

MANSFIELD TOWNSHIP COMMITTEE MEETING

October 25, 2006

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: Mrs. Cate Oakley, Ms. Ellen Nerbak, Mr. Dick Appleby, Mayor Joseph Watters present.
Mr. George Baldwin absent.

Salute to flag was done by all.

APPROVAL OF MINUTES:

Ms. Nerbak made a motion to approve the minutes of the regular meeting on September 27, 2006, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

Mrs. Oakley made a motion to approve the minutes of the regular meeting on October 11, 2006, seconded by Mr. Appleby.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

PAYMENT OF BILLS:

Ms. Nerbak made a motion to approve the bill list with amendments except Purchase Order 261290 which is subject to classification, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

RESOLUTIONS:

Resolution 2006-108

**RESOLUTION
OVERPAYMENT OF TAXES**

WHEREAS, the following taxpayer has an overpayment for 2006 property taxes;

WHEREAS, J. & D. Teets are the owners of Block 1105, Lot 23, also know as, 8 Fleming Place;

AND WHEREAS, the Warren County Tax Board issued a judgement reducing the assessed value by \$34,600;

AND WHEREAS, the Assessor's Office inadvertently did not apply the freeze Act for 2006;

AND WHEREAS, the New Jersey State Statute requires same;

THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 25th day of October, 2006 that the Tax Collector and Finance Officer may refund the following tax amount:

***Block 1105, Lot 23
J. & D. Teets
8 Fleming Place
Hackettstown, NJ 07840
\$754.96***

Mrs. Oakley made a motion to approve the passage of Resolution 2006-108, seconded by Ms. Nerbak.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters

Nays: None

Absent: Mr. Baldwin

RESOLUTION 2006 -109

A RESOLUTION AUTHORIZING THE PERSON-TO-PERSON AND PLACE-TO-PLACE TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE 2116-33-001-001 FROM THE ANDERSON HOTEL, INC. TO BENSI OF MANSFIELD, LLC

WHEREAS, an application has been filed for a Person-to-Person, Place-to-Place transfer of Plenary Retail Consumption License Number 2116-33-001-001, heretofore issued to Anderson Hotel, Inc. located at 746 Route 57, Port Murray, NJ 07865, a pocket license;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield Committee does hereby approve, effective October 25, 2006, the transfer of the aforesaid Plenary Retail consumption License to Bensi of Mansfield, LLC, from a pocket license, formerly located at 746 Route 57, Port Murray, NJ 07865 to 1930 Route 57, Unit 1, Hackettstown, NJ 07840, within the Township of Mansfield, Warren County, New Jersey, and does hereby direct the Acting Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Bensi of Mansfield, LLC, located at 1930 Route 57, Hackettstown, effective October 25, 2006.

Mrs. Oakley made a motion to approve the passage of Resolution 2006-109, seconded by Ms. Nerbak

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

RESOLUTION 2006-110

RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD, WARREN COUNTY TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM, (NIMS) FOR ALL DEPARTMENTS AND AGENCIES OF THE TOWNSHIP, INCLUDING VOLUNTEER ORGANIZATIONS THAT PROVIDE TOWNSHIP GOVERNEMENT SERVICES OR RECEIVE FINANCIAL OR OTHER TOWNSHIP SUPPORT

WHEREAS, the President of the United States has issued Homeland Security Presidential Directive #5, in which he directs the Secretary of the department of Homeland Security to develop and administer a National Incident Management System (NIMS), thus providing a unified, nationwide approach for responders from multiple jurisdictions and/or disciplines to effectively work together to respond to natural disasters and emergency incidents; and

WHEREAS, the New Jersey Department of Homeland Securities had required all counties to adopt NIMS by ordinance or resolution as a condition of eligibility for numerous grant awards and to apply its mandate to all departments and agencies of County government, including volunteer organizations that provide County government services or received financial or other County support; and

WHEREAS, the Freeholders are asking that each municipality adopt a resolution mandating that the National Incident Management System (NIMS) be utilized for all incident management in each municipality; and

WHEREAS, the Incident Command system components of NIMS are already an integral part of various incident management activities throughout the State, County, and Local Municipalities; and

WHEREAS, it is critical that Federal, State, County, and Local Emergency response organizations utilize unified standards for terminology and structuring, personnel qualifications, comprehensive resource management and for planning, training, and exercising;

NOW THEREFORE, BE IT RESOLVED, that all Municipalities within the County of Warren and the Freeholders be sent a copy of this Resolution.

Ms. Nerbak made a motion to approve the passage of Resolution 2006-110, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

2006-111

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE INTERLOCAL SERVICE AGREEMENTS WITH THE COUNTY OF WARREN FOR PARTICIPATION IN THE COUNTY'S 9-1-1 TELECOMMUNICATIONS SYSTEM

WHEREAS, pursuant to N.J.S.A. 52:17C-1 et seq., Warren County is required to establish a 9-1-1 telecommunications system with the voluntary participation of constituent municipalities; and

WHEREAS, the County has established the system and has provided or will provide the building, equipment and personnel necessary for the proper functioning of the county-wide system; and

WHEREAS, it is also necessary that the County and participating municipalities execute Interlocal Service Agreements pursuant to N.J.S.A. 40:8A-1 et seq. for the provision of 9-1-1 services; and

WHEREAS, various municipalities in Warren County will be participating in the system and will lawfully execute Interlocal Service Agreements.

NOW THEREFORE, BE IT RESOLVED that the Mayor of the Township of Mansfield be and hereby is authorized to execute an Interlocal Service Agreement with the County of Warren, for the provision of 9-1-1 telecommunications services by the County of Warren as more particularly set forth in the written agreement executed between the parties and incorporated herein by reference.

Ms. Nerbak made a motion to approve the passage of Resolution 2006-111, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters

Nays: None

Absent: Mr. Baldwin

CONSENT AGENDA:

**RA2006-08 Mansfield Township Fire Company No 1 50/50
Limo License-Raymond Younes**

Mrs. Oakley made a motion to approve the consent agenda, seconded by Ms. Nerbak.

Ayes: Mrs. Oakley, Ms. Nerbak, Mayor Watters

Nays: None

Absent: Mr. Baldwin

Abstain: Mr. Appleby

PUBLIC PORTION:

Mayor Watters opened the floor for public comment, seeing there were no comments the floor was closed for public comment.

ADMINISTRATOR'S REPORT:

Mr. Lee stated that at the beginning of the year the township and Mr. Mace had agreed on a contract for this year and the amount that has been spent this year is \$ 30, 105 and last year the township had spent \$39, 291.85 for engineering services, so the contract has lowered the amount that the township is paying out for engineering services.

Mr. Lee stated that the 45 day period has passed for the Substantive Certification for the Township's Third round COAH obligation new plan and the plan is in the process of being reviewed by Joe Roberts from Council on Affordable Housing and we should expect a response to the plan conformance within 30 days.

Mr. Lee asked the committee if they would like to move forward with a discussion that was held previously about meeting in different locations throughout the municipality as a courtesy to people in other locations throughout the township. The committee agreed that this would be a good idea and that they would like to move forward with this option for next year.

Mr. Lee stated that the medical insurance changes were presented by Mr. Coppola and an insurance agent to the Township Employees and there was not an overwhelming positive response to the change over to the new insurance coverage. So, at this point the health insurance is a negotiable item with the Police Department and the DPW as to whether the employee is covered by the township and the employee would have to cover a percentage for any dependents that are included on the policy. These are the areas of concern that will need to be addressed at some point. Another issue that will need to be addressed is that if a decision is made to make all employees pay a percentage whether they have dependants or not the employees with dependents will seem like they were given a raise

because the payroll deduction would be the same for employees and employees with dependents. This cost will be about \$1200 per year for health coverage for all employees.

There has been security at all malls for about 5 months and Mr. Lee wanted to know the Township Committee's opinions of whether they felt that the security was working and was what the Township Committee had intended or if things would need to be changed.

Ms. Nerbak stated that she felt that all was working out well.

Mrs. Oakley agreed that the security was working out well.

Mayor Watters stated that he had spoken to the security person at Mansfield Commons and that the security person stated that he felt things were working well and Mayor Watters agreed.

Mr. Lee stated that there was a request from the McCrea Methodist Church for the repairs of the stained glass windows on the church which is a historic structure, so they would qualify for the historic money. Mr. Lee asked if the Township Committee would like for him to draw up a resolution to grant the money to the church.

Ms. Nerbak made a motion to have Mr. Lee draw a resolution to grant this money to the church, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Ms. Nerbak, Mayor Watters

Nays: None

Absent: Mr. Baldwin

Abstain: Mr. Appleby

ORDINANCES:

PUBLIC HEARING & SECOND READING

2006-30

**Township of Mansfield Zoning Ordinance Revisions
Riparian Corridor Buffer
(Revisions to 2006-21 required to comply with NJDEP comments)**

Article 22-4.9c. 1. is amended to read as follows:

- Establishment of an RBCZ as an overlay zone.
 1. An RBCZ is established as an overlay to the existing zoning districts. The provisions of the underlying district shall remain in full force except where the provisions of the RBCZ differ from the provisions of the underlying district, in which case the provision that is more restrictive shall apply. These provisions apply land disturbances resulting from or resulting from or related to any activity or use requiring application for any of the following permits or approvals:
 - Building permit
 - Zoning Variance
 - Conditional Use
 - Subdivision/land development approval

Development requiring only a building permit that involves less than ¼ acre impervious increase and less than an acre of disturbance can be exempt from the ordinance requirements, provided that it is for ancillary structures or is an expansion of an existing structure, and provided the municipal official responsible for

issuing building permits makes the finding that there is no feasible alternative to encroachment into the designated buffer area.

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

ORDINANCE NO. 2006-31

AN ORDINANCE TO AMEND CHAPTER 19-7.10 "FEES" 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, County of Warren, New Jersey:

- 1. Chapter 19-7.10 "Fees" is hereby amended to include a new paragraph a. 13 as follows:**

The following fees shall be paid by the applicant at the time of passage of a resolution of subdivision approval by the Planning Board or the Board of Adjustment 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:

a.	Minor Subdivision — 2 to 3 lots:	\$300.00
b.	Final Subdivision:	
	(1) 4 to 7 lots:	\$500.00
	(2) 8 to 12 lots:	\$800.00
	(3) 13 to 19 lots:	\$1000.00
	(4) 20 or more lots:	\$1500.00
	(plus \$50 per lot in excess of 20 lots)	

2. 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 should be in Autocad (.dwg or .dxf format).
3. Payment of the fees required hereunder shall be an expressed condition of any subdivision approval granted by either the Mansfield Township Planning board of the Mansfield Township Board of Adjustment, as the case may be.

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

Ayes: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Watters
Nays: None
Absent: Mr. Baldwin

COMMITTEE PERSON COMMENTS:

Mrs. Oakley made a motion to approve the hiring of Steven Riefler to the Police Department as our next police officer either on November 1, 2006, seconded by Mr. Appleby.

Mayor Watters and Ms. Nerbak agreed that they would like more information as to why we need another officer added to the police force.

Ms. Nerbak made a motion to table the motion on the table until more information was received.

Ayes: Ms. Nerbak, Mayor Watters

Nays: Mrs. Oakley, Mr. Appleby

Absent: Mr. Baldwin

Mr. Lee stated that the motion failed to table, so the motion is still on the floor.

The Township Committee agreed to carry the motion to the next meeting when there will be more information.

Mr. Lee stated that Mr. Baldwin wanted him to let the Township Committee know that the Recreation Property is being posted and that there will be a rear entrance into the recreation property for people who wish to walk.

Ms. Nerbak stated that the Recreation Commission had a lengthy conversation about spending the money for the driveway until construction starts on the rest of the property.

Mr. Lee suggested that we proceed the way that we are for the recreation driveway due to the money that is needed for the recreation projects for the property.

Mrs. Oakley made a motion to adjourn at 8:30 pm, which was carried by all.