

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 23, 2014

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. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mrs. Kocher made a motion to approve the passage of the minutes from the regular meeting held on April 9, 2014, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

BILL LIST:

Mr. Clancy made a motion to approve the bill list, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

CFO REPORT:

Mr. Pandos stated that the medical insurance rates came in last week and the rates only increased 7%. Single coverage went up \$43 per month, Parent Child went up \$84 per month, Husband wife went up \$95 per month, and family went up \$135 per month.

Mr. Pandos asked for the consensus of the Township Committee on the approval of the renewal of the health insurance.

Mr. Watters asked what the price is for family coverage.

Mr. Pandos stated that the cost is \$23,750 for family per year.

Mr. Misertino made a motion to renew the Horizon Health Insurance for this year, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that she had nothing to report.

ENGINEERS REPORT:

Mr. DiSessa explained that the Diamond Hill job has begun and that the contractor has begun the reclaiming and all has gone fairly smoothly.

RESOLUTION:

**RESOLUTION # 2014-68
Return of Premium**

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

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 \$ 8,000.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 23rd day of April 2014 that the \$8,000.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER

BLOCK/LOT

CERT #

US Bank-Cust for Pro Cap III, LLC
US Bank TLSG
50 S. 16th Street, Suite 1950
Philadelphia, PA. 19102

Block 3103 Lot 7

2013-09

Mr. Clancy made a motion to approve the passage of Resolution 2014-68, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Township of Mansfield
County of Warren

RESOLUTION # 2014-69

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR GREEN TEAM DONATIONS TRUST FUND REQUIRED BY NJSA40A:5-29 ET SEQ.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonably accurate estimates in advance, and

WHEREAS, NJSA40A:5-29 et seq. provides for receipt of donations by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJSA40A:5-29 provides the dedicated revenues anticipated from the Green Team Donations Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement,

WHEREAS, such funds shall be held in reserve to be used at the discretion of the Green Team for activities and projects in the Township, such as but not limited to pay expenditures associated with Sustainable Jersey activities and other Green Team events and activities.

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

- The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Green Team Donations Trust Fund NJSA40A:5-29 et seq.
- The Municipal Clerk of the Township of Mansfield is hereby directed to forward two certified copies of this resolution to the Division of Local Government Services.

Mrs. Kocher made a motion to approve the passage of Resolution 2014-69, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher
Nays: None
Absent: Mayor Tomaszewski
Abstain: None

**RESOLUTION # 2014-70
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY**

A RESOLUTION TO PROVIDE FOR AND DETERMINE THE SALARY FOR A TOWNSHIP EMPLOYEE

BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

The salary for the following employee is as follows:

| | | |
|-------------|--------------------------|------------------|
| Court Clerk | Sandra P. Furmanek, PTVC | \$13.00 per hour |
|-------------|--------------------------|------------------|

Commencing May 5, 2014

Mr. Misertino made a motion to approve the passage of Resolution 2014-70, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher
Nays: None
Absent: Mayor Tomaszewski
Abstain: None

PRESENTATION- ERIK PETERSON, Esq. Telecommunications Tower

Kevin John Allen, PEG bandwidth explained the need for the microwave dish on the tower to eliminate the dropped calls due to bursts of communication.

Mr. Clancy made a motion to approve the installation of the microwave dish on the tower that is located on the tower on the municipal property at 100 Port Murray Road, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher
Nays: None
Absent: Mayor Tomaszewski
Abstain: None

ORDINANCE:

First Reading:

ORDINANCE NO. 2014-07

ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE PURCHASE BY THE TOWNSHIP OF REAL PROPERTY FROM JOHN M. McDONNELL, CHAPTER 7 TRUSTEE FOR THE ESTATE OF CHARLES JAMES CORLEY AND MICHELLE RENE CORLEY IDENTIFIED AS BLOCK 901 LOT 23 ON THE TAX MAP OF THE TOWNSHIP OF MANSFIELD

SECTION I

WHEREAS, the Township is desirous of purchasing Property known as Lot 23, Block 901, from John M. McDonnell, Chapter 7 Trustee for the Estate of Charles James Corley and Michelle Rene Corley, at a price of Forty-Five Thousand Dollars (\$45,000); and

WHEREAS, the Township has conditioned the contract upon receiving funds for the above purchase from the Warren County Open Space Trust Fund to fund the purchase of this property; and

WHEREAS, a proposed Contract for the sale of said real estate has been prepared; and

WHEREAS, the Township is desirous of entering into said Contract, and to effectuate the purchase of the same, contingent on receiving the necessary grants.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that the Township is hereby authorized to purchase the above-referenced property from John M. McDonnell, Chapter 7 Trustee for the Estate of Charles James Corley and Michelle Rene Corley for the total sum of Forty-Five Thousand Dollars (\$45,000), conditioned upon the Township receiving full funding for said purchase from the Warren County Open Space Trust Fund, it being further understood that any balance may be paid from the Township Open Space Trust Fund at the option of the Township.

BE IT FURTHER ORDAINED, that the Mayor and Clerk of the Township of Mansfield are hereby authorized to execute all necessary documents, including the Contract of Sale, to purchase said properties.

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.

Mr. Misertino made a motion to approve the introduction of Ordinance 2014-07 and requested that the public hearing be advertised to be held on May 14, 2014 at 8:00pm, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher
Nays: None
Absent: Mayor Tomaszewski
Abstain: None

Mr. Misertino asked in regards to this potential purchase of the church, was there ever an inspection done of this premises.

Mr. Watters stated that the Township is buying the church as is and the Open Space Committee did a walk through and assessed the work that will need to be done.

Mr. Misertino asked if the Warren County Open Space would fund this 100%.

Mr. Lavery stated that this contract is contingent on the Open Space giving the Township 100%.

Mr. Misertino asked where the renovation cost will be covered.

Mr. Watters stated that we will be trying to get that covered through the Warren County Open Space.

Mrs. Kocher stated that she would think that Open Space would be able to give some idea of cost.

Mr. Misertino stated that he would like to see further down the road what this is going to cost the Township.

Mr. Misertino asked about the timeframe will be for getting the money.

Mr. Lavery stated that the application would be in June and this could take a couple of months.

Mr. Misertino asked who would be responsible for this project.

Mr. Watters stated that Open Space Committee would be in charge of this.

Second Reading

ORDINANCE #2014-06

**BOND ORDINANCE RESTATING BOND ORDINANCE
2013-14 PROVIDING AN APPROPRIATION OF \$432,000
FOR VARIOUS IMPROVEMENTS TO DIAMOND HILLS
ROADS IN AND BY THE TOWNSHIP OF MANSFIELD, IN
THE COUNTY OF WARREN, NEW JERSEY AND
AUTHORIZING THE ISSUANCE OF \$196,650 BONDS OR
NOTES OF THE TOWNSHIP FOR FINANCING PART OF
THE APPROPRIATION.**

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION ONE:

The Township Committee of the Township of Mansfield has ascertained and determined to restate Bond Ordinance 2013-14 and accordingly Bond Ordinance 2013-14 is restated as follows:

“SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Mansfield, in the County of Warren, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$432,000. Such sum includes the sum of (a) \$125,000 expected to be received as a grant from the New Jersey Department of Transportation; (b) \$100,000 expected to be received from the Hackettstown Municipal Utilities Authority and (c) \$10,350 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

In order to finance the additional cost of the Improvement not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$196,650 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$196,650 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

The improvement hereby authorized and the purpose for which obligations are to be issued is for various improvements to roads within the Diamond Hills Development, including all work and materials necessary therefor or incidental thereto.

The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$196,650.

The estimated cost of the Improvement is \$432,000 which amount represents the initial appropriation made by the Township.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

The following additional matters are hereby determined, declared, recited and stated:

The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 20 years.

The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$196,650 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

An aggregate amount not exceeding \$108,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds

of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$196,650.

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law”

SECTION TWO:

The restated bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Deputy Mayor Watters opened the floor for public comment; seeing as there were no comments the public comment period was closed.

Mr. Misertino made a motion to approve the passage of Ordinance 2014-06 and requested that the results be advertised, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

PUBLIC PORTION: (3 minute limit per person)

Mrs. Griggs, Mount Bethel Road, asked the Township Committee about the budget for snow removal and why we only tested a product and didn't do the testing more thoroughly.

Mr. Misertino explained that the company that we tested with took time to schedule the testing and that the amount of product that was brought here was not enough.

Mrs. Griggs asked what is being done to approve the Executive Session minutes.

Mrs. Griggs asked about the training for Ethics for public officials

Dawn Smith asked about the Executive Summary about the reassessment values.

What is the status of the next police officer to be hired.

Mr. Watters stated that the hiring will be done when the alternate route candidates complete the academy.

Mr. Proefroch, 50 Slope Drive, health care costs for family is that shared by the employees.

Mr. Pandos stated that the employees do contribute and it was a four year phase in and this year is the fourth year so the highest salary employee for family will be contributing 25%.

Marvin Kocher, asked about the financial report for the recreation commission.

Mr. Misertino explained that the committee members have given their proposed budget and Mr. Misertino has asked them to review the costs that will be coming out to see what the fees will be.

Mr. Kocher asked if the sports would be charging different fees to cover the expenses.

COMMITTEE PERSON COMMENTS:

Mrs. Kocher made a motion to hire a new police officer, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Mr. Clancy made a motion to approve the contract for the Shared Service with Warren County Board of Health, which was seconded by Mrs. Kocher.

Ayes: Mr. Misertino, Deputy Mayor Watters, Mr. Clancy, Mrs. Kocher

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Mrs. Kocher stated that she had requested at the last meeting that we address old business.

Mrs. Kocher stated that there was an ordinance for special meeting. Mrs. Kocher stated that the personnel policy has not been changed to reflect the change for health insurance on retirement.

Executive Session

Mrs. Kocher made a motion to enter into Executive Session at 8:48 pm, which was seconded by Mr. Clancy.

Return from Executive Session at 9:17.

Mr. Watters made a motion to adjourn 9:17pm.