

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 23, 2018

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 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. Hayes, Mr. Farino, Mr. Misertino, Mayor Watters

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Hayes made a motion to approve the minutes from the regular meeting held on May 9, 2018, which was seconded by Mr. Farino.

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

Mr. Hayes made a motion to approve the minutes from the Executive Session held on May 9, 2018, which was seconded by Mr. Misertino.

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

BILL LIST:

Mr. Hayes made a motion to approve the bill list as presented, which was seconded by Mr. Misertino.

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

CLERKS REPORT:

Ms. Hrebenak stated there is an Open House at the Beattystown Mill on June 5 between 11am-1pm.

Mr. Hayes made a motion to approve the raffle application for Warren Hills FFA to be held on October 20, 2018 from 5pm-9pm, which was seconded by Mr. Farino.

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

Mr. Misertino made a motion to approve the raffle application for Warren Hills FFA 50/50 to be held on October 20, 2018, which was seconded by Mr. Hayes.

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

Mr. Hayes made a motion to approve the raffle application for Tri County 50/50 to be held on July 14, 2018 from 6pm-11pm, which was seconded by Mr. Farino.

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

Ms. Hrebenak stated that we received a call from someone who lives next to a Conservation easement who reported there were trees down and was looking for guidance.

Mr. Hayes made a motion to approve the trees being removed pending the attorney's review, which was seconded by Mr. Farino.

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

FINANCE REPORT:

Mrs. Mollineaux will wait for later for her items on the agenda.

EMPLOYEES REPORTS:

Mrs. Fascenelli had nothing to report.

ENGINEERS REPORT:

Mr. Kastrud went through his report to the Committee:

- Tax maps – an estimate has been provided
- NJ DEP Stormwater permit will be filed by the end of the month
- Upcoming Road projects will be starting after school is out
- Still waiting for 2019 NJ DOT grant application announcement
- ADA compliance and Valley Rd drainage projects will be providing solutions
- Airport Road subdivision is starting again, will be reviewing items needed to get started
- NJ DOT other opportunities for funding will be looked into further

PUBLIC PORTION:

No one came forward.

RESOLUTION:

2018-76
SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Mansfield has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Mansfield that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mrs. Mollineaux explained the need for this resolution.

Mr. Hayes made a motion to approve the passage of Resolution 2018-76, which was seconded by Mr. Farino.

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

RESOLUTION # 2018-72 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 MAY, 2018 that payment is to be made to the certificate holder as noted:

Block	Lot	Address	Lienholder	Cert#	TOTAL REFUNDED	
1102.084	197 Riva Dr. Qual C015D	US BANKCUST PC5 STERLING NATIONAL Tax Lien Svcs. Group 50 S 16 th St./STE 2050 Philadelphia, PA 19102		15-0007	\$1758.67	Lien 600.00 Premium

Mr. Hayes made a motion to approve the passage of Resolution 2018-72, which was seconded by Mr. Farino.

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

RESOLUTION NO. 2018-74

TOWNSHIP OF MANSFIELD WARREN COUNTY

Granting Paid Sick Leave to Police Officer

WHEREAS, the Township Committee (“Committee”) of the Township of Mansfield (“Township”) finds and declares that Steven Browns (“Employee”) is an employee of the Mansfield Township Police Department; and

WHEREAS, the Committee further finds and declares that the Employee will be out of work on paid leave as of May 22, 2018 and

WHEREAS, the Committee further finds and declares that the Employee has leave days accrued that could be used for salary compensation during the duration of his paid leave;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby grant paid leave to Township Employee, Steven Browns, during the period of May 22, 2018 through January 13, 2019; and

BE IT FURTHER RESOLVED that the Township Clerk be and is hereby directed to formally notify the Police and Firemen’s Retirement System of said status and to cause the same to be included in the records maintained for said employee.

Mr. Hayes made a motion to approve the passage of Resolution 2018-74, which was seconded by Mr. Farino.

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

2018-77

RESOLUTION TO APPROVE APPROPRIATING A CASH MATCH FOR MCCTF GRANT

WHEREAS, the Township Committee wishes to apply for a grant for the Mount Bethel Church renovations; and

WHEREAS, there is a requirement for a 25% cash match;

NOW THEREFORE BE IT RESOLVED, the Township Committee authorizes the 25% cash match of \$50,000 to be applied from the Open Space Fund if grant moneys are approved.

Mr. Hayes made a motion to approve the passage of Resolution 2018-77, which was seconded by Mr. Farino.

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

ORDINANCE:

1st Reading

ORDINANCE 2018-04

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD,
COUNTY OF WARREN, STATE OF NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER 363
TITLED "ZONING ARTICLE VI A AGRICULTURE,
R-1 RESIDENCE AND R-2 RESIDENCE DISTRICTS"
SUBSECTION 363-2S TITLED ACCESSORY STRUCTURES**

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:

- Accessory buildings and structures in an A zone must adhere to the following:
 - An accessory building or structure in an A zone shall not be located in any required front yard. Nor shall it be located in front of any Principle Structure.
 - 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
Distance to street line	45 Feet	50 Feet	50 Feet	50 Feet
Distance to property line	15 Feet	20 Feet	25 Feet	25 Feet
Distance to principal building	10 Feet	10 Feet	10 Feet	10 Feet
Distance to other accessory building	6 Feet	8 Feet	10 Feet	10 Feet
Building height	18 Feet	24 Feet	24 Feet	24 Feet

- Accessory buildings and structures in R-1 zone must adhere to the following:
 - An accessory building or structure in an R-1 zone shall not be located in any required front yard. Nor shall it be located in the front of any principal structure.
 - 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
Distance to street line	45 Feet	50 Feet	50 Feet	50 Feet
Distance to property line	15 Feet	18 Feet	25 Feet	25 Feet
Distance to principal building	10 Feet	10 Feet	10 Feet	10 Feet
Distance to other accessory building	6 Feet	8 Feet	10 Feet	10 Feet
Building height	18 Feet	24 Feet	24 Feet	24 Feet

- Accessory buildings and structures in R-2 zone must adhere to the following:
 - An accessory building or structure in an R-2 zone shall not be located in any required front yard. Nor shall it be located in the front of any principal structure.
 - 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
Distance to street line	40 Feet	45 Feet	50 Feet	50 Feet
Distance to property line	15 Feet	18 Feet	20 Feet	20 Feet
Distance to principal building	10 Feet	10 Feet	10 Feet	10 Feet
Distance to other accessory building	6 Feet	6 Feet	8 Feet	10 Feet
Building height	15 Feet	18 Feet	24 Feet	24 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. Hayes made a motion to approve the introduction of Ordinance 2018-04 and requested that the public hearing be advertised to be held on June 27, 2018, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mr. Misertino, Mayor Watters

Nays: None

Absent: Mrs. Mora Dillon
Abstain: None

ORDINANCE 2018-05

AN ORDINANCE TO AMEND CHAPTER 182-12 A OF THE CODE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee of the Township of Mansfield is currently participating in a Shared Service for Fire Prevention Services; and

WHEREAS, there has been a request for an increase in the fee for CSDMCMAC (certificate of smoke detector and carbon monoxide alarm compliance) that is received more than ten days prior to change of occupant; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended to include the following provisions regarding CSDMCMAC fees.

Section 1

Chapter 182-12 of the Code of the Township of Mansfield is hereby amended as follows:

- A. Requests for a CSDMCMAC (certificate of Smoke Detector and Carbon Monoxide Alarm Compliance) received more than 10 business days prior to the change of occupant: \$40.00;
- B. Requests for a CSDMCMAC received four to ten business days prior to the change of occupant: \$70.00;
- C. Requests for a CSDMCMAC received fewer than four business days prior to the change of occupant: \$125.00;
- D. The fee for each additional inspection after fails of (A), (B), or (C) above shall be the same as the fee for the initial inspection.

This ordinance shall take effect immediately after passage.

Mr. Hayes made a motion to approve the introduction of Ordinance 2018-05 and requested that the public hearing be held on June 27, 2018, which was seconded by Mr. Farino.

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

2018 Municipal Budget 2nd reading:

2018-68 2018 Budget Amendment (public comment)

Mr. Hayes made a motion to approve Resolution 2018-68, which was seconded by Mr. Farino.

Ms. Mollineaux explained the budget amendments.

Public comment was opened and closed.

Mr. Misertino spoke in reference to the removal of funds from the DPW salary and wages.

Mayor Watters explained what the thought was with how we were planning to proceed with the DPW department.

Ayes: Mr. Hayes, Mr. Farino, Mayor Watters

Nays: Mr. Misertino

Absent: Mrs. Mora Dillon

Abstain: None

2018-56

2018 Budget Resolution

Mr. Hayes made a motion to approve the passage of Resolution 2018-56, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino,, Mayor Watters

Nays: Mr. Misertino

Absent:: Mrs. Mora Dillon

Abstain: None

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

RESOLUTION # 2018-73

TITLE: INSERTION OF SPECIAL ITEM OF REVENUE PURSUANT TO N.J.S.A. 40A:4-87, CHAPTER 159

WHEREAS, N.J.S.A. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of any item of appropriation for an equal amount; and

WHEREAS, the Township of Mansfield will receive \$ 5,500.00 for a Click It or Ticket Grant and wishes to amend its 2018 budget to include a portion of this amount as a revenue

NOW, THERE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$5,500.00 that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:
Click It or Ticket Grant

BE IT FURTHER RESOLVED, that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations – Excluded from caps Public and Private Programs
Offset by Revenues:
Click It or Ticket Grant

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Mr. Hayes made a motion to approve the passage of Resolution 2018-73, which was seconded by Mr. Farino.

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

**RESOLUTION # 2018 –75
TO AUTHORIZE AND APPROVE SALARIES AND WAGES FOR CERTAIN EMPLOYEES**

WHEREAS, Ordinance Numbers 2016-13 & 2017-16 established the salaries and wages for the employees of the Township of Mansfield, County of Warren,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren that the following named employees shall be compensated for the year 2018, unless otherwise noted, in the amount as designated below:

NAME	POSITION	SALARY
Dena Hrebenak	Municipal Clerk	\$ 59,584.79
Dena Hrebenak	Insurance Fund Commissioner	\$ 1,500.00
Dena Hrebenak	Elections Officer	\$ 200.00 / election
Dena Hrebenak	Assessment Search Officer	\$ 1,000.00
Dena Hrebenak	Stipend	\$ 1,000.00
JoAnn Griffith	Deputy Clerk	\$ 31,752.53
JoAnn Griffith	Land Use Board Secretary	\$ 10,000.00
JoAnn Fascenelli	Certified Recycling Professional	\$ 2,100.00
JoAnn Fascenelli	Clean Communities Coordinator	\$ 1,400.00
JoAnn Fascenelli	Stipend	\$ 1,000.00
Bernard Murdoch	Certified Tax Assessor	\$ 25,305.83

Bernard Murdoch	Certified Lists	\$ 620.00
Ruth Pante'	Environmental Commission Secretary	\$ 1,070.42
Ruth Pante'	Open Space/Historical Secretary	\$ 290.33
Robert Griffith	Emergency Management Director	\$ 2,000.00
Rich Heurich	Deputy Emergency Mgt. Director	\$ 534.00
Patrick Wood	Public Works Superintendent	\$ 65,975.00
Joan Kries	Police Secretary	\$ 41,271.95
Michael Reilly	Chief of Police	\$117,507.57

Mr. Hayes made a motion to approve the passage of Resolution 2018-75, which was seconded by Mr. Farino.

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

COMMITTEE PERSON COMMENTS:

Mayor Watters stated that interviews for Tax Assessor need to be conducted.

Mr. Hayes made a motion to authorize the DPW Teamsters agreement, which was seconded by Mr. Fariono.

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

Mayor Watters made mention of the Mt. Bethel Church bid and that an award extension be requested and to seek advice from the architect on how to handle the discrepancy between the grant amount and the bids.

EXECUTIVE SESSION:

Mr. Hayes made a motion to enter into Executive Session at 8:28 pm to discuss an Attorney Client Privilege matter and a Personnel Matter, which was seconded by Mr. Farino.

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

Return from Regular Session at 8:58 PM.

Roll Call: Mr. Hayes, Mr. Farino, Mr. Misertino, Mayor Watters

Mr. Lavery, Esq. stated that during Executive Session the Committee discussed two police personnel matters and an Attorney Client Privilege matter, copies of these minutes will be available as soon as the Committee feels they are no longer a harm to the public interest.

Mr. Hayes made a motion to approve the Chief to offer a patrolman's position to the officer discussed, which was seconded by Mr. Farino.

Ayes: Mr. Hayes, Mr. Farino, Mr. Misertino, Mayor Watters

Nays: None

Absent: Mrs. Mora Dillon

Abstain: None

Mr. Hayes made a motion to approve the Chief to offer a promotion to the officer discussed effective October 1, 2018, which was seconded by Mr. Misertino.

Mr. Hayes made a motion to adjourn at 8:59 pm, which was carried by all.