

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 11, 2016

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. Clancy, Mrs. Korczukowski, Mayor Kocher

Salute to the flag was done by all.

EXECUTIVE SESSION

Mrs. Kocher made a motion to go into Executive Session at 7:53 pm, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Clancy, Mrs. Korczukowski, Mayor Kocher

Nays: None

Absent: Mr. Watters

Abstain: None

Return to regular session.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Korczukowski, Mayor Kocher

Mr. Lavery, Esq. stated that during Executive Session the Committee discussed a personnel matter dealing with an employee, copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

APPROVAL OF THE MINUTES:

Mr. Clancy made a motion to approve the minutes from the regular meeting held on April 27, 2016, which was seconded Mrs. Korczukowski.

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

Nays: None

Absent: None

Abstain: None

PRESENTATION: Michael Margulies

Mr. Margulies went through the church project and the original grant to close up the building and get it stabilized. Most important thing will be to get building waterproofed through a building envelope stabilization. Doors, windows, grading should be the next phase of the project.

BILL LIST:

Mr. Clancy made a motion to approve the bill list and the two addendums, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak had nothing to report.

FINANCE REPORT:

Mr. Daniel stated that tonight we will be adopting the budget and once that is completed the numbers will be entered into the finance software and the Township Committee will be getting reports for where we are with the budgetary numbers.

EMPLOYEES REPORTS:

Ms. Fascenelli stated that the Township Committee received a copy of the Tonnage Report.

Ms. Fascenelli stated that Warren County will be collecting household tires

Mr. Misertino made a motion to have the clerk post the flyer on the website for the County collection for the household tires, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Mayor Kocher stated that at the last meeting she had asked Mr. Finelli to find out the pricing for the caulk to seal up the salt shed and that she found out today that Ms. Becker called and requested that Mr. Ward do that.

Mr. Watters asked if we could get other options of how to repair these issues.

Mr. Watters felt that if the Foundation drain would have helped with these issues.

Mayor Kocher stated that the water is coming in through the two top courses of block and that sealing the bottom will not stop that issue. Which is why it was requested of Mr. Finelli to get the pricing for the repairs to the foundation.

Mr. Misertino explained that he would like to speak to some other vendors to see what their suggestions would be to mitigate the water entering the building.

Mr. Watters made a motion to have the clerk contact Pennoni and Clear span in reference to the Salt Shed, which was seconded by Mrs. Korczukowski.

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

ADOPTION OF 2016-54 2016 Budget

Mrs. Korczukowski made a motion to adopt Resolution 2016-54, 2016 Budget, which was seconded by Mr. Clancy.

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

RESOLUTION:

**RESOLUTION # 2016-53
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 11TH day of May 2016, that payment is to be made to the certificate holder as noted:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Lienholder</u>	<u>Cert#</u>	<u>TOTAL REFUNDED</u>	
1307	03.03	432 Rockport Rd	US Bank Cust BV002 TRST & CRDTRS 50 S 16 th St Ste 2050 Philadelphia, PA 19102	15-0011	\$ 13,773.18 \$ 24,100.00	Lien Premium
2811	06	21 Gulick St	US BankCust PC5 Sterling National Tax Lien Group 50 S 16 th St Ste 2050 Philadelphia, PA 19102	2014-31	\$ 18,105.49 \$ 6,100.00	Lien Premium
202	18.03	602 Valley Rd	US Bank Cust BV002	15-0001	\$ 18,520.80	Lien

TRST & CRDTRS
50 S 16th St Ste 2050
Philadelphia, PA 19102

\$ 16,100.00 Premium

Mr. Watters made a motion to approve the passage of Resolution 2016-53, which was seconded by Mr. Clancy.

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

Nays: None

Absent: None

Abstain: None

ORDINANCE:

1st Reading

ORDINANCE 2016 -05

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 363
TITLED “ZONING ARTICLE VIA AGRICULTURE,
R-1 RESIDENCE AND R-2 RESIDENCE DISTRICTS”
SUBSECTION 363-2S TITLED ACCESSORY USES**

WHEREAS, it has come to the Township Committee’s attention that the Code of the Township does not provide adequate standards for Accessory Structures; and

WHEREAS, any use or structure that is not specifically permitted by the Township Code is deemed prohibited; and

WHEREAS, the Township Committee wishes to provide standards for accessory uses in various zones throughout the Township.

NOW THEREFORE, BE IT ORDAINED, that the Code of the Township of Mansfield shall be amended and supplemented by adopting the following standards in the A, R-1 and R-2 zones as follows:

§ 360-25 Accessory Uses

F. Storage buildings including pole barns and residential sheds.

§360-30 Area and Yard Requirements – Amended Accessory Structures

A. Accessory buildings and structures in an A zone must adhere to the following:

1. An accessory building or structure in an A zone shall not be located in any required front yard.

2. Accessory buildings and/or structures shall conform to the following requirements:

Accessory Building Requirements (minimum)	Lot Size: < 1 Acre	Lot Size: 1-5 Acres	Lot Size: 5-10 Acres	Lot Size: 10+ Acres
Accessory structure size (maximum)	800 Square Feet	1200 Square Feet	1600 Square Feet	2000 Square Feet + 100 Square Feet per Acre over 10 ¹
Distance to street line	50 Feet	50 Feet	50 Feet	50 Feet
Distance to principal building	10 Feet	15 Feet	20 Feet	25 Feet
Distance to other accessory building	6 Feet	8 Feet	10 Feet	10 Feet
Building height	18 Feet	24 Feet	24 Feet	24 Feet
If in rear yard:				
Distance to property line	5 Feet	15 Feet	25 Feet	30 Feet
If in side yard:				
Distance to property line	15 Feet	20 Feet	30 Feet	35 Feet

¹ Up to a maximum of 4000 square feet.

B. Accessory buildings and structures in R-1 zone must adhere to the following:

1. An accessory building or structure in an R-1 zone shall not be located in any required front yard.

2. Accessory buildings and/or structures shall conform to the following requirements:

Accessory Building Requirements (minimum)	Lot Size: < 1 Acre	Lot Size: 1-3 Acres	Lot Size: 3-10 Acres	Lot Size: 10 + Acres
Accessory structure size (maximum)	600 Square Feet	800 Square Feet	1000 Square Feet	1600 Square Feet + 100 Square Feet per Acre over 10 ¹
Distance to street line	50 Feet	50 Feet	50 Feet	50 Feet
Distance to principal building	10 Feet	15 Feet	20 Feet	25 Feet
Distance to other accessory building	6 Feet	8 Feet	10 Feet	10 Feet
Building height	18 Feet	24 Feet	24 Feet	24 Feet
If in rear yard:				
Distance to property line	5 Feet	15 Feet	20 Feet	25 Feet
If in side yard:				
Distance to side property line	15 Feet	20 Feet	25 Feet	30 Feet

¹ Up to a maximum of 4000 square feet.

C. Accessory buildings and structures in R-2 zone must adhere to the following:

1. An accessory building or structure in an R-2 zone shall not be located in any required front yard.
2. Accessory buildings and/or structures shall conform to the following requirements:

Accessory Building Requirements (minimum)	Lot Size: < 22,000 Square Feet	Lot Size: 22,000 Square Feet -1 Acre	Lot Size: 1-3 Acres	Lot Size: 3+ Acres
Accessory structure size (maximum)	400 Square Feet	600 Square Feet	800 Square Feet	1000 Square Feet + 100 Square Feet per Acre over 3 ¹
Distance to street line	50 Feet	50 Feet	50 Feet	50 Feet
Distance to principal building	10 Feet	10 Feet	25 Feet	20 Feet
Distance to other accessory building	6 Feet	6 Feet	8 Feet	10 Feet
Building height	15 Feet	18 Feet	24 Feet	24 Feet
If in rear yard:				
Distance to property line	5 Feet	5 Feet	15 Feet	20 Feet
If in side yard:				
Distance to property line	10 Feet	15 Feet	20 Feet	25 Feet

¹ Up to a maximum of 3,000 Square Feet.

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.

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

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

Mr. Clancy made a motion to introduce Ordinance 2016-05 and requested that the public hearing be advertised to be held on June 8, 2016, which was seconded by Mrs. Korczukowski.

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

2nd Reading

2016-03

AN ORDINANCE TO AMEND CHAPTER 12 "FIRE PREVENTION" OF THE CODE OF THE TOWNSHIP OF
MANSFIELD, WARREN COUNTY, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD

Section 12-3. The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

In addition to the registrations required by the Uniform Fire Code, the following non-life-hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and shall pay an annual fee as set forth below:

Use	Annual Fee
A — Assembly Use Group	
A-1 Eating establishment under 50	\$50.00
A-2 Take-out food service (no seating)	\$50.00
A-3 House of worship not exclusively used for religious purposes	\$50.00
A-4 Recreation centers, multipurpose, etc. (fewer than 50)	\$75.00
A-5 Court rooms, library, fraternal organizations, condominium centers (fewer than 50)	\$75.00
A-6 Senior centers (fewer than 50)	\$75.00
B — Business Use Group	
B-1 Professional use one- and two-story (up to 1,000 square feet)	\$42.00
B-2 One- and two-story (1,001 to 2,500 square feet)	\$50.00
B-4 Three-to-five story (Less than 5,000 square feet)	\$100.00
(5,001 to 10,000 square feet)	\$150.00
B-5 Three-to-five story (10,001 square feet or greater)	\$190.00
C — Retail/Mercantile Use Group	
M-1 One- and two-story (less than 5,000 square feet)	\$125.00
M-2 One- and two-story (more than 5,000 square feet and less than 12,000 square feet)	\$150.00
M-4 Three- to five-story (less than 5,000 square feet)	\$200.00
M-5 Three- to five-story (more than 5,000 square feet and less than 123,000 square feet)	\$225.00
D — Manufacturing/Factory Group	
F-1 One- and two-story (less than 5,000 square feet)	\$100.00
F-2 One- and two-story (more than 5,000 square feet and less than 12,000 square feet)	\$125.00
F-4 Three- to five-story (less than 5,000 square feet)	\$175.00
F-5 Three- to five-story (more than 5,000 square feet and less than 12,000 square feet)	\$200.00
S — Storage Use Group	
S-1 One- and two-story (less than 5,000 square feet)	\$75.00

Use	Annual Fee
S-2 One- and two-story (more than 5,000 square feet and less than 12,000 square feet)	\$125.00
S-4 Three- to five-story (less than 5,000 square feet)	\$175.00
S-5 Three- to five-story (more than 5,000 square feet and less than 12,000 square feet)	\$200.00
R — Residential Use Group	
R-1 1 to 2 units	See § <u>12-3B</u>
R-2 3 to 6 units	See § <u>12-3G</u>
R-3 7 to 12 units	See § <u>12-3G</u>
R-4 13 to 20 units	See § <u>12-3G</u>
R-5 Over 20 units	See § <u>12-3G</u>
U — Utilities Use Group	
U-1 Under 2,500 square feet	\$100.00
U-2 2,500 and over square feet	\$125.00
E — Common Areas Use Group	
E-1 One- and two-story (less than 5,000 square feet)	\$75.00
E-2 One- and two-story (more than 5,000 square feet and less than 12,000 square feet)	\$100.00
E-3 One- and two-story (more than 12,000 square feet)	\$125.00
E-4 Three- to five-story (less than 5,000 square feet)	\$125.00
E-5 Three- to five-story (more than 5,000 square feet and less than 12,000 square feet)	\$150.00
E-6 Three- to five-story (more than 12,000 square feet)	\$200.00

B.

R-1 fees shall be as set forth in the Uniform Fire Code, N.J.A.C. 5:70-2.9(d).

C.

Uses not classified above that are subject to the Uniform Fire Code shall be classified as business uses.

D.

Uses required to register with the state as life-hazard uses shall not be required to register under this section.

E.

Vacant buildings which create a fire hazard shall be charged and inspected according to the previous use of the building.

F.

Township-owned buildings, buildings owned and occupied by municipal fire companies and/or rescue

squads, buildings owned and occupied by nonprofit religious organizations that are used solely for religious purposes and buildings owned and occupied by nonprofit organizations used solely for nonprofit purposes shall be exempt from inspection fees.

G.

All residential uses except R-1 Uses shall be inspected in the common areas only and the fees established for the Common Areas Use Group shall apply.

§12-4 Enforcement, violations and penalties.

Enforcement, violations and penalties shall be managed in conformity with the Uniform Fire Safety Act, the Uniform Fire Code and all other laws of the State of New Jersey.

§ 12-5 Fees.

All state permit fees and Fire Code status fees shall be as established by the Uniform Fire Code, N.J.A.C. 5:70-1.1 et seq.

Mayor Kocher opened the floor for public comment;

Mr. Minter asked about the Residential fees that were questioned at the previous meeting.

Ms. Hrebenak explained that these are the fees that are charged for resale of a residential property for the 1 and two family homes. The codes for the larger residential properties are different, but these fees are presently charged by the state for the inspections that they had performed.

Mr. Watters made a motion to approve the passage of Ordinance 2016-03, which was seconded by Mr. Misertino.

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

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to send out the RFP for the electric supplier as it was presented to the Committee, which was seconded by Mr. Misertino.

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

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

Dawn Smith, 324 Mount Bethel Road, stated that the grant application for MCCTF needs to be in by May 27 and that an application for extension on the present grant that we were awarded in December 2014 needs to be sent in by December 10.

Mr. Lavery stated that we should make a call to Mr. Margulies to see if we could get the items for the grant application prior to the next meeting so that all items for the grant can be in on time.

Scott Minter, Mount Bethel Road, asked about the Cap for the Special Project Engineer.

Mr. Lavery stated that the RFP was done on a percentage basis for the entire project.

Mr. Misertino stated that the percentage was 3% of the project cost.

Mr. Minter asked what the total project cost is for this project.

Mr. Misertino stated that the estimated cost that came from the developer was \$10,000,000 and that he is unsure if this total has been updated since that price was given to the Township Committee.

Mr. Minter asked what it is that would be covered under that 3%.

Mr. Lavery explained that the 3% would be of the \$10,000,000.

Mr. Minter asked what is included in the cost and what inspections the 3% would cover.

Mr. Watters explained that this is for Construction Inspection Costs and that this would be the Townships requirement of the 80% of those inspection costs.

Mr. Minter clarified that these inspections would not be for the homes that are being put in.

Mr. Lavery stated that this would not be included in those inspections.

Mr. Minter questioned the building permit payment requirements and how the Township has budgeted for the building permit payment requirements.

Mayor Kocher explained that the building permits were set fees and that we allocated money in the budget to pay the township portion.

Mr. Minter stated that he would go further and see what another engineer that has worked on a clear span building suggests for the repairs and issues that the Township has with the Salt shed.

Mr. Minter asked about the property maintenance ordinance and if there were any violations that have been issued.

Mr. Minter requested that the Township Committee look at the Executive Session minutes and requested that more detail be contained in the minutes.

Elizabeth Griggs, 545 Mount Bethel Road, asked about the permit requirements for the Construction permits for the Meadows project and if she was correct that the Township's requirement for the payments was a 65% payment.

Mr. Watters stated that the average house will be around \$300,000 and that is what we based the budget on.

Mayor Kocher stated that the construction permits were set fees.

Don Profrock, Slope Drive, brought up the sidewalk suggestions that he had sent to the Township Committee and the Land Use Board. Mr. Profrock stated that the worst street that he saw was Claremont Road. Mr. Profrock stated that he would like to prevent issues of sidewalks lifting up due to tree issues.

Mr. Profrock asked if Mr. Finelli was responsible for the design of the salt shed.

Mayor Kocher stated that she was under the assumption that the Salt shed was supposed to be the same construction of Washington Twp, Warren County.

Doug Stanzione, Mansfield EMS, asked about whether or not Mr. Watters was going to have the people that were going to come to discuss the replacements for the ambulances present at a Committee meeting.

Mr. Watters stated that the 2002 ambulance would need to be replaced and that he is still waiting for more information and that he cannot find the requirement for the power lift stretcher.

Mr. Lavery stated that a letter was sent to Bill's about the bill for the rescue squad that sat at Bill's for over a year and a half and there was no response so a second request was sent.

Mr. Stanzione stated that he could facilitate the response from Bills because at this point there is one ambulance that this there due to an electrical issues and there is another one that they are having issues with.

Mr. Clancy expressed his concerns with waiting to make the needed changes for the Emergency Services.

Mr. Watters explained that he likes to have all of the information in front of him before he makes a decision.

Mr. Misertino made a motion to have Mr. Stanzione speak to Bill's Service Center to settle the bill for the ambulance.

Mr. Lavery stated that his letter asked that someone contact him in reference to the ambulance.

Mr. Watters stated that in conversation he was told that the issues were caused by electrolysis on the tanker for Mansfield Township Fire Company. Being that the truck is plugged in it causes the water to react with the stainless steel.

Mr. Clancy stated that he believes that we should reuse the chassis and put a poly-body on it. Mr. Clancy stated that he believe that another \$60,000 would get us through another 15 years which is what he believes would be the best service to the taxpayers.

Joe Farino spoke about the Meadows development and the costs of the permits as compared to the tax base that will be coming in.

Mayor Kocher stated that she understands that we are looking at the lesser of the two evils for expenses.

Mr. Clancy stated that he felt that this will be a winning proposition.

Mr. Misertino stated that this will be a positive for the Township.

Rich Gaulet, Mitchell Road, stated that he remembers when the builders had to pay all fees.

Mr. Clancy explained that this is due to a settlement.

Mrs. Korczukowski made a motion to enter into the Executive Session at 9:37pm, which was seconded by Mayor Kocher.

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

Nays: None

Absent: None
Abstain: None

Return to regular session at 9:52 pm.

Roll Call: Mr. Misertino, Mr. Watters, Mr. Clancy, Mrs. Korczukowski, Mayor Kocher

Mr. Lavery, Esq. stated that during Executive Session the Committee discussed a personnel matter dealing with an employee, copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

COMMITTEE PERSON COMMENTS:

Mr. Misertino stated that he had nothing to report.

Mr. Watters stated that he had nothing to report.

Mr. Clancy stated that he wanted to report that he has a campaign letter in which he was accused of having a meeting with two other Committee people to discuss the budget. Mr. Clancy stated that in the previous five and a half years he has never had a meeting with two other Committee members.

Mrs. Korczukowski asked about the harassment training if this was required.

Ms. Hrebenak stated that the presenter is a great presenter and that this would benefit the township for the insurance requirements.

Mayor Kocher stated that the EDAC committee had their second meeting and that there was one person that needs to resign from the committee so there are two open positions.

Mrs. Korczukowski made a motion to appoint Elizabeth Griggs as the chair of the EDAC committee, which was seconded by Mr. Clancy.

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

Mayor Kocher appointed Dawn Smith as the chair of the Environmental Commission.

Mr. Clancy made a motion to adjourn at 9:53pm, which was carried by all.