

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 13, 2013

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. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to approve the minutes from the regular meeting October 9, 2013, which was seconded by Mayor Tomaszewski.

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

Mr. Clancy made a motion to approve the minutes from the regular meeting held on October 23, 2013, which was seconded by Mr. Smith.

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

APPROVAL OF THE BILL LIST:

Mrs. Kocher asked about the bill on page 2 training for First Byte was this approved.

Mr. Watters stated that he signed off on this because the Tax Collector explained that this training is what she needs so that she is aware what the system can do. Mr. Watters also stated that from what he has heard the training has helped.

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

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

Moment of Silence for Harry Pool.

SWEARING IN OF CHIEF REILLY:

Mayor Tomaszewski performed the swearing ceremony for Chief Reilly.

CLERK'S REPORT:

Mayor Tomaszewski made a motion to approve the raffle license for Ridge and Valley Chapter of Trout Unlimited, which was seconded Mr. Clancy.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ENGINEERS REPORT:

Mr. DiSessa stated that he had nothing new to report.

Mr. Watters asked when we are going to rebid the Diamond Hill Contract and if there will be any changes.

Mr. DiSessa stated that the scope of work will be the same and that we will be rebidding the project either by the end of the year or the beginning of next year.

RESOLUTION:

RESOLUTION # 2013 –114
REFUND OF PLANNING BOARD ESCROW BALANCE
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, Adriana & Nicholas Bradley (The Doggie Chalet) issued a check for Planning Board escrow with the Township of Mansfield, County of Warren,

WHEREAS, there remains a balance of \$ 220.00 in the escrow account,

WHEREAS, the Planning Board Attorney and Engineer have determined that the balance can be returned,

NOW THEREFORE BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 220.00 to Adriana & Nicholas Bradley.

Mr. Watters made a motion to approve the passage of Resolution 2013-114, which was seconded by Mr. Clancy.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2013 –115
REFUND OF PLANNING BOARD RESTORATION BOND
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, National Realty Development Corporation issued a check for a restoration bond (Mansfield Commons application 95-10) with the Township of Mansfield, County of Warren,
WHEREAS, there remains a balance of \$ 67,493.84 in the account,
WHEREAS, the Planning Board Attorney and Engineer have determined that the restoration bond can be returned,
NOW THEREFORE BE IT RESOLVED, that the Township Finance Office be authorized to refund the restoration bond in the amount of \$ 67,493.84 to National Realty Development Corporation.

Mr. Watters made a motion to approve the passage of Resolution 2013-115, which was seconded by Mr. Clancy.

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

RESOLUTION # 2013-116
 FOR TRANSFER OF FUNDS
 TOWNSHIP OF MANSFIELD
 WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, there are insufficient funds in some of the 2013 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 Acting 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>
Mayor & Council S/W	\$11,000.00	
Mayor & Council O/E	\$ 600.00	
Finance Admin. S/W	\$ 1,000.00	
Finance Admin. O/E	\$ 1,600.00	
Revenue Admin. S/W	\$ 1,500.00	
Revenue Admin. O/E	\$ 1,110.00	
Planning Board O/E	\$ 500.00	
Streets & Roads Maint. S/W	\$ 7,000.00	
Streets & Roads Maint. O/E	\$ 23,000.00	
Buildings & Grounds O/E	\$ 200.00	
Public Health Service S/W	\$ 7,300.00	
Recreation Service S/W	\$ 3,700.00	
Municipal Court S/W	\$ 4,550.00	
Utility Expenses & Bulk Purchases O/E	\$ 13,190.00	
Employee Group Ins. O/E	\$ 4,490.00	
Police S/W		\$ 76,675.00
Audit O/E		\$ 2,000.00
Municipal Clerk S/W		\$ 1,400.00
Municipal Clerk O/E		\$ 665.00
TOTALS	\$ 80,740.00	\$ 80,740.00

Mr. Clancy made a motion to approve the passage of Resolution 2013-116, which was seconded by Mrs. Kocher.

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

RESOLUTION # 2013 -117
REFUND OF HEALTH INSURANCE PREMIUM REBATE FOR 2012
TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, The Township of Mansfield, County of Warren, received a rebate check dated July 22, 2013 in the amount of \$ 3,847.22 from Horizon BCBSNJ,

WHEREAS, The Affordable Care Act requires Horizon BCBSNJ to rebate part of the premiums it received if it does not spend at least 80 % of premiums Horizon BCBSNJ receives on health care services,

WHEREAS, Horizon BCBSNJ did not meet the 80 % standard in 2012, they spent only 79 %.

NOW THEREFORE BE IT RESOLVED, that the Acting Chief Financial Officer be authorized to refund the rebate as follows to former and current Township of Mansfield employees;

NAME	REBATE
H. Appleby	\$ 156.95
S. Bates	\$ 275.42
K. Beam	\$ 156.97
S. Browns	\$ 259.30
D. Chudy	\$ 104.62
M. Citarelli	\$ 149.25
J. Fascenelli	\$ 139.25
J. Gilbert	\$ 259.30
V. Hart	\$ 198.11
S. Hedges	\$ 49.61
J. Hikade	\$ 267.38
D. Hrebenak	\$ 193.50
G. Hydock	\$ 50.00
P. Kirchner	\$ 275.42
J. MacDonough	\$ 267.38
M. Madonna	\$ 71.54
J. Mathews	\$ 138.86
A. McGarity	\$ 76.15
M. Mercurio	\$ 11.14
L. Rudd	\$ 107.70
A. Sillett	\$ 259.30
B. Sliker	\$ 223.12
E. Watters	\$ 156.95

Mrs. Kocher made a motion to approve the passage of Resolution 2013-117, which was seconded by Mr. Smith.

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

Resolution

Supporting the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*

Whereas, in 2012, alcohol impaired fatalities accounted for 19% of traffic fatalities in New Jersey; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the Holiday seasons in particular are traditionally times of social gatherings which include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 6, 2013 through January 2, 2014; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the Township of Mansfield declares its support for the *Drive Sober or Get Pulled Over Year End Holiday Crackdown* from December 6, 2013 through January 2, 2014 and pledges to increase awareness of the dangers of drinking and driving.

Mr. Clancy made a motion to approve the passage of Resolution 2013-118, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PUBLIC PORTION:

JoAnn Fascenelli stated that the Green Team has received two responses from the fire companies for the Zumbathon and she was inquiring if the Township Committee would like them to bring it back before the

Township Committee or should the Green Team decide.

Mr. Smith stated that the Green Team should make that decision.

Mrs. Fascenelli stated that the electronic waste event at the DPW from 8:30 to 12:30 this Saturday.

Bob Miller, President of the Homeowners Association of Diamond Hill, stated that they are having issues with asphalt and silt in the creek that needs to be removed from his area and he is asking for assistance to get this removed.

Mayor Tomaszewski stated that this will be taken care of in 2014.

Mr. Smith asked if the silt is causing an issue with the drainage.

Mr. DiSessa stated that the DPW has gone in and removed the silt from the downstream.

Mr. DiSessa stated that another solution would be to put up some protection from the sediment getting into the stream and filters over the grates to keep the silt out.

Mr. Miller stated that if there is about an inch of rain it floods and the road will be flooded the silt is raising the elevation and will cause more issues for the property owners and the roadways.

Mr. Miller stated that they are concerned for sinkholes at this point.

Mr. DiSessa stated that the stream would need to be dredged out so that the water can flow.

Mayor Tomaszewski stated that we are going to rebid and hopefully there will be more bids so that.

Mayor Tomaszewski congratulated Michael Misertino and Michael Clancy on their winning of the general election.

Mr. Misertino gave the Township Committee an estimate of the Health Care Coverage and explained how he had come up with the number that he had put on the internet.

Mr. Misertino asked if all of this is considered when we give out Health Coverage.

Mr. Misertino stated that he did not have the amount of coverage that the township was giving out.

Mr. Misertino explained that he gave this to the Township Committee for consideration of the money that is being expended in the future for Health Coverage.

Mr. Misertino explained the Affordable Care act and also that the Township should look into doing a shared health insurance group there is one called Northern New Jersey Health Coop.

ORDINANCE

First Reading

Mr. DiSessa explained the Ordinance to the Township Committee.

ORDINANCE 2013-17

AN ORDINANCE TO AMEND CHAPTER 19, SECTION 7.10 OF THE CODE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee of the Township of Mansfield has determined that there should be, within the Township of Mansfield; land use administration fees.

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 land use administration fees.

19-7.10 *Fees.*

All applicants for a development to a township agency shall pay to the administrative officer fees for the application made up of the following three components. A separate check, or other form of payment accepted by the township, shall be provided for each fee component.

- Filing fees to cover normal services required for processing all applications for development and to be paid at the time an application is filed;
- Escrow account deposits to reimburse the township for costs of engineering, planning and legal or other technical or professional reviews, research, reports and/or testimony connected with the review of the application or deemed necessary by the township agency in order to assure compliance with state and township laws, ordinances, rules and regulations; and
- Construction inspection deposits to reimburse the township for the cost of engineering inspections to assure satisfactory completion of improvements to be installed. Where one application for development includes several approval requests, the sum of the individual required fees shall be paid.

The fees shall be as follows:

- Filing Fee. To be paid at the time an application is filed.
- Escrow Account Deposit. To be paid at the time an application is filed and subject to such additional payments as may be required pursuant to paragraph 16 below.

	<u>Filing Fee</u>	<u>Escrow Fee</u>
• Minor Subdivisions (Amend. Ord. 2006-32)		
Concept plat for review	\$ 100.00	\$ 500.00
Minor plat	200.00	1,500.00

• Major Subdivision (Amend. Ord. 01-94)		
Concept plat for review	\$ 200.00	\$1,000.00
Preliminary plat	1,000.00	200.00/Lot
		(\$2,000.00 Min)
Time extension of preliminary approval	500.00	none required
Amended preliminary major subdivision	200.00	1,500.00
Final plat	750.00	75.00/Lot
		(\$1,000.00 Min)
Time extension of final approval	500.00	none required
Amended final major subdivision	200.00	1,500.00
• Site Plans		
Concept plan for review – minor plan	\$ 50.00	
500.00		
Concept plan for review – major plan	100.00	
1,000.00		
Minor site plan	200.00	1,500.00
Preliminary major site plan	400.00	\$1,800.00/Acre
		or part thereof, plus \$85.00 per
		unit in the case of multi family
		units and/or \$0.05/gross S.F. of
		bldg. area, in the case of
		non-residential buildings, min.
		\$2,000.00
Final major site plan	200.00	\$ 900.00/Acre
		or part thereof, plus \$50.00 per
		unit in the case of multi family units
		and/or \$0.025/gross S.F. of bldg. area,
		in the case of non-residential
		buildings, min. \$1,000.00
Amended preliminary major and/or final major site plan	150.00	1,500.00
Time extension of preliminary major site plan approval	200.00	none required
Time extension of final major site plan approval	200.00	none required
• Variance Appeals, N.J.S.A. 40:55D-70a (Ord. 01-94)	\$ 300.00	\$ 750.00
• Variance Interpretation N.J.S.A. 40:55D-70b		
(Ord. 01-94)	\$ 300.00	\$ 750.00
Bulk Variances N.J.S.A. 40:55D-70c (Ord. 03-12)		
First variance - Residential	\$ 250.00	\$1,000.00
First variance - Commercial	500.00	1,000.00
Each additional variance (residential & commercial)	50.00	200.00
• Use or “Special Reasons” Variance N.J.S.A. 40:55D-70d		
(Ord. 03-12)		

Residential	\$ 350.00	\$2,500.00
Commercial	750.00	2,500.00

- Building Permit Appeal N.J.S.A. 40:55D-36 (Ord. 01-94) \$ 300.00 \$ 750.00

- Conditional Use N.J.S.A. 40:55D-67(Ord. 03-12)

Residential	\$ 250.00	\$1,000.00
Commercial	500.00	1,000.00

(plus any other applicable site plan or subdivision fee)

- Other Applications (Ord. 01-94)

- N.J.S.A. 40:55D-68 Certifications of pre-existing

non-conforming use or structure	\$ 300.00	\$ 500.00
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- Any other unspecified application to Land Use

Board	\$ 200.00	\$ 300.00
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- Wireless telecommunications towers (Ord. 01-18)

No new tower proposed	\$1,000.00	\$2,500.00
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New tower proposed	3,000.00	5,000.00
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- The following fees shall be paid by the applicant at the time of passage of a resolution of subdivision approval by the Land Use Board of the Township of Mansfield for the cost of making updates and modifications to the tax maps of the Township of Mansfield relating to said applications:

- Minor Subdivision – 2 to 3 lots: \$ 300.00
- 4 to 7 lots: \$ 500.00
- 8 to 12 lots: \$ 800.00
- 13 to 19 lots: \$ 1,000.00
- 20 or more lots: \$ 1,500.00

(plus \$50.00 per lot in excess of 20 lots)

- All major subdivisions shall submit an electronic file of the subdivision, which shall be submitted at the time that the subdivision map is filed. Said file shall be in Autocad (.dwg or .dxf) format.
 - Payment of the fees required hereunder shall be an expressed condition of any subdivision approval granted by the Mansfield Township Land Use Board.
 - The requirement of the payment of a review deposit at time of filing may be waived by majority vote of the township agency if, upon a preliminary review of the application, and upon request of the applicant, it appears that there will be no need for the type of review contemplated by this subsection.
 - In the event that the initial deposit made by an applicant is not sufficient to cover all technical/legal review costs of the application, or, if during the consideration of an application it becomes evident that a review deposit which was previously waived will be necessary, upon request by the township the applicant shall make such initial or further deposit or deposits as may be necessary to cover further technical/legal review costs. Pending payment of the initial or additional deposit, all time periods in the application process for action contemplated by Section 19-7.6 of these ordinances shall be tolled and no further action shall be taken before the municipal agency. Notice of the deficiency shall be provided to the municipal officials by the Clerk of the municipal agency involved, and such municipal professional shall cease work on projects for the application which is the subject of a deficient escrow. The municipal agency shall pass a resolution adjourning the application of the applicant pending payment of the initial or additional deposit contemplated herein and provide to the applicant notice that failure to pay the prescribed escrow fees will result in the application being denied without prejudice. The resolution shall state with particularity the status of the applicant's escrow balance, the estimated amount of additional deposit necessary as well as an explanation thereof and shall provide the applicant with notice that the application will be dismissed without prejudice at the next regular meeting of the municipal agency unless the escrow payment as requested in full is made. In the event an

application is dismissed without prejudice under the terms and conditions hereof, the applicant shall be required to file a new application with payment of full fees subject, however to paragraph 15 of this section. In no event shall an application be “approved” subject to future payment of escrow fees. The Chief Financial Officer of the municipality shall monthly certify to the Clerk of the municipal agency the status of the escrow account of each applicant. At the commencement of each meeting upon a particular application, the municipal agency shall determine if the initial deposit or if additional deposits had been or need to be made and shall take such action as may be required in this section. (Ord. 03-94)

Section 2

This ordinance shall take effect immediately after passage.

Section 3

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Mr. Watters made a motion to approve the passage of Ordinance 2013-17 with the recommended changes, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Smith stated that after the interviews for CPWM there was one person that stood out and they would like to bring him to the next level.

Executive Session at 8:24pm.

Rich Wenner, Esq., no action taken in Executive Session.

Mayor Tomaszewski made a motion to adjourn at 8:47.