

MANSFIELD TOWNSHIP COMMITTEE MEETING

November 28, 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, Ms. Nerbak, Mr. Appleby, and Mayor Baldwin

Salute to flag was done by all.

APPROVAL OF THE MINUTES:

Ms. Nerbak made a motion to approve the minutes from the regular meeting on November 7, 2007 with the correction stated by Mr. Baldwin, which was seconded by Mr. Appleby.

Ayes: Ms. Nerbak, Mr. Appleby, Mayor Baldwin

Nays: None

Abstain: Mrs. Oakley

Absent: Mr. Watters

PAYMENT OF BILLS:

Mrs. Oakley made a motion to approve the bill list and payroll report as presented, which was seconded by Mr. Appleby.

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

Nays: None

Absent: Mr. Watters

CFO REPORT:

Mr. Coppola explained that the Checks and Warrants Resolution is to conform with the requirements of the auditors for a checks and balances there will always have to be one live signature either by the Mayor or the Clerk.

Mr. Coppola also added that there will also be a payroll report that will be given to the committee members for review and approval with the bill list.

CLERKS REPORT:

Ms. Hrebenak explained that she is handing out copies of the executive session minutes from this year and that everyone should review them for the next meeting and also decide whether they should be released to the public or not.

CONSENT AGENDA:

RA2007-09 Tri County Fire Company

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

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

Nays: None

Absent: Mr. Watters

Abstain: Mr. Baldwin

ENGINEERS REPORT:

Mr. Mace stated that the Ordinance on the agenda is for the franchise agreement for Applied Wastewater to have their own wastewater collection, treatment, and disposal system in Mansfield Twp.

Mr. Mace also stated that earlier this week he had sent a letter to all of the Township Committee members explaining the Treatment Works Application for Applied Wastewater for the treatment plant and that we would need a motion for the Mayor to sign the statement of consent for the application.

Mrs. Oakley made a motion for the Mayor to sign the Statement of Consent for the Treatment Works Approval application, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: Mr. Watters

PUBLIC PORTION:

Mayor Baldwin opened the meeting for public comment, seeing that there were no comments from the public the public portion was closed.

RESOLUTION:

RESOLUTION- No. 2007-112

FOR TRANSFER OF FUNDS

WHEREAS, there are insufficient funds in some of the 2007 budget line items; and

WHEREAS, it is permissible to transfer current appropriation funds after Nov. 1, 2007.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following transfers be made:

From		To	
Public Work OE	\$341.80	Tax Assessment OE	\$978.80
Finance OE	\$637.00		

Ms. Nerbak made a motion to approve the passage of Resolution 2007-112, which was seconded by Mr. Appleby.

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

Nays: None

Absent: Mr. Watters

RESOLUTION
TOWNSHIP OF MANSFIELD
NUMBER 2007-113

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Mansfield will receive \$2526.38 to administer a Drunk Driving Enforcement Fund Grant from the Division of Motor Vehicles and wishes to amend its 2007 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, 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 2007 in the sum of \$2,526.38 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 Grant

BE IT FURTHER RESOLVED that a like sum of \$2,526.38 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations – Excluded from 5% Caps Public and Private Programs Offset by
Revenues:

Drunk Driving Enforcement Fund Grant

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

Ms. Nerbak made a motion to approve the passage of Resolution 2007-113, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: Mr. Watters

RESOLUTION 2007-114

OFFICIALS AUTHORIZED TO SIGN CHECKS AND WARRANTS

BE IT RESOLVED, that each check and warrant of the Township be signed by two of the following and that they hereby are authorized to sign

- (1) Mayor, George Baldwin
- (2) Township Clerk, Dena Hrebenak
- (3) Chief Financial Officer, Andrew Coppola

Mrs. Oakley made a motion to approve the passage of Resolution 2007-114, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: Mr. Watters

ORDINANCE:

Mayor Baldwin introduced Ordinance 2007-14 for first reading; which was read by title only:

TOWNSHIP OF MANSFIELD ORDINANCE NO. 2007-14

AN ORDINANCE SUPPLEMENTING THE CODE OF THE TOWNSHIP OF MANSFIELD GRANTING PERMISSION TO APPLIED WASTEWATER MANAGEMENT, INC., TO OPERATE EQUIPMENT, PIPES AND MAINS FOR THE OPERATION OF A WASTEWATER COLLECTION, TREATMENT AND DISPOSAL SYSTEM WITHIN AN AREA LOCATED IN THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY AS FURTHER DESIGNATED HEREIN.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2007-14 and asked that public hearing be advertised for December 26, 2007 at 8:00pm, which was seconded Mrs. Oakley.

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

Nays: None

Absent: Mr. Watters

ORDINANCE 2007-15

An Ordinance to Combine the Planning Board and the Zoning Board to form Joint Board

Mrs. Oakley made a motion to approve the introduction of Ordinance 2007-15 and asked that public hearing be advertised for December 26, 2007 at 8:00pm and sent to the Planning Board for their review, which was seconded Ms. Nerbak.

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

Nays: None

Absent: Mr. Watters

COMMITTEE PERSON COMMENTS:

Mrs. Oakley thanked the Township Committee for the flowers that were sent to Ken.

Mrs. Oakley stated that there have not been any responses again to the Christmas Tree Lighting and Marty McMekin had donated a Christmas tree and that Home Depot had donated lights to the Township.

Ms. Nerbak stated that the League Dinner is tomorrow night they will be holding elections for positions. Ms. Nerbak also stated that more interviews were done for the position of Tax Assessor this past Monday.

Ms. Nerbak explained that the Recreation sign ups website is almost completed and that at the meeting she was told that the cheerleaders took second place at the cheering competition.

Ms. Nerbak also explained that the Recreation Commission is constantly not receiving their uniforms back from people and they were wondering if there was any way to take a deposit from the people for the uniform prior to handing them out.

Mr. Coppola stated that he would have to see how anything like that could be done.

Mr. Baldwin stated that Brent Sliker has been asking residents if the DPW could put up snow fence on their properties to eliminate snow drifts from the fields and a number of residents have told him that they would not allow the DPW to put up snow fence.

Mr. Kobert stated that another attorney had come to him with a problem for one of the property owners on Smith Road not having access to their property since the town abandoned the road. Mr. Kobert asked if the Township Committee wished to get involved in this matter.

The Township Committee agreed that they would not like to get involved in this matter.

Mr. Kobert read the following:

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Committee of the Township of Mansfield is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Committee of the Township of Mansfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any

collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.
- (7) Matters Relating to Litigation, Negotiations, and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- (9) Matters relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on November 28, 2007, that an Executive Session closed to the public shall be held on November 28, 2007 at 8:03 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in the closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mrs. Oakley made a motion to approve the Executive Session resolution, which was seconded by Mr. Appleby.

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

Nays: None

Absent: Mr. Watters

Return from Executive Session at 9:01.

Roll Call: Mrs. Oakley, Ms. Nerbak, Mr. Appleby, Mayor Baldwin

Mrs. Nerbak made a motion to purchase 5 rifles for the Police Department with monies received from the Warren County Prosecutor's Office for use of the Township Interrogation room, which was seconded by Mr. Appleby.

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

Nays: None

Absent: Mr. Watters

Mr. Kobert explained to Sgt. Emery that the Township Committee has made him the Officer in Charge in Chief Ort's absence.

Mrs. Oakley made a motion to adjourn at 9:12pm which was carried by all.