. Phillipsburg was first, Mansfield, Hackettstown, and Alpha. Mrs. Mollineaux stated the checks came today, so they will be included on both sides of the budget.

**Green Team**

**Earth Day** – The Team prepared a resolution for Earth Day. The Clerk suggested, and the Green Team agreed, to pull a couple of items and put them on the Township website and emails from companies that are composting. Rutgers does a lot with composting where people can get a lot of ideas. We will have to come up with a disclaimer saying there are more things out there, but this is what we have available.

**Drinking Water Tests** – The Team also received a letter that the Township received about the contamination of drinking water. It is part of Sustainable Jersey, so the Green Team did follow up. We have two companies that provide test kits that we are getting prices from. The one company that we did speak to will bring a van to wherever the Township wants, either this parking lot or at the public works. Residents go right to the van, pick up whichever test kit they want, take it home, do whatever is needed for the test, and another day the van is back again and they bring it right to the van. Township employees do not touch any money or samples. This is one avenue that we’re looking at. Supposedly, according to the company, it is at a discounted price and we’re hoping to get more people at one location. The Township would just advertise
what we are doing. That won’t be until the fall, and Mrs. Fascenelli is waiting to get a price from another firm.

Landscape Design Competition – Last year we discussed with the Committee about landscaping in front of the Municipal Building. It would be sustainable per Sustainable Jersey and it should be drought resistant, making sure to include run-off. We are coming up with a letter for local landscapers and then we’re thinking of applying for a Sustainable Jersey grant either in August 2021 or next year to offset the cost of having the work done and buying the plants. The grants are several levels - $2,000, $10,000 and $20,000.

ENGINEER’S REPORT

No report due to the absence of the engineer.

PUBLIC PORTION

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

RESOLUTIONS

RESOLUTION # 2021-70
A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH WARREN COUNTY BOARD OF COMMISSIONERS, FOR EQUIPMENT AND EMPLOYEES

WHEREAS, the Township of Mansfield is desirous of sharing services for Equipment and Employees with Warren County Board of Commissioners; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et seq.) Empowers the Township of Mansfield and the Warren County Board of Commissioners to enter into such an agreement; NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield Committee hereby authorizes the Mayor to execute a shared service agreement with Warren County Board of Commissioners for the Equipment and Employees.

RESOLUTION # 2021-71
HONORING EARTH DAY – APRIL 22, 2021
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, The Township Committee of the Township of Mansfield acknowledges Earth Day, founded by the late Honorable Gaylord Anton Nelson from Wisconsin; and

WHEREAS, Earth Day focuses on attention and preservation of the planet’s natural resources, acknowledging the environmental movement raising awareness of long-term ecological sustainability; and

WHEREAS, Earth Day was founded in 1970 and celebrated annually on April 22nd on local, national and global proportions; and

WHEREAS, New Jersey was the third State in the country to consolidate its natural resources and environmental quality programs into a single state agency, charged with administering aggressive environmental and conservation efforts; and
WHEREAS, The Township Committee of the Township of Mansfield encourages residents to safely participate in celebrating Earth Day by:

- Developing an environmental day at home or school
- Learn how to recycle properly at home or school
- Do a zero-waste lunch or dinner day or week
- Create a Conserve Resources Day by reducing the use of water and energy, and turn off lights when people are out of the room or on a sunny day
- Plant a tree or flowers
- Start your seedings for your garden
- Get your compost site ready
- Make a bird feeder out of recycled materials
- Do a backyard environmental art project
- Use a cloth bag instead of plastic or paper
- Remove invasive species from your property

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Mansfield declares the week of April 19, 2021 – April 25, 2021, a week-long celebration of Earth Day and encourages residents to participate in the celebration of environmental protection and conservation of our natural resources.

RESOLUTION # 2021-72
RESCINDING RESOLUTION # 2021-37

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Mansfield previously authorized the purchase of rock salt for a total cost not to exceed $6,400.00 from Morton Salt through the Morris County Cooperative Pricing Council in resolution number 2021-37; and

WHEREAS, the Department of Public Works Supervisor has determined that it would not be in the best interest of the Township of Mansfield to purchase rock salt from Morton Salt; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren as follows:

- Resolution 2021-37, authorizing the purchase of rock salt from the Snow Removal Trust T-35-55-289-0000-002 for a total cost not to exceed $6,400.00 from Morton Salt is hereby rescinded.

RESOLUTION 2021-73

AUTHORIZING PURCHASING FROM WARREN COUNTY CO-OP #WC2035 FOR ROCK SALT FROM ATLANTIC SALT, INC., 134 MIDDLE STREET, SUITE 210, LOWELL, MA 01852

WHEREAS, the Township of Mansfield wishes to purchase Rock Salt under the Warren County Co-Op; and

WHEREAS, Warren County Co-Op Pricing System awarded a contract to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852; and

WHEREAS, the Chief Financial Officer has certified that funds are requested in the 2021 budget for $21,800.00 and the line-item appropriations to be charged are T-35-55-289-0000-0002 Snow Removal Trust in the amount of $11,800.00 and line item 1-01-26-291-0000-5210 in the amount of $10,000.00; and

WHEREAS, the Township is authorized to make purchases through cooperative and state contracts pursuant to
WHEREAS, it is the recommendation of the Director of Public Works and the Chief Financial Officer to authorize the purchase of this ice deterrent product through the Warren County Co-Op Pricing System.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the Chief Financial Officer be authorized to issue a purchase order to Atlantic Salt, Inc., 134 Middle Street, Suite 210, Lowell, MA 01852.

RESOLUTION NO. 2021-74
OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF MANSFIELD

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Mansfield finds and declares that certain municipal obligations have come due and are now payable; and

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: 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;

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<td>OPEN SPACE</td>
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RESOLUTION # 2021-75
RESCINDING RESOLUTION # 2020-108

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Mansfield previously authorized a professional services
contract without competitive bidding to Maser Consulting P.A. to perform a Mount Laurel midpoint review and monitoring for the township for a total cost not to exceed $4,500.00 in resolution number 2020-108; and
WHEREAS, Maser Consulting P.A. officially changed their name to Colliers Engineering & Design effective January 1, 2021; and
WHEREAS, the professional services contract with Maser Consulting P.A. to perform a Mount Laurel midpoint review and monitoring is an ongoing project; and
WHEREAS, the balance of the professional services contract will be performed by Colliers Engineering & Design; and
NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren as follows:

- Resolution 2020-108, authorizing a professional services contract without competitive bidding to Maser Consulting P.A. to perform a Mount Laurel midpoint review and monitoring is hereby rescinded.

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**RESOLUTION # 2021-76**
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2020 budget line items; and
WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of appropriation reserve funds before April 1, 2021.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all members thereof affirmatively concurring) that the Chief Financial Officer of Mansfield Township, County of Warren, State of New Jersey, is hereby authorized to make the following transfers in accordance with the provision of this resolution:

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<th>CURRENT FUND Account</th>
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<tr>
<td>Construction and Inspection</td>
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<td>$35,000.00</td>
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<td><strong>TOTALS</strong></td>
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<td><strong>$35,000.00</strong></td>
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Mr. Hayes made a motion to approve Resolution 2021-70 – 2021-76, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

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**ORDINANCES**

First Reading

O:2021-02

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, PURSUANT TO N.J.S.A. 40A:12-13(b)(1).

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(b)(1) 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 to any political subdivision, agency, department, commission, board or body corporate and politic of the State of New Jersey; and

WHEREAS, the Township of Mansfield is the owner of a 2016 Ford Taurus 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 for a nominal sum because the property is no longer useful to the Township; and

WHEREAS, Mount Bethel Fire Company has expressed an interest to the Township of Mansfield, of purchasing the 2016 Ford Taurus for a nominal sum; and

WHEREAS, there is a decided benefit to the taxpayers of the Township of Mansfield, for the 2016 Ford Taurus to be transferred to Mount Bethel Fire Company for its use.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, as follows:

Section 1

The Township’s 2016 Ford Taurus shall be sold at private sale to Mount Bethel Fire Company for nominal consideration pursuant to N.J.S.A. 40A:12-13(b)(1). The Mayor and Township Administration are hereby authorized to finalize and execute the attached Vehicle Sales Agreement and take such other reasonable steps that may be necessary to implement this sale.

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.

The above ordinance was introduced for First Reading by the Mayor and Township Committee of the Township of Mansfield, Warren County, at a regular meeting held on March 24, 2021 and a Final Adoption at Public Hearing to be held April 28, 2021 at 7:30 p.m. at the Municipal Building in and for said Township, at which time the public may comment.

Mrs. Mora Dillon made a motion to approve the first reading of Ordinance 2021-02 with a second reading on April 28, 2021, at 7:30 pm, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None

ORDINANCE 2021-03
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY

ORDINANCE AUTHORIZING THE PRIVATE SALE OF CERTAIN LAND OWNED
BY THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY
KNOWN AS BLOCK 601.03 LOT 52 TO BRIAN AND STEPHANIE HANISAK FOR THE SUM OF $33,000

WHEREAS, the following property owned by the Township of Mansfield is not needed for public purposes;

Block 601.03 Lot 52

and

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

1. Block 601.03 Lot 52 on the Tax Map of the Township of Mansfield is not needed for public purposes.

2. Brian and Stephanie Hanisak are the equitable contiguous property owners under a purchase contract.

3. The Township of Mansfield is authorized to sell real property by ordinance.

4. The Mayor and Clerk of the Township of Mansfield, in consideration of and receipt of the sum of $33,000.00 to be paid in hand, shall and are hereby authorized to convey title and execute such further documents deemed necessary by the Municipal Attorney to satisfactorily transfer Block 601.03 Lot 52 as depicted on the Tax Map of the Township of Mansfield, said property to be conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present assessments for the construction of improvements benefiting said property.

5. This Ordinance shall become effective immediately upon publication as required by law.

Mr. Hayes made a motion to approve the first reading of Ordinance 2021-03 with a second reading on April 28, 2021, at 7:30 pm, which was seconded by Mr. McGuinness.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters
Nays: None
Absent: None
Abstain: None
AN ORDINANCE AMENDING CHAPTER 281 OF THE TOWNSHIP’S GENERAL
ORDINANCES  TOWNSHIP’S PROHIBITIONS ON SMOKING TO INCLUDE
PROHIBITING SMOKING ON PUBLIC PROPERTY

WHEREAS, the Township Committee of the Township of Mansfield finds that as determined by the New Jersey Legislature, smoking is one of the leading causes of preventable disease and death in the United States. In addition to the deleterious effects upon smokers, tobacco smoke is a substantial health hazard to the public, and an annoyance and a nuisance to the nonsmoking public. Tobacco smoke also creates a substantial health hazard to residents of the Township of Mansfield who may be participating in activities or events on public property; and

WHEREAS, while it is not the public policy of the Township to deny anyone the right to smoke, a balance must be struck between the right of smokers to smoke and the right of nonsmokers to breathe clean air. The Township Committee finds that on public property, the right of nonsmokers to breathe clean air outweighs the right of smokers to smoke; and

WHEREAS, this prohibition is consistent N.J.S.A. 40:48-1, 40:48-2 and 2C:33-13, which provide that smoking may be prohibited by municipal ordinance in any public place and the New Jersey Smoke-Free Air Act, N.J.S.A. 26:3D-55 et seq., which permits municipal ordinances to impose greater prohibitions against smoking than those provided under the Act, and N.J.S.A. 40:48-1, 40:48-2 and 2C:33-13, which provide that smoking may be prohibited by municipal ordinance in any public place; and

WHEREAS, the Township Committee recognizes the well-known health and safety risks posed by smoking and finds that it is within the public interest to prohibit smoking on public property, such as recreation areas; and

WHEREAS, the Township Committee has determined that the public interest is especially implicated in preventing the youth of Mansfield Township from being exposed and succumbing to the temptations of experimenting with tobacco products; and

WHEREAS, the Township Committee also finds that the appearance of the recreation areas can be enhanced and the limited resources of the Township’s Department of Public Works can be conserved if smoking were to be controlled in such areas, thereby keeping such areas free of the litter generated by the smoking of cigarettes, such as cigarette butts, ashes and packaging.

WHEREAS, smoking is defined as the burning of, inhaling from, exhaling the smoke from or the possession of a lighted cigar, cigarette, pipe, vaping devices, or any other matter or substance which contains tobacco or any matter that can be smoked, or the inhaling or exhaling of smoke

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield that Chapter 281 of the Township of Mansfield General Ordinances be amended to include the following section:

Section 281-2  SMOKING PROHIBITION ON PUBLIC PROPERTY
Smoking shall be prohibited in all public recreation facilities owned or leased by the Township of Mansfield and all property owned or leased by the Township of Mansfield upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities.

Section 2
All other ordinance provisions which are inconsistent with the terms of this Ordinance, are hereby
declared null and void and repealed.

Mr. Hayes made a motion to approve the first reading of Ordinance 2021-04 with a second reading on April 28, 2021, at 7:30 pm, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

Second Reading

ORDINANCE NUMBER 2021-01

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY APPROPRIATING $35,000.00 FOR THE PURCHASE OF POLICE DEPARTMENT BODY CAMERAS

WHEREAS, there is a need for the purchase of Police Department Body Camera equipment and accessories;  
BE IT ORDAINED, by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

1. The amount of $35,000.00 is hereby appropriated from the Township of Mansfield Capital Improvement Fund  
2. There is no debt incurred by this Ordinance.  
3. This ordinance shall take effect immediately after final passage, approval, publication as provided by law.

Mr. Hayes made a motion to approve Ordinance 2021-01, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the public portion of the meeting; seeing no comment from the public, public portion was closed.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mr. McGuinness, Mayor Watters  
Nays: None  
Absent: None  
Abstain: None

COMMITTEE REPORTS

Solar Stone Correspondence – Mr. Hayes stated in the packet there is something from Solar Stone for 20 acres of historic fill. He asked where it is located in town – is it scattered or just one parcel. Ms. Hrebenak stated that this was the contact that was made and if we were interested, we could reach out to the company, but there are very few parcels that the Township owns that could be used for this.

Mt. Bethel Church – Ms. Hrebenak reported the engineer did go out to the church with the Civil Engineer and they will be putting the plans together.
Fire Truck – Ms. Hrebenak received an offer on the fire truck for $5,000. Mr. Snyder stated the fire truck won’t move. There is something wrong with the transmission and there's a note on the dash that says Do Not Put in Gear. The person who made the offer was coming from Alabama and was going to drive it back.

Mrs. Mora Dillon made a motion to adjourn 8:28 pm.