

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 8, 2019

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 passage of the minutes from the regular meeting held on April 24, 2019, 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 passage of the Executive Session minutes from April 24, 2019, which was seconded by Mr. Farino.

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

BILL LIST:

Mayor Watters excluded PO# 17-01341 for Quality Roofing.

Mr. Hayes made a motion to approve the rest of the bill list, which was seconded by Mr. Farino.

Mayor Watters asked about the bill for inspections and what this is for.

Mr. Hayes asked why the bills for Pennoni were split between the municipal budget and the developer's escrow.

Mayor Watters explained that this is the 80/20 split.

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

Mr. Ferry went through his report for the budget, answered questions from the committee, and concluded that the budget looks healthy.

Seeing no further questions, Mayor Watters closed the public portion.

No action was taken on the budget. It will be voted on May 22, 2019.

#### CLERK'S REPORT:

Ms. Hrebenak stated that the Committee was given a memo from Michael Margulies in reference to the Mount Bethel Church contract. We will need to discuss this in Executive Session.

Ms. Hrebenak stated that the Shared Service Agreement was received from Emergency Services and there is a resolution on the agenda to authorize the Mayor to execute the contract.

Ms. Hrebenak stated that the Honeywell contract was received and the price went from \$3296 to \$3040.

Ms. Hrebenak stated that a field usage form was received from Kickzsoccer for use from July 22-26 and August 26-30.

Ms. Hrebenak stated that a letter was received from ISO for a meeting with the Fire Companies.

#### EMPLOYEES' REPORTS:

Mrs. Fascenelli reported on the Town-Wide Yard Sale. Despite the weather, there was positive feedback from the 32 residents participating. She thanked the Clerk and Deputy Clerk for helping with the map and getting the signs out.

Mrs. Fascenelli also reported that the 2018 Tonnage Report was submitted to the state on time with all the required documents with a total ton of 11,505.73. This total was lower, so Mrs. Fascenelli will do an analysis, could be people are buying smarter and reusing more. Mr. Misertino asked if the money from these recycling efforts could be used to buy more of the recyclable bags, and wanted to know where the money comes from to purchase the reusable bags; Mrs. Fascenelli stated the money comes from Clean Communities who have not put out their 2019 figures yet.

#### ENGINEER'S REPORT:

Mr. Kastrud stated that his report was updated a week ago, but the tax maps are printed and in his office. He will put them into a PDF and send to Ms. Hrebenak so she can print them in 11 x 17.

He also stated the grants for Watters Road and Heiser Road have been updated through the NJ DOT Sage. Payments are being processed. Both roads have been inspected and approved, and we are now entering through the required final payment paperwork of vouchers and engineer's certification to receive the last 25% of the grants.

Mr. Kastrud reported the 88 compliance for the inventory of the walks has taken longer. It will be done this month.

Mr. Kastrud also stated the Allen Road railroad bridge state report was sent to the committee and asked if anyone had any questions or needed any other information on it. The report stated the bridge was structurally adequate and proposed no changes from the two-year old inspection. Another inspection was done in December and that report is expected in eight months. Mayor Watters commented that they (the state) will decide when to fix it; Mr. Kastrud concurred.

Mr. Kastrud also received another letter from the Local Aid Grant for \$156,000 for Airport Road. He is proceeding with that now.

Mrs. Mora Dillon asked if Mr. Kastrud received all the reports from Drew DeSessa for The Meadows. Mr. Kastrud stated the last set was received in August and recently received some, but he hasn't seen them yet. He will coordinate with Ms. Hrebenak to see them tomorrow.

PUBLIC PORTION:

Sueling Heurich, Janes Chapel, asked what work will be done on Mount Bethel and Janes Chapel Road.

Mr. Snyder stated that they will be working on a pipe on Janes Chapel Road. As of this point he does not believe that this will be one of the roads that will be over layed.

Mr. Snyder stated that he is going to be speaking with the Township Committee in reference to the roads that need to be done and the amount that will be needed to make the repairs.

Mrs. Heurich asked about the properties not being maintained and if the Township had ordinances to control the maintenance.

Mrs. Heurich stated that a number of properties have a number of cars on properties and she was under the assumption that there was an ordinance that required that all vehicles be registered.

Mayor Watters closed the public portion.

RESOLUTION:

Township of Mansfield  
Resolution 2019-81

APPROVAL TO SUBMIT A GRANT APPLICATION AND APPROVAL FOR THE MAYOR TO EXECUTE THE  
APPLICATION FOR PRESERVE NJ GRANT TO BE USE IN CONJUNCTION WITH THE MOUNT BETHEL PHASE 3  
GRANT FOR THE MOUNT BETHEL CHURCH

NOW, THEREFORE BE IT RESOLVED that the Committee of the Township of Mansfield formally approves the grant application for the above referenced project.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the application for the Preserve NJ grant and that the CFO is authorized to encumber \$2,400 out of the Open Space Trust Fund to pay the Architect for the grant preparation and submittal.

Mrs. Mora Dillon made a motion to approve Resolution 2019-81, which was seconded by Mr. Hayes.

Ayes: Mr. Hayes, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Nays: Mr. Misertino

Absent: None

Abstain: None

RESOLUTION # 2019 –82  
REFUND OF OUTSIDE EMPLOYMENT OF OFF-DUTY POLICE

TOWNSHIP OF MANSFIELD  
WARREN COUNTY, STATE OF NEW JERSEY

**WHEREAS**, Buckley Cable Construction Company issued two checks in March 2019 for a total of \$ 2,400.00 for Outside Employment of Off-Duty Police (quasi-public matters) account with The Township of Mansfield, County of Warren,

**WHEREAS**, there is a remaining balance of \$ 1,000.00 in their account,

**NOW, THEREFORE BE IT RESOLVED**, that the Township Finance Office be authorized to refund the amount of \$ 1,000.00 to Buckley Cable Construction Company.

**RESOLUTION #2019-83**  
**TOWNSHIP OF MANSFIELD**  
**EMERGENCY RESOLUTION**  
**N.J.S.A.40A:4-20 (TEMPORARY APPROPRIATIONS)**

WHEREAS, pursuant to N.J.S.A. 40a:4-19 the Township Committee of the Township of Mansfield adopted Resolutions to provide temporary funds for the period from January 1, 2019 until the adoption of the Operating Budget for the Township of Mansfield, New Jersey; and

WHEREAS, additional appropriations will be required from May 8, 2019 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by two-thirds vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE TOWNSHIP OF MANSFIELD, NEW JERSEY, that:**

1. The governing body by a two-thirds vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

\$800,000.00

- This action shall take effect May 8, 2019.
- A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Township Clerk of the Township of Mansfield.

2019-84  
TOWNSHIP OF MANSFIELD  
COUNTY OF WARREN

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR POLICE DONATIONS  
REQUIRED BY NJS 40A:5-29

WHEREAS, permission is required by 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, NJS 40A:5-29 provides for the receipt of Police Donations to purchase various supplies and training materials by the municipality to provide for the operating costs to administer this act; and

WHEREAS, NJS 40A:4-39 provides the dedicated revenues anticipated from Police Donations are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

- The Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Police Donations NJS 40A:5-29.
- The Clerk of the Township of Mansfield, County of Warren is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government

Services.

**2019-85**  
**Resolution: Change In Custodian Of Petty Cash Fund**

WHEREAS, Esther Lutheran was the custodian of the General Public Assistance Fund, and

WHEREAS, Esther Lutheran no longer works for the Township of Mansfield and there is no longer a need for a General Public Assistance Fund, and

WHEREAS, the Township Committee would like this section of the petty cash approvals removed from the report for Petty Cash, and

NOW, THEREFORE, BE IT RESOLVED that the *Township of Mansfield*, County of Warren hereby requests that the NJDCA Bureau of Financial Regulation and Assistance remove the listing for a General Public Assistance petty cash. The Township Committee hereby directs the Municipal Clerk to file two copies of this resolution with the NJDCA Division of Local Government Services for approval and action.

**2019-86**  
**GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE  
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S  
"Enforcement Guidance on the Consideration of Arrest and Conviction Records in  
Employment Decisions Under Title VII of the Civil Rights Act of 1964"**

FORM OF RESOLUTION

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *Township Committee* of the *Township of Mansfield*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

2019-87

A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH MANSFIELD EMERGENCY SERVICES, FOR MECHANICAL SERVICES/REPAIRS

WHEREAS, the Township of Mansfield is desirous of sharing services for Mechanical Services/Repairs with Mansfield Emergency Services; and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A 40A:65-1 et seq.) Empowers the Township of Mansfield and the Mansfield Emergency Services to enter into such an agreement;

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield Committee hereby authorizes the Mayor to execute a shared service agreement with Mansfield Emergency Services for the Mechanical Services/Repairs.

Mr. Hayes made a motion to approve Resolution 2019-82, 84, 85, 86, 87 which was seconded by Mrs. Mora Dillon.

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

Mrs. Mora Dillon made a motion to approve the Emergency Resolution-Temporary Appropriations 2019-83, which was seconded by Mr. Hayes.

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

SECOND READING ORDINANCE:

**2019-03**

**CALENDAR YEAR 2019**  
**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION**  
**LIMITS AND TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 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 Township Committee of the Mansfield Township in the County of Warren finds it advisable and necessary to increase its CY 2019 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 Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 48,252.07 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines 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 ORDAINED**, by the Township Committee of the Mansfield Township, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 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 \$168,882.25, and that the CY 2019 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any 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,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Hayes made a motion to approve 2019-03 Ordinance, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the floor for public comment; seeing none the public comment portion was closed.

Ayes: Mr. Hayes, Mr. Misertino, Mr. Farino, Mrs. Mora Dillon, Mayor Watters



Nays: None  
Absent: None  
Abstain: None

### EXECUTIVE SESSION

Mr. Hayes made a motion to move into Executive Session at 8:20 pm, which was seconded by Mrs. Mora Dillon.

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

Return from Executive Session at 8:56 pm

Roll Call: Mr. Hayes, Mr. Misertino, Mr. Farino, Mrs. Mora Dillon, Mayor Watters

Mr. Wenner, Esq stated that during the Executive Session the Township Committee discussed the following matters, contractual HVAC and Electric, and a personnel matter.

Mr. Hayes made a motion to approve the matter discussed in Executive session regarding municipal property, which was seconded by Mrs. Mora Dillon.

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

Mr. Hayes made a motion to approve the authorization of the execution of the contract with Honeywell as discussed in Executive session, which was seconded by Mrs. Mora Dillon.

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

Mrs. Mora Dillon made a motion to authorize the personnel action that was discussed in Executive Session, which was seconded by Mr. Hayes.

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

Mrs. Mora Dillon made a motion to adjourn at 8:58 pm, which was seconded by Mr. Hayes.