

MANSFIELD TOWNSHIP COMMITTEE MEETING

October 10, 2007

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. Oakley, Mr. Watters, Ms. Nerbak, Mr. Appleby, Mayor Baldwin

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Ms. Nerbak made a motion to approve the minute of the regular meeting of September 26, 2007, which was seconded by Mrs. Oakley.

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

Nays: None

PAYMENT OF BILLS:

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

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

Nays: None

CFO REPORT:

Mr. Coppola stated that at the Department Heads meeting all Department Heads were notified that the 2008 Budget requests need to be completed and back to him by October 31.

Ms. Nerbak asked if Performance Reviews were turned in by mid November that would be enough time for the S&W budget to be completed.

Mr. Coppola said that would allow sufficient time.

Mr. Coppola asked the committee for their opinion on the email that he had received from the Democratic County Committee requesting to have information placed on the Township website.

The Township Committee all agreed that we do not have anything on the website that is related to the Municipal County Committees and that is the way that we should keep the information on the internet.

CLERKS REPORT:

Ms. Hrebenak stated that the directories are being printed at Staples.

CONSENT AGENDA:

RA2007-07 Raffle License-Mansfield Twp PTA

Mrs. Oakley made a motion to approve the Consent Agenda as presented, which was seconded by Ms. Nerbak.

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

ENGINEERS REPORT:

Mr. Mace stated that the email that he had received from Zach Gallagher from Applied Water is that the ad will go in the next print of the Register for the Wastewater Management Plan for comments.

Mr. Mace stated that we will need to begin to enforce the Wastewater ordinances after the plan has been approved.

Mr. Mace stated that he has been working with the Recreation Commission on the Recreation park plans.

DECISION FOR BIDS (8:00pm): Rubber Tire Loader

Ms. Nerbak made a motion to accept and award the bid for the Rubber Tire Loader to Jesco in amount of \$84,500, which was seconded by Mrs. Oakley.

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

PUBLIC PORTION:

Paul Tarlowe, 40 Brookside Ave, questioned why the agenda was not posted on the webpage and also why the minutes were not up to date on the webpage.

Ms. Hrebenak stated that the agenda and the minutes were not posted on the webpage due to computer issues and vacation schedules.

Mr. Tarlowe also questioned Mr. Mace about the purposed water service area along Route 57.

A discussion ensued between Mr. Mace and Mr. Tarlowe in reference to this matter.

RESOLUTION:

RESOLUTION 2007-101

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND NJ DEPARTMENT OF TRANSPORTATION, AN AGENCY OF THE STATE OF NEW JERSEY, WITHOUT COMPETITIVE BIDDING

WHEREAS, the Township of Mansfield, Warren County and the State of New Jersey desire to enter into an Agreement with respect to setting forth the terms and conditions of the purchase of salt stored at in State facilities located in the Township of Mansfield; and

WHEREAS, municipalities are permitted to enter into such agreements pursuant to N.J.S.A. 40A:11-12 et seq. without the necessity of public bidding;

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

- 1. That the Mayor and Township Clerk are hereby authorized to execute an Agreement between the Township of Mansfield and the Department of Transportation, an agency of the State of New Jersey setting forth the terms and conditions regarding the purchasing of salt stored in facilities located within the Township of Mansfield at a price equal to that paid by the State of New Jersey.**
- 2. A copy of the Agreement is on file in the office of the Township Clerk for inspection by the public.**
- 3. This resolution shall take effect upon approval.**

Ms. Nerbak made a motion to approve Resolution 2007-101 as presented, which was seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION 2007-102

WHEREAS, the Township of Mansfield, in the County of Warren, in the State of New Jersey, has made available to Emergency Services & Emergency Management Nextel phones for use for Mansfield Township business,

AND WHEREAS, there is a personnel procedure dealing with the use of Township phones, and

BE IT RESOLVED, each of the Emergency Services & Emergency Management shall be assigned two of the Township Nextel phones, and

BE IT FURTHER RESOLVED, that all Emergency Services & Emergency Management shall follow the procedure for use of township phones and if there is any type of misuse that the phone will be removed from that company.

Ms. Oakley made a motion to approve Resolution 2007-102 as presented, which was seconded by Mr. Watters.

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

Nays: None

2007-103

TOWNSHIP OF MANSFIELD, WARREN COUNTY

**RESOLUTION AUTHORIZING AUCTION OF PERSONAL
PROPERTY NO LONGER NEEDED FOR PUBLIC USE**

WHEREAS, the Township of Mansfield Committee has determined that certain items of municipally owned personal property are no longer needed for public use, which items are set forth on the attached list; and

WHEREAS, N.J.S.A. 40A:12-13.1 permits a municipality to dispose of personal property no longer needed for public use by public sale to the highest bidder; and

WHEREAS, the adoption of a resolution authorizing a public sale and setting the conditions thereof is required by N.J.S.A. 40A:12-13;

NOW, THEREFORE, be it resolved by the Mansfield Township Committee on the 10th day of October 2007 as follows:

1. A public sale at auction is hereby scheduled for October 27, 2007 at 12:00 p.m. at the Township of Mansfield Municipal Building, 100 Port Murray Road, Port Murray, New Jersey, at which time the items on the attached list shall be offered for sale;
2. All items are offered for sale in "as is" condition with no warranties or guarantees as to the working order thereof;
3. The successful bidder shall be required to pay the full price for the item following the Township's acceptance of the bid;
4. The successful bidder shall be responsible for all arrangements related to the transport or removal of the item from the municipal site which transport or removal must occur within three (3) calendar days following the acceptance of the bid and payment of the consideration;
5. Although no minimum price shall be established for any item, the Township reserves the right to reject all bids where the highest bid is not accepted;
6. The sale of all items shall be free of any conditions or interests on the part of the Township.

BE IT FURTHER RESOLVED that notice of this public sale be advertised in the *Star Gazette* in Hackettstown, New Jersey by an insertion appearing in the edition of same for two (2) consecutive weeks.

Mrs. Oakley made a motion to approve Resolution 2007-103 as presented, which was seconded by Mr. Appleby.

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

RESOLUTION 2007-104
A RESOLUTION TO ADOPT PERSONNEL POLICIES AND PROCEDURES

WHEREAS, it is the policy of Township of Mansfield to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Personnel Policies and Procedures Manual with changes is attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all municipal officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by municipal employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the township shall operate under the legal doctrine known as "employment at will."

BE IT FURTHER RESOLVED that the Township Committee and all managerial/supervisory personnel are responsible for these employment practices. The Township Committee and the Township Attorney shall assist in the implementation of the policies and procedures in this manual.

Ms. Nerbak made a motion to approve Resolution 2007-104 as presented, which was seconded by Mrs. Oakley.

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

COMMITTEE PERSON COMMENTS:

Mrs. Oakley stated that she had gotten a response back from St. Theodore's Church that they will not be able to attend the Christmas Tree Lighting.

Mr. Watters stated that the auction is set up for October 27, 2007 at 12:00 pm.

Ms. Nerbak stated that the joint meeting with Warren and Sussex County League of Municipalities will be on Thursday, October 18, 2007 and that we needed a count of who was going and what they wanted to eat.

Ms. Nerbak also stated that the Recreation Commission will be having a grand opening for the park on October 27, 2007.

Mayor Baldwin stated that Police Substation was almost completed.

Mayor Baldwin also asked the Township Committee if they would like to put out an RFP for an architect or if we would be awarding the Municipal Building project as a professional service.

The Township Committee agreed to award this project as a professional service.

Ms. Oakley made a motion to adjourn at 8:45pm, which was carried by all.