

MANSFIELD TOWNSHIP COMMITTEE MEETING

October 12, 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. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Misertino made a motion to approve the minutes from the regular meeting held on September 28, 2016, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

BILL LIST:

Mr. Watters asked about the bills for the Watters Road Restoration project for Finelli Consulting.

Mr. Finelli stated that these are old bills for the project.

Mr. Watters asked if this is money that will come out of the grant funds.

Mr. Finelli stated that soft costs are not included in the grant.

Mr. Watters asked if this was billed at a percentage for the soft costs.

Mr. Finelli stated that this job is a little different so it is not a percentage of the cost of the job.

Mr. Watters asked what the normal percentage for a job like this.

Mr. Finelli stated that typically it is 15% of the job total.

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

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

FINANCE REPORT:

Mr. Daniel stated that he will be attending the League of Municipalities convention in November and will be out Tuesday thru Thursday the week of the 14th.

Mr. Daniel explained that he would like to look into a program called e-procure which would allow him to see what the pricing is that other municipalities are getting for products and he feels that this would be helpful to us. Mr. Daniel hopes to split the cost between the Township and Alpha so it would be \$630 per municipalities.

Mr. Daniel stated that we need to start looking at the 2017 budget and maybe we could schedule a meeting for after Election Day.

ENGINEERS REPORT:

Mr. Finelli stated that there is nothing to report on Constellation Solar.

Mr. Finelli stated that he called the DOT to see if there would be an extension for the Watters Road grant. Mr. Finelli stated that the transportation trust fund was going to be reinstated. Mr. Finelli stated that the DOT has told them not to do anything until there is correspondence received from them.

Mr. Finelli stated that last week we had a meeting last week with the DPW to go over the Duarte project and what items were needed for the project. The DPW and the clerk have acquired the items that were determined to be needed at this time. Mr. Finelli stated that he and the DPW met yesterday with the Duarte's and it looks like the project will begin on Monday.

Mr. Finelli stated that the Airport Road project is still moving along slowly.

Mayor Kocher stated that she believes that there should be yellow pylons on either end of the bike path.

RESOLUTION:

**RESOLUTION 2016-85
TO AUTHORIZE AND APPROVE SALARY FOR A CERTAIN EMPLOYEE**

WHEREAS, Ordinance # 2015-01 established the salaries and wages for certain 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 employee shall be compensated for the year 2016, unless otherwise noted, in the amount as designated below:

<u>NAME</u>	<u>POSITION</u>	<u>SALARY</u>
Ronald Hayes	Committee Member	\$4,740.00 / Annual effective 9/28/16

Mr. Watters made a motion to approve the passage of Resolution 2016-85, which was seconded by Mr. Clancy.

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

**RESOLUTION # 2016-86
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 12th day of October 2016, that payment is to be made to the certificate holders as noted:

<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Lienholder</u>	<u>Cert#</u>
TOTAL	REFUNDED			
801	20	46-48 Cherry Tree Bend Rd	FWDSL & Associates LP	2014-06
\$36,501.60	Lien		17 W Cliff Street Somerville, NJ 08876	\$31,000.00Premium

Mr. Watters made a motion to approve the passage of Resolution 2016-86, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY
RESOLUTION # 2016-87

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

WHEREAS, N.J.S.A. 40A:4-87 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 equal amount,

SECTION 1.

NOW, THEREFORE BE IT RESOLVED that the Township of Mansfield, County of Warren, hereby requests the Director of the Division of Local Government Services to approve the increase of \$ 1,702.98 for an item of revenue in the budget of the year 2016 as follows:

Miscellaneous Revenues –

Revenue Offset with Appropriations – Body Armor

Grant

Total with increase to be \$ 1,702.98

SECTION 2.

BE IT FURTHER RESOLVED that a like sum of \$ 1,702.98 be and the same is hereby appropriated under the caption of:

General Appropriations –

Public & Private Programs Offset by Revenues – Body Armor Grant

State Share \$ 1,702.98

Non State Share \$

Total with increase to be \$ 1,702.98

FURTHER RESOLVED that two certified copies of this resolution with a copy of the appropriate documentation be forwarded to the Division of Local Government Services.

Mr. Clancy made a motion to approve the passage of Resolution 2016-87, which was seconded by Mr. Watters.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None
Abstain: None

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

RESOLUTION # 2016 –88

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 received \$ 3,500.38 for a Drunk Driving Enforcement Fund and wishes to amend its 2016 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 2016 in the sum of \$ 3,500.38 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:
Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED, that a like sum of \$ 3,500.38 be and the same is hereby appropriated under the caption of:

General Appropriations
Operations – Excluded from caps Public and Private Programs
Offset by Revenues:
Drunk Driving Enforcement Fund

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

Mr. Clancy made a motion to approve the passage of Resolution 2016-88, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

RESOLUTION 2016-89

APPOINTMENT OF SUBSTITUTE MUNICIPAL PROSECUTORS

WHEREAS, the position of Municipal Prosecutor, and Public Defender are filled by persons providing services; and

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

Chris Troxell, James Pfeiffer, Richard Ralph, James Sloan, Steve Siegel, and James Janci be appointed as Substitute Municipal Prosecutors for the year 2016.

Mr. Watters made a motion to approve the passage of Resolution 2016-89, which was seconded by Mr. Hayes.

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

2016-90

Resolution

Supporting the 2016 *Drive Sober or Get Pulled Year End Holiday Crackdown*

Whereas, impaired drivers on our nation's roads kill someone every 53 minutes, 28 people per day; and

Whereas, in 2014, alcohol impaired fatalities accounted for 31% 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 2016 *Drive Sober or Get Pulled End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; 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 2016 *Drive Sober or Get Pulled End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

Mr. Clancy made a motion to approve the passage of Resolution 2016-90, which was seconded by Mr. Misertino.

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

RESOLUTION 2016-91

TOWNSHIP COMMITTEE
SUBORDINATE COMMITTEES
AND APPOINTMENTS

BE IT RESOLVED, that the following subordinate committees be established and chaired as follows for the year 2016:

	<u>CHAIR PERSON</u>	<u>VICE CHAIR PERSON</u>
Municipal Alliance	Shirley Kocher	Ron Hayes
Public Buildings Public Works	Shirley Kocher	Ron Hayes
Shared Services	Joe Watters	Michael Clancy
Police & Safety	Michael Clancy	Shirley Kocher
Fire & Emergency Management	Ron Hayes	Shirley Kocher
Recreation	Michael Misertino	Michael Clancy
Environmental Comm.	Joseph Watters	Michael Misertino
Finance	Michael Misertino	Shirley Kocher
Judiciary	Michael Misertino	Joseph Watters
Personnel	Ron Hayes	Michael Clancy
School Liaison	Joseph Watters	Shirley Kocher
Economic & Industrial Dev. Advisory Council	Shirley Kocher	Ron Hayes
Open Space	Ron Hayes	Joseph Watters

Mr. Misertino made a motion to approve the passage of Resolution 2016-91, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

ORDINANCE:

2nd Reading:

ORDINANCE 2016- 12

**AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN,
STATE OF NEW JERSEY, VACATING A PORTION OF A ROADWAY KNOWN AS**

“PARK ROW”

WHEREAS, there exists in the Township of Mansfield (“Township”) a public roadway known as Park Row;
and

WHEREAS, there has been a request to have the Township vacate a portion of said roadway in accordance with the description set forth in Schedule A, annexed hereto; and

WHEREAS, the matter has been referred to the Township Engineer who has recommended that the Township proceed with the vacation since the portion of the roadway proposed to be vacated is not needed by the Township for public purposes; and

WHEREAS, the Township Committee does hereby determine that the aforementioned roadway as set forth in the description attached hereto as Schedule “A” is no longer needed for public purposes; and

WHEREAS, N.J.S.A. 40:67-1(b) and -19 authorizes the municipality to release and extinguish the public's rights arising from a dedication of a roadway; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

SECTION A

- The rights of the public and the Township in and to a portion of Park Row as described in the attached le “A” are hereby extinguished and vacated; however, expressly reserved and excepted from vacation are all rights and es now possessed by public utilities, as defined in R.S.48:2-13, and by any cable television company, as defined in the Television Act,” P.L.1972, c. 186 (C.48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, under the street to be vacated.
- At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy , together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further red for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ned. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6.
- The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this ice certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, ffice of the Clerk of the County of Warren in accordance with the provisions of N.J.S.A. 40:67-21.

SECTION B

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

SECTION C

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION D

This Ordinance shall take effect immediately upon final publication as provided by law.

Schedule A

DESCRIPTION OF PARK ROW A TOWNSHIP ROADWAY TO BE VACATED Township of Mansfield Warren County, New Jersey

Beginning at a point on the easterly sideline of Clinton Avenue, a Township roadway having a variable width, where the same intersects the northerly sideline of Park Row, an unimproved Township roadway being 50 feet wide, said point also being the most southwesterly corner of Block 2717, Lot 4 as shown on the Tax Map of Mansfield Township, and running, thence;

1. Along the northerly sideline of Park Row and also along Block 2717, Lots 4, 3, 2 and 1, a distance of 275 feet more or less, to a point on the southerly sideline of Colston Avenue, an unimproved Township roadway being 50 feet wide, thence;
2. In an easterly direction along the southerly sideline of Colston Avenue, a distance of 120 feet more or less, to a point of non-tangent curvature, thence;
3. On a curve to the right running 50 feet from and parallel to the easterly sideline of an unnamed roadway a distance of 100 feet more or less, to a point on the westerly sideline of said unnamed roadway, thence;
4. On a curve to the left running along the westerly sideline of the unnamed roadway and along Block 2718, Lots 3, 2 and 1, a distance of 150 feet more or less, to a point of tangency on the southerly sideline of Park Row, thence;
5. Along the southerly sideline of Park Row and along Block 2718, Lots 9, 8, 7 and a portion of a previously vacated roadway, a distance of 300 feet more or less, to a point on the easterly sideline of Clinton Avenue and corner to Block 2718, Lot 7 as shown on the Tax Map of Mansfield, thence;
6. Along the easterly sideline of Clinton Avenue, a distance of 50 feet more or less, to the point of BEGINNING.

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

Mr. Clancy made a motion to approve the passage of Ordinance 2016-12 and asked that the results be advertised, which was seconded by Mr. Watters.

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

PUBLIC PORTION:

Mayor Kocher opened the floor for public portion; seeing there was none the public portion was closed.

Mr. Clancy made a motion to enter into Executive Session at 8:02pm to discuss a contractual matter dealing with the Salt Shed, which was seconded by Mr. Watters.

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

Return to regular session.

Mr. Lavery, Esq. stated that during Executive Session the Committee discussed a Contractual matter dealing with the Salt Shed, copies of these minutes will be available as soon as the

Committee feels they are no longer a harm to the public interest.

Mr. Lavery stated that a motion is needed to direct the Engineer to prepare bid specs to build a wall within the salt shed.

Mr. Watters made a motion to direct the Engineer to prepare bid specs for a wall within the salt shed, which was seconded by Mr. Clancy.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Misertino had nothing to report.

Mr. Watters asked when we typically go out for RFP for the professionals.

Mr. Clancy and Mayor Kocher stated that we usually do it at the December meeting.

Mr. Clancy stated that Mansfield Twp Fire met with the company that will be doing the repairs on the tanker.

Mayor Kocher stated that Butler Park's tanker is done and they are working on getting the truck picked up.

Mr. Hayes had nothing to report.

Mayor Kocher stated that she would like a motion to appoint Robert Jewell as the Environmental Commission representative on the Open Space Commission to replace Alison Lorentson.

Mr. Clancy made a motion to appoint Mr. Jewell to the Open Space Commission, which was seconded by Mr. Misertino.

Ayes: Mr. Misertino, Mr. Watters, Mr. Clancy, Mr. Hayes, Mayor Kocher

Nays: None

Absent: None

Abstain: None

Mr. Clancy made a motion to adjourn at 8:50pm, which was carried by all.