

MANSFIELD TOWNSHIP COMMITTEE MEETING

December 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, Mr. Watters, Mr. Clancy, Mrs. Kocher
Mayor Tomaszewski absent

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Misertino made a motion to approve the passage of the minutes from the regular meeting held on November 24, 2014, which was seconded by Mr. Clancy.

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

BILL LIST:

Mr. Watters asked about the charges for the bank runs and why there was a difference in price.

Mrs. Fascenelli stated that the difference is that if she goes that is half way home so that is the difference in the mileage for her.

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

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

CLERKS REPORT

Ms. Hrebenak stated that she has no report.

ENGINEERS REPORT:

Mr. DiSessa stated that all of the paperwork is completed for the Diamond Hill Project.

Mr. Clancy made a motion to pay the Contractor for the Janes Chapel Road project in the amount of \$82,101.30, which was seconded by Mr. Misertino.

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

EMPLOYEE REPORTS:

Mrs. Fascenelli stated that she met with the bank and the two finance computers are not able to be used for any of the online banking because they are not compatible. Mrs. Fascenelli stated that she provided copies of quotes for two new computers to the committee and would like approval to order them.

Mr. Clancy made a motion to approve ordering the new computers, which was seconded by Mr. Misertino.

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

Mrs. Fascenelli stated that the Township received a check for the 2012 Recycling Tonnage Grant and we were third highest in the county. The towns that were ahead of us were Phillipsburg and Greenwich.

RESOLUTION:

RESOLUTION # 2014 -138
TRANSFER OF MANSFIELD TOWNSHIP TRUST FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Township Committee of the Township of Mansfield deemed it in the best interest of the Township to amend the Cash Management Plan to include as a authorized bank for deposit Unity Bank,

NOW, THEREFORE BE IT RESOLVED, that the Chief Financial Officer is authorized to transfer the following Mansfield Township trust account from Fulton Bank of New Jersey to Unity Bank.

Payroll Account

Mr. Misertino made a motion to approve the passage of Resolution 2014-138, which was seconded by Mr. Clancy.

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

REFUND OF PLANNING BOARD ESCROW BALANCE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, MBE Mark III Electric issued a check for Planning Board escrow (road opening) with the Township of Mansfield, County of Warren,

WHEREAS, there remains a balance of \$ 700.00 in the escrow account,

WHEREAS, the Planning Board Attorney and Engineer have 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 \$ 700.00 to MBE Mark III Electric.

Mr. Clancy made a motion to approve the passage of Resolution 2014-139, which was seconded by Mrs. Kocher.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

RESOLUTION NO. 2014 – 140

**A RESOLUTION AUTHORIZING THE CANCELLATION OF STALE CHECKS FROM
FULTON BANK OF NEW JERSEY FOR THE TOWNSHIP OF MANSFIELD, COUNTY
OF WARREN,
STATE OF NEW JERSEY**

WHEREAS, checks were issued by the Township of Mansfield for more than a year ago, more particularly set out below as the Check Date, Check Number, and Amount, has never been presented for payment; and

WHEREAS, this outstanding checks, cause additional work and expense in keeping the books of Mansfield Township;

NOW, THEREFORE BE IT RESOLVED, by the Township of Mansfield Committee that the Chief Financial Officer is authorized to cancel the following stale checks and to adjust the financial records to reflect the same.

RECREATION ACCOUNT	DATE	CHECK #	AMOUNT
	7/24/13	2075	\$ 65.00
		TOTAL	\$ 65.00

CURRENT ACCOUNT	DATE	CHECK #	AMOUNT
	6/13/12	8590	\$ 10.00
	2/13/13	9176	\$ 31.48
	4/24/13	9400	\$ 6.00
	7/10/13	9596	\$ 100.00
	9/11/13	9752	\$ 3.00
		TOTAL	\$ 150.48

Mr. Misertino made a motion to approve the passage of Resolution 2014-140, which was seconded by

Mr. Clancy.

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

RESOLUTION # 2014 -141
REFUND OF RECREATION REGISTRATION
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Mr. Samuel Snyder paid via credit card on 5/2/14 for a football registration with the Township of Mansfield, County of Warren,
WHEREAS, the child did not participate in football,
WHEREAS, a refund cannot be issued against the credit card due to the lapse in time,
NOW THEREFORE BE IT RESOLVED, that the Finance Office be authorized to refund the amount of \$ 75.00 to Mr. Samuel Snyder.

Mr. Clancy made a motion to approve the passage of Resolution 2014-141, which was seconded by Mrs. Kocher.

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

RESOLUTION # 2014-142
FOR TRANSFER OF FUNDS
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2014 budget line items; and
WHEREAS, N.J.S.A. 40A:4-58 permits the transfer of funds from accounts with a surplus to cover such demands,
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:

CURRENT FUND		
<u>Account:</u>	<u>From:</u>	<u>To:</u>
Streets & Roads O/E	\$ 9,000.00	
Planning Board O/E	\$ 20.16	
Snow O/E		\$ 9,000.00
Planning Board S/W		\$ 20.16
TOTALS	\$ 9,020.16	\$ 9,020.16

Mr. Clancy made a motion to approve the passage of Resolution 2014-142, which was seconded by Mr. Misertino.

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

Nays: None
Absent: Mayor Tomaszewski
Abstain: None

**RESOLUTION # 2014-143
LIEN REDEMPTION**

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 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 23rd day of December 2014 that payment is to be made to the certificate holder as noted:

US Bank/Cust for Pro Capital III LLC
US Bank TLSG
50 S. 16th Street, Suite 2050
Philadelphia, PA. 19102

Block 805 Lot 8
Certificate # 2013-02
\$ 41,970.02

Mr. Misertino made a motion to approve the passage of Resolution 2014-143, which was seconded by Mr. Clancy.

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

**RESOLUTION # 2014-144
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 \$50,000.00 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 December 2014 that the \$50,000.00 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 III LLC US Bank TLSG 50 S. 16 th Street, Suite 2050 Philadelphia, PA. 19102	Block 805 Lot 8	2013-02

Mr. Clancy made a motion to approve the passage of Resolution 2014-144, which was seconded by Mrs. Kocher.

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

2014-145

STATEWIDE INSURANCE FUND

RESOLUTION APPOINTING FUND COMMISSIONER

WHEREAS, Township of Mansfield (hereinafter "Local Unit") is a member of the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Fund's Bylaws require participating members to appoint a Fund Commissioner;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Township of Mansfield that Dena Hrebenak is hereby appointed as the Fund Commissioner for the Local Unit for the year 2015; and

BE IT FURTHER RESOLVED that Michael Reilly is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2015; and

BE IT FURTHER RESOLVED that the Local Unit's Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Mr. Misertino made a motion to approve the passage of Resolution 2014-145, which was seconded by Mr. Clancy.

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

RESOLUTION NO. 2014-146

WHEREAS, the Township of Washington, County of Morris and the Township of Mansfield, County of Warren desire to extend the current shared services agreement for the services of a Chief Financial Officer provided by the Township of Washington to the Township of Mansfield; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65 -1 et seq.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Washington, in the County of Morris and State of New Jersey, as follows:

1. That the Mayor and Township Clerk are hereby authorized to execute a Memorandum of Agreement extending the Shared Services Agreement between the Township of Washington and the Township of Mansfield, County of Warren, for the services of a Chief Financial Officer for the period of January 15, 2015 through January 31, 2015.
2. A copy of the Memorandum is on file in the office of the Township Clerk for inspection by the public.
3. A copy of the Memorandum shall be filed, for informational purposes, with the Department of Community Affairs, Division of Local Government Services.

Mr. Clancy made a motion to approve the passage of Resolution 2014-146, which was seconded by Mr. Misertino.

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

Township of Mansfield
Warren County, New Jersey

Dena Hrebenak, RMC
Office of the Township Clerk

100 Port Murray Road
Port Murray, NJ 07865
908-689-2840

Township of Mansfield
Resolution 2014-147

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 57 in the Township of Mansfield; and

WHEREAS, NJDOT recommends a revision to the centerline pavement markings on Route 57 to create a "No Passing Zone" in the vicinity of M.P. 14.1 Eastbound only for safety reasons; and

WHEREAS, this project will create safer driving conditions in this area of Route 57;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield of, the County of Warren, in the State of New Jersey, that it supports the use of a "No Passing Zone" on Route 57 in the Township of Mansfield as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

Mr. Watters made a motion to table 2014-147 until we can discuss this with Chief Reilly, which was seconded by Mrs. Kocher.

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

**RESOLUTION AUTHORIZING COMMITMENT BY THE
TOWNSHIP OF MANSFIELD FOR ONGOING AFFORDABLE HOUSING
ADMINISTRATIVE EXPENSES INCURRED FROM THE DEVELOPMENT FEES AND
INTEREST COLLECTED BY THE TOWNSHIP**

WHEREAS, the Township of Mansfield has collected development fees in accordance with an approved Development Fee Ordinance; and

WHEREAS, the Township of Mansfield has collected a total of \$587,438.08 in fees and interest as of December 16, 2014; and

WHEREAS, the Township of Mansfield has expended \$84,467.20 in administration costs as of December 16, 2014; and

WHEREAS, the Township of Mansfield has a balance in the trust account of \$324,970.88 as of October 31, 2014; and

WHEREAS, the Township of Mansfield is entitled to take up to twenty percent (20%) as reimbursement for administrative expenses; and

WHEREAS, the Township of Mansfield has previously taken less than 20 percent in administrative fees; and

WHEREAS, the Township of Mansfield is committing \$25,000 of its existing trust fund money for present and future administrative expenses incurred by Mansfield's affordable housing planner, attorney, administrative agent and municipal staff while consulting on affordable housing issues.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, that it hereby commits at least \$25,000 and up to twenty percent (20%) from the Development Fee account for present and future administration expenses.

Mr. Clancy made a motion to approve the passage of Resolution 2014-148, which was seconded by Mrs. Kocher.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

RESOLUTION # 2014-149
Endorsement of Redeemed Municipal
Tax Sale Certificate

TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the

following Tax Sale Certificate, held by the Township, having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59; the Mayor and Township 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 CERTIFICATE NUMBER	BLOCK/LOT	AMOUNT
2012-05	805/8.01	\$16,409.84

Mr. Clancy made a motion to approve the passage of Resolution 2014-149, which was seconded by Mr. Misertino.

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

PUBLIC PORTION: (3 minute limit per person)

Mrs. Carol Thompson presented the year in review to the Zoning Officer for the non compliance and non enforcement of Route 57 Auto Sales and made request to the Township Committee to review the junk yard ordinance prior to awarding the license.

Mr. Lavery stated that he has advised the Township Committee that there is an active litigation that Mrs. Thompson has filed and that all comments should be held on this topic.

Mr. Glenn Todd, Washburn Road, please try to keep the taxes down in the upcoming year. Mr. Todd stated that he is tired of people hiding behind keyboards and talking about people.

Donald Proefrock, Diamond Hill, asked if the Township is actively seeking a CFO.

Mr. Watters stated that the township is looking to hire for the CFO's office.

Mr. Proefrock stated that he is troubled by the Township having to do Resolutions for all of the reimbursements.

Mr. Lavery explained that this is a requirement for the Township.

Mr. Scott Minter, Mount Bethel Road, thanked the committee for listening and was appreciative of the changes that have been made. Mr. Minter stated that he is looking forward to the upcoming committee.

EXECUTIVE SESSION:

Mr. Watters made a motion to enter into Executive Session to discuss COAH update, Attorney Client, Pending Litigation, Personnel at 8:04pm, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Kocher
Nays: None

Absent: Mayor Tomaszewski
Abstain: None

Mr. Clancy made a motion to ,which was seconded by Mrs. Kocher

Mr. Lavery stated that we return from Executive Session at 9:07pm matters that were discussed were involving Attorney Client privilege, a Developers agreement, pending litigation, personnel recreation, personnel shared services.

Mr. Misertino made a motion to reinstate Jason Webster to the Recreation Committee, which was seconded by Mr. Clancy.

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

Mr. Misertino made a motion to enter into a shared service for snowplowing at school, which was seconded by Mr. Clancy.

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

Mr. Clancy made a motion to authorize the Mayor to sign on the developer's agreement for Constellation Solar, which was seconded by Mr. Misertino.

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

ORDINANCE:
Second Reading

Deputy Mayor Watters opened the floor for public comment on Ordinance 2014-18; seeing that there were no comments the public comment portion was closed.

2014-18

AN ORDINANCE TO CANCEL CAPITAL APPROPRIATION BALANCES AND RECEIVABLE FOR COMPLETED PROJECTS

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed; and

WHEREAS, it is necessary to formally cancel said balances, so that the unexpended balances may be returned to each respective Capital Improvement fund or credited to Capital Fund Balance, and unused debt authorizations may be canceled; and

WHEREAS, a receivable balance of \$14,867.54 entitled Due from Hackettstown, Improvements to Public Buildings-Addition of a Wash Bay remains on the General Capital Balance sheet

WHEREAS, it is necessary to formally cancel the receivable balances from the balance sheet NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield that the following unexpended and dedicated balance of General Capital Appropriations be canceled:

Reserve for Office Equipment	\$ 914.29
Reserve for Police Vehicle	\$ 120.56
Total Cancelled	\$ 1034.85

AND, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Mansfield that the following off setting grant receivable balance be canceled:

Due from Hackettstown	\$14,867.54
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Mr. Clancy made a motion to approve the passage of Ordinance 2014-18, which was seconded by Mrs. Kocher.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Deputy Mayor Watters opened the floor for public comments on Ordinance 2014-19; seeing that there were no comments from the public the public comment portion was closed.

2014-19

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2014-06 FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, NEW JERSEY ON APRIL 23, 2014

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 the members thereof affirmatively concurring), AS FOLLOWS:

The Bond Ordinance of the Township Committee of the Township of Mansfield, in the County of Warren, New Jersey (the "Township") entitled "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," finally adopted on April 23, 2014 (the "Ordinance") is hereby incorporated by reference in its entirety.

(a) The Ordinance is hereby amended by deleting the reference of "\$432,000" for the appropriation and estimated costs and substituting in lieu therefor "\$440,630.85".

(b) SECTION ONE - Section 1, third sentence of the Ordinance is hereby amended in its entirety as follows:

"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; (c) \$8,630.85 to be received from the Reserve for Road Improvements in the General Capital Fund and (d) \$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 capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions 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 of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that the 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 costs of the Improvements is \$196,650.

All other provisions of the Ordinance shall remain unchanged.

This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Mr. Watters made a motion to approve the passage of Ordinance 2014-19, which was seconded by Mr. Clancy.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Misertino made a motion to enter into a shared service with Washington Township, Morris County for the Tax Collector position, which was seconded by Mr. Clancy.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Mr. Clancy made a motion to hold the Reorganization meeting on January 1, 2015 at 12pm, which was seconded by Mr. Misertino.

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

Nays: None

Absent: Mayor Tomaszewski

Abstain: None

Mr. Clancy made a motion to adjourn at 9:04pm, which was seconded by Mr. Watters.