

**TOWNSHIP OF MANSFIELD COMMITTEE MEETING  
OFFICIAL MINUTES  
APRIL 24, 2024**

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This is a regular meeting of the Township of Mansfield Committee. This meeting is being held in compliance with the "OPEN PUBLIC MEETINGS ACT," because adequate notice of this meeting has been provided by notifying the Express Times NJ Zone and The Daily Record, and by posting notice of such meeting in the Municipal Building and by filing of said notice with the Township Clerk of the Township of Mansfield. Formal action may be taken at this meeting.

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.

**ROLL CALL**

**Present:** Mr. Farino, Mr. Hayes, Mr. Mc Guinness, Mrs. Mora Dillon, Mayor Watters

**Absent:**

Also, present were Township Attorney Michael Lavery, Township Clerk Wendy Barras, CFO Judith Curran, Police Chief MacDonough, Deputy Treasurer JoAnn Fascenelli, Deputy Clerk Illena Raffaele, and Acting DPW Supervisor Harry Appleby.

There were four members of the public present.

**SALUTE TO THE FLAG:** Mayor Watters led the flag salute.

**APPROVAL OF MINUTES**

**April 10, 2024 – EXECUTIVE SESSION**

Mr. Hayes, seconded by Mr. Mc Guinness made a motion to approve the Executive Session meeting minutes from April 10, 2024.

**RECORDED VOTE**

Aye: Mr. Farino, Mr. Hayes, Mr. Mc Guinness, Mrs. Mora Dillon, Mayor Watters

Nay: XXXXXX

Absent: XXXXXX

Abstain: XXXXXX

**April 10, 2024 – REGULAR SESSION**

Mr. Mc Guinness, seconded by Mr. Hayes made a motion to approve the Regular Session meeting minutes from April 10, 2024.

**RECORDED VOTE**

Aye: Mr. Farino, Mr. Hayes, Mr. Mc Guinness, Mrs. Mora Dillon, Mayor Watters

Nay: XXXXXX

Absent: XXXXXX

Abstain: XXXXXX

**CLERK'S REPORT**

Township Clerk Barras reported the following:

- Working with CFO Curran and Acting DPW Supervisor Appleby to complete 2023 Stormwater annual report; researching different ideas to increase points for 2024 through public education and outreach activities.

- Posted Tax Collector and CFO positions to the league website and township website. Emailed municipalities in surrounding counties for any possible shared service agreements. No offers as of yet.  
Updated DPW Laborer position on website and have fielded calls from potential applicants.
- Leigh mailed 59 late notices for 75 non renewed dog licenses; summonses will be issued in June once animal control officer can coordinate with the Court.

**FINANCE REPORT**

CFO Curran reported the following:

- Working with Acting DPW Supervisor Appleby and Township Clerk Barras on the 2023 stormwater annual audit.
- Tax Sale Assignments
- Follow up with grant information for the County regarding Mt. Bethel Church.

**EMPLOYEES' REPORT**

Mrs. Fascenelli stated there was no report at this time.

**ENGINEER'S REPORT**

Mr. Quamme reported the following:

- Mt. Bethel Church – Electrical subcontractor checked the fan; reported it is function properly; Fire alarm subcontractor reports the system needs two phone lines to function properly- Acting DPW Supervisor Appleby will contact Verizon to inspect the lines
- Mitchell Rd Improvements – will apply for second grant for MA-2025 application; discussed response from County regarding schedule on County's improvements to bridge structure

**PUBLIC PORTION**

Mayor Watters opened the Public Portion of the meeting for public comments: Seeing no one else wished to comment, the Public Portion was closed.

**ORDINANCE: PUBLIC HEARING AND SECOND READING**

**#007-2024:** An Ordinance of the Township of Mansfield to Exceed the Municipal Budget Appropriation Limits and To Establish a Cap Bank

Mayor Watters opened the Public Hearing on Ordinance #007-2024. Seeing no one wishing to comment, he closed the Public Hearing. Mr. Hayes, seconded by Mrs. Mora Dillon made a motion to adopt Ordinance #007-2024.

**RECORDED VOTE**

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

**ORDINANCE 007-2024**

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**STATEMENT OF PURPOSE**

The purpose of this Ordinance is to exceed the Municipal Budget appropriation limits and to

establish a CAP bank

**WHEREAS**, the Local Government CAP Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% 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 Committeepersons of the Township of Mansfield, in the County of Warren, finds it advisable and necessary to increase its CY 2024 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 Committeepersons hereby determine that a 3.5% increase in the budget for said amount, amounting to \$59,184.36 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Committeepersons hereby determine 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 RESOLVED**, by the Committeepersons of the Township of Mansfield, in the County of Warren, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring that, in the CY 2024 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 \$207,145.26, and that the CY 2024 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and

**NOW, THEREFORE BE IT FURTHER RESOLVED**, 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

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that a certified copy of this ordinance as introduced be uploaded to the FAST System for the Director of the Division of Local Government Services within five (5) days of introduction; and

**NOW, THEREFORE BE IT FURTHER RESOLVED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be uploaded on the FAST System for the Director within five (5) days after such adoption.

**RESOLUTIONS (TAKEN SEPARATELY)**

Resolution #115-2024 as filed in the Township Clerk's Office, was adopted on motion by Mr. Hayes and Mr. Mc Guinness.

**RECORDED VOTE**

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

**RESOLUTION 115-2024**  
**A RESOLUTION AUTHORIZING PAYMENT OF BILLS LIST**

**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, County of Warren, State of New Jersey 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:

<b>BILLS LIST</b>	
CURRENT- 3-01	\$ 3,282.68
CURRENT- 4-01	\$ 110,764.39
FEDERAL/STATE GRANT FUND	\$ 2,806.40
MANDATORY DEVELOPMENT FEES	\$ 325.00
<b>TOTAL</b>	<b>\$117,178.47</b>

Mayor Watters, seconded by Mrs. Mora Dillon made a motion to add Resolutions #121-2024 & #122-2024 to the consent agenda.

**RECORDED VOTE**

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

**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**

The following Resolutions #116-2024 through #119-2024 and #121-2024 through #122-2024 as filed in the Township Clerk’s Office, were adopted on motion by Mr. Hayes and seconded by Mr. Mc Guinness.

**RECORDED VOTE**

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

**RESOLUTION 116-2024**

**A RESOLUTION OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN AND STATE OF NEW JERSEY, ACCEPTING A DRIVEWAY BOND FOR 45 REDWOOD RUN**

**WHEREAS**, in accordance with Mansfield Township code section 167-11 (Certificate of Occupancy) no certificate of occupancy shall be issued unless the driveway has been completed in accordance with the approved plan; and

**WHEREAS**, notwithstanding anything to the contrary hereinbefore mentioned, a developer may, during the period from November 1 to April 15, apply for a certificate of occupancy and defer completion of a driveway in accordance with the approved plan; provided however, such developer posts a driveway bond with the Township of Mansfield; and

**WHEREAS**, Ryan Homes, the developer of the property located at 45 Redwood Run has submitted check number 660404 in the amount of \$ 1,500.00 representing the driveway bond for the project; and

**WHEREAS**, the Township Engineer has recommended the acceptance of said payment.

**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 driveway bond stated above submitted by Ryan Homes is hereby accepted. The Township Municipal Clerk is authorized and directed to forward a copy of this resolution to the developer.

## **RESOLUTION 117-2024**

### **AUTHORIZING THE AUTHORIZING OF THE DECLARATION OF THE OWNER OF BLOCK 1501.04, LOT 7 AS A TOTALLY DISABLED VETERAN AND EXEMPT FROM PROPERTY TAXES**

**WHEREAS**, the Tax Assessor of the Township of Mansfield has granted an exemption of property taxes for a totally disabled veteran who owns and resides at Block 1501.04, Lot 7; and

**WHEREAS**, the owner at this property has submitted the necessary paperwork verifying his exempt status; and

**WHEREAS**, the Tax Assessor had declared this owner totally exempt as of February 1, 2024; and

**WHEREAS**, the Tax Collector has calculated the following taxes that should be cancelled as of February 1, 2024:

1<sup>st</sup> quarter 2024: \$174.64 and 2<sup>nd</sup> quarter: \$266.40

**WHEREAS**, taxes in the amount of \$257.40 were paid for 1<sup>st</sup> quarter 2024 taxes and \$91.76 was due for the month of January, 2024; and

**WHEREAS**, the amount to be refunded to the owner/resident of Block 1501.04, Lot 7 is \$174.64;

Total to be refunded: \$174.64

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey does hereby adopt this Resolution and authorizes the tax collector to refund the total amount of \$174.64 to the owner/resident of Block 1501.04, Lot 7 and authorizes the cancellation of 1<sup>st</sup> and 2<sup>nd</sup> quarter 2024 taxes per the above.

## **RESOLUTION 118-2024**

### **AUTHORIZING THE AUTHORIZING OF THE DECLARATION OF THE OWNER OF BLOCK 804.02, LOT 19.02 AS A TOTALLY DISABLED VETERAN AND EXEMPT FROM PROPERTY TAXES**

**WHEREAS**, the Tax Assessor of the Township of Mansfield has granted an exemption of property taxes for a totally disabled veteran who owns and resides at Block 804.02, Lot 19.02; and

**WHEREAS**, the owner at this property has submitted the necessary paperwork verifying his exempt status; and

**WHEREAS**, the Tax Assessor had declared this owner totally exempt as of October 27, 2023; and

**WHEREAS**, the Tax Collector has calculated the following taxes that should be cancelled as of October 27, 2023:

4<sup>th</sup> quarter 2023: 4 days for October, 2023, 30 days for November, 2023, and 31 days for December, 2023, 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2024.

**WHEREAS**, taxes for 1<sup>st</sup> and 2<sup>nd</sup> quarters 2024 have not been paid so the tax collector will cancel these taxes; and

**WHEREAS**, taxes for the 4<sup>th</sup> quarter 2023 were paid in full and will be refunded to the owner/resident of Block 804.02, Lot 19.02 as follows:

4<sup>th</sup> quarter 2023 taxes paid: \$2,391.91/92 days = \$26.00 per day  
4 days in October = 4 X \$26.00 = \$104.00  
30 days in November = 30 X \$26.00 = \$780.00  
31 days in December = 31 X \$26.00 = \$806.00  
Total to be refunded: \$1,690.00

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey does hereby adopt this Resolution and authorizes the tax collector to refund the total amount of \$1,690.00 to the owner/resident of Block 804.02, Lot 19.02 and authorizes the cancellation of 1<sup>st</sup> and 2<sup>nd</sup> quarter 2024 taxes per the above.

## **RESOLUTION 119-2024**

### **AUTHORIZING THE PAYMENT OF ACCRUED UNUSED VACATION TIME FOR JUDITH CURRAN**

**WHEREAS**, Judith Curran, CFO/Tax Collector/Office Manager, informed the Township Committee of the Township of Mansfield in a closed session meeting held on April 10, 2024 that she is resigning from her positions as of April 30, 2024; and

**WHEREAS**, Ms. Curran formally submitted her resignation via email to the Township Committee on Friday, April 12, 2024; and

**WHEREAS**, in her resignation letter, Ms. Curran informed that she is entitled to be paid for nine (9) accrued unused vacation days; and

**WHEREAS**, the amount to be paid to Ms. Curran for these days is \$4,186.80 (\$465.20 X 9 days).

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Mansfield does hereby adopt this Resolution and authorizes the payment of the above to Judith Curran through the payroll processing system.

#### **NEW BUSINESS:**

#### **COMMITTEE PERSON COMMENTS:**

**EXECUTIVE SESSION**

Mr. Mc Guinness, seconded by Mr. Hayes, made a motion to adopt Resolution #120-2024 for an Executive Session of the Township Committee. At approximately 7:46 p.m., the Committee went into Executive Session.

**RECORDED VOTE**

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

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

**Personnel**

Department of Public Works

**Contractual**

Lead Paint Inspection Law – P.L. 2021, c.182  
Cell Tower Lease – 100 Port Murray Rd.

**RESOLUTION 120-2024**

**RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE TOWNSHIP COMMITTEE**

**WHEREAS**, the Township Committee of the Township of Mansfield is authorized, pursuant to N.J.S.A. 10:4-12 to exclude the public from that portion of this meeting for purposes of discussing specific matters as permitted by N.J.S.A. 10:4-12; and;

**WHEREAS**, the Township Committee of the Township of Mansfield intends to discuss certain matters which are deemed confidential pursuant to N.J.S.A. 10:4-12, in Executive Session; and

**WHEREAS**, at this time the Township Committee of the Township of Mansfield cannot determine the time when the discussion to be held in Executive Session will be made public, but will disclose the minutes of the Executive Session when the need for confidentiality no longer exists.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that this meeting shall be adjourned to an Executive Session and the public will be excluded in order that the Township Committee of the Township of Mansfield may discuss the items listed below:

**Personnel**

Department of Public Works

**Contractual**

Lead Paint Inspection Law – P.L. 2021, c.182  
Cell Tower Lease – 100 Port Murray Rd.

**RETURN TO REGULAR SESSION**

On a motion by Mr. Hayes, seconded by Mr. Mc Guinness, the Township Committee voted to return to public session at approximately 8:27 p.m.

**RECORDED VOTE**

Aye: Mr. Farino, Mr. Hayes, Mr. Mc Guinness, Mrs. Mora Dillon, Mayor Watters

Nay: XXXXXX  
Absent: XXXXXX  
Abstain: XXXXXX

Mr. Lavery announced the following discussed in Executive Session:

**2 Personnel Matters** – Department of Public Works

**Contractual Matter** – Lead Law Inspection

**Contractual Matter** - Cell Tower Lease Agreement

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

Mr. Lavery announced that a Rice Notice had been issued to Mr. Pasqualino Petrocelli of the Department of Public Works. Mr. Petrocelli had requested through formal notification to the Township Clerk that the discussion be addressed during the public portion. It was noted by Mr. Lavery that Mr. Petrocelli was not present at the meeting. Mrs. Mora Dillon explained there had previous discussion with Mr. Petrocelli about not taking the trucks out of town unless for Township business. Recently, it has been discovered that trucks were being taken out of town and extensions of break time. Mrs. Mora Dillon stated an incident involving Mr. Petrocelli and Acting DPW Supervisor Appleby and considered this to be an act of insubordination. Conversation ensued amongst the Committee regarding disciplinary measures.

Mr. Mc Guinness, seconded by Mr. Hayes, made a motion to issue a final warning letter to Mr. Petrocelli.

**RECORDED VOTE**

Aye: Mr. Farino, Mr. Hayes, Mr. Mc Guinness, Mrs. Mora Dillon, Mayor Watters

Nay: XXXXXX

Absent: XXXXXX


Abstain: XXXXXX

Township Attorney Lavery was instructed to draft a final warning letter that will be placed in Mr. Petrocelli's file. CFO/Office Manager Curran was instructed to draft a memo for the Department of Works staff that will address the driving back and forth from job site to the DPW building for break time.

Mr. Hayes stated the Mt. Bethel truck repairs have been completed and should be back in service shortly. Payment will need to be figured out.

There being no further business, Mr. Hayes, seconded by Mrs. Mora Dillon made a motion to adjourn. The meeting was adjourned at approximately 8:42 p.m.

Attest:

  
Wendy Barras  
Township Municipal Clerk