

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**December 26, 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 flag was done by all.

### **APPROVAL OF THE MINUTES:**

Mrs. Oakley made a motion to approve the minutes of the regular meeting of December 12, 2007 with corrections, which was seconded by Ms. Nerbak.

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

Nays: None

Abstain: None

### **PAYMENT OF BILLS:**

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

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

Nays: None

Abstain: None

### **CFO REPORT:**

Mr. Coppola asked the Township Committee if they would like to have the first budget meeting for the year 2008 on January 2, 2008 at 7:30pm and then have another one at the end of the month to finalize the numbers.

The Township Committee agreed that the next meeting could be held on January 22, 2008 at 7:30pm.

Mrs. Oakley made a motion to hold budget workshop meetings on the two above listed days, which was seconded by Ms. Nerbak.

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

Nays: None

Abstain: None

Ms. Nerbak made a motion to approve the hiring of Joanne Fascenelli for a total of 20 hours per week at a rate of \$16.50, which was seconded by Mrs. Oakley.

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

Mr. Coppola explained the proposed new phone system to the Township Committee, we are paying about \$330 a month for maintenance. The new system would cost over five years would be about \$3400.

Mayor Baldwin stated that he has been speaking with Mr. Mace about upgrading the current phone system, but the cost would not be less then the new system costs.

Mr. Mace asked if the contract includes replacing the wire if needed.

Ms. Nerbak made a motion to move forward with the replacement of the phone system with the stipulation that the wires be checked prior to the phone system going in, which was seconded by Mrs. Oakley.

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

**CONSENT AGENDA:**

2007-126

*RESOLUTION  
Overpayment of Taxes*

***WHEREAS, the following properties have an overpayment of 2007 property taxes;***

***WHEREAS, this overpayment occurred due to successful County Board tax appeals for added assessments;***

***NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 26th day of December 2007 that the Tax Collector and Finance Officer can refund the following overpayments:***

<b><i>Block 802 Lot24</i></b>	<b><i>Robert &amp; Garnet Jewell</i></b>	<b><i>\$4,691.25</i></b>	<b><i>Appeal # 16-07-06A</i></b>
<b><i>Block 1105 Lot 23</i></b>	<b><i>Dennis &amp; Jennifer Teets</i></b>	<b><i>\$278.00</i></b>	<b><i>Appeal # 16-07-07A</i></b>

2007-127  
**RESOLUTION**

**BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following Tax Sale Certificate having been paid and satisfied in full pursuant to N.J.S.A. 54:5-59. The Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, and affix the Township Seal, and have same delivered to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.**

TAX SALE CERTIFICATE NUMBER	BLOCK/LOT	AMOUNT
<b>2000-34</b>	<b>1001.02/33.03</b>	<b>\$19,260.80</b>

**Assessed To:  
Gruener, Gerald**

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

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

**ENGINEERS REPORT:**

Mr. Mace stated that the State is awarding the township a grant for most of Washburn Road.

Mr. Mace stated that he will as of January 2, 2008 will be transferring ownership of his business to a company out of Pennsylvania everything will be remaining the same as it has been but with more people.

**PUBLIC PORTION:**

Mr. Jewell, Sunnyview Ave, questioned how many rifles are being purchased.

Mrs. Oakley stated that the township would be purchasing 5 rifles.

Mr. Jewell stated that he saw that there were going to be 10 more purchased, he stated that this could be discussed at a later date.

Mayor Baldwin stated that there is not a lot that can be answered about the rifles could not be discussed at this time being that this was discussed in executive session.

Mr. Jewell stated that this seems like a lot of money for something that is not needed with a County Swat team.

Mayor Baldwin closed the public portion since there were no more comments.

**RESOLUTION:**

**RESOLUTION- No. 2007-128**

**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:

<b>From</b>		<b>To</b>	
Planning Board OE	\$2,000.00	Employee Group Ins.	\$132.00
Zoning Board OE	\$532.00	Administration OE	\$2,400.00

Ms. Nerbak made a motion to approve Resolution 2007-128, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

**Resolution 2007-129**

**RESOLUTION TO CANCEL CAPITAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD,  
COUNTY OF WARREN, STATE OF NEW JERSEY**

WHEREAS, there exists fully-funded ordinances on the balance sheet of the General Capital Account Fund; and

WHEREAS, the fund creating this ordinance has been investigated and it has been determined that this ordinance is no longer needed and should be cancelled;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield, that the following ordinances in the amounts of \$5,294.47 be and the same are hereby canceled to a reserve for Renovations to Municipal Property

Ordinance 2007-01

Police Equipment and Office Improvements - \$4,350.27

Ordinance 2007-09

Improvements to Public Buildings - \$944.20

Ms. Nerbak made a motion to approve Resolution 2007-129, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

RESOLUTION 2007-130

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 BOROUGH OF WASHINGTON, WITHOUT COMPETITIVE BIDDING

**WHEREAS, the Township of Mansfield, Warren County and the Borough of Washington, Warren County desire to enter into an Agreement with respect to setting forth the terms and conditions of the Shared Services Agreement for Street Sweeping; and**

**WHEREAS, this Agreement is authorized under the New Jersey Interlocal Services Act, N.J.S.A. 40A:8A-1 et seq.;**

**NOW, THEREFORE, 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 Borough of Washington setting forth the terms and conditions regarding the street sweeping equipment and manpower.**
- 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.**

Mrs. Oakley made a motion to approve Resolution 2007-130, which was seconded by Ms. Nerbak.

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

Nays: None

Abstain: None

**CAPITOL ORDINANCE:**

ORDINANCE NUMBER – CA-07-10

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$6,316 FOR RIFLES

WHEREAS, there is a need for rifles and associated equipment for the police department; and

WHEREAS, the acquisition of rifles and associated equipment will improve public safety and security;

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

1. The amount of \$6,316 is hereby appropriated from Capital Surplus.
2. There is no debt incurred by this Ordinance.
3. This Ordinance shall take effect immediately.

Mrs. Oakley made a motion to approve CA07-10, which was seconded by Ms. Nerbak.

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

Nays: Mr. Watters

Abstain: None

Ms. Nerbak made a motion to approve the addendum to the bill list, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

**ORDINANCE:**

**Second Reading: (8:00)**

Mayor Baldwin presented Ordinance 2007-14 for public comment:

Mr. Cohen, Esq. stated that prior to becoming the Township Attorney their firm worked for The Meadows at Mansfield so he would step down for this Ordinance.

**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.**

**WHEREAS**, Applied Wastewater Management, Inc. (hereinafter, "AWM") currently provides wastewater collection, treatment and disposal services pursuant to an approved rate and tariff issued by the New Jersey Board of Public Utilities; and

**WHEREAS**, a portion of the Township of Mansfield (hereinafter, the “Township”) commonly known as the “Meadows at Mansfield” subdivision is suitable for centralized wastewater collection, treatment and disposal services; and

**WHEREAS**, the Township Committee has determined that the provision of such services would best be accomplished by a method which does not involve public funds and minimizes municipal responsibility and liability; and

**WHEREAS**, AWM has significant experience as the operator of sewer utilities which have been approved by the Board of Public Utilities; and

**WHEREAS**, the Township Committee has determined that the best way to provide centralized wastewater collection, treatment and disposal services to the Meadows at Mansfield subdivision is by authorizing AWM to serve same; and

**WHEREAS**, the Township Committee has determined that it has the authority to consent to the grant of the utility franchise herein requested to privately owned utility companies as part of the Township’s responsibility to provide for the general health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee as follows:

**SECTION I.**

Municipal consent is hereby granted to AWM, for the operation and maintenance of a public utility to provide sewerage collection and treatment service to the Meadows at Mansfield subdivision, more completely defined in Section II of this Ordinance. This consent shall entitle AWM to own, operate, and maintain a sewerage collection and treatment system, including but not limited to facilities such as collection main, treatment plants, disposal beds, driveways and other appurtenances and equipment in order to provide service to the franchise area, subject to such additional approvals, endorsements or consents as the law may require.

## **SECTION II.**

The franchise for the consent granted in Section I of this Ordinance consists of the lands known and designated as: Block 1501, Lot 9.01 as shown on the current tax map of the Township and which is graphically represented on the attached Schedule "A".

## **SECTION III.**

The consent granted pursuant to Section I shall be for a period of 99 (ninety-nine) years from the final adoption of this Ordinance. The Mayor and Clerk of the Township are hereby authorized to execute on behalf of the Township all documents required to acknowledge said consent.

## **SECTION IV.**

Municipal consent and authority is also hereby granted to AWM to lay their mains (pipes), valves, pumps and other equipment beneath such public roads, streets, private *roads* or streets and places within the franchise area as may be deemed necessary for their corporate purpose, free from all charge to be made by any person or body politic whatsoever for such privilege, except as otherwise provided in Section V of this Ordinance, provided that the mains (pipes) shall be laid below the surface in accordance with approved plans by the Township and shall not unnecessarily obstruct or interfere with the public travel or damage public or private property. All such property shall be restored in a workmanlike manner to the condition said property was in prior to the installation of the said pipes. Except in the event of an emergency, the consent of the public agency charged with repair and maintenance of such roads, streets and places shall be first obtained in writing. AWM shall be required to restore such public roads, streets and the places to the conditions they were in prior to the installation of mains, valves, pumps and other equipment by AWM. It is mutually acknowledged that from time to time the Township may have to undertake work in conjunction with roadways which it owns and maintains. AWM acknowledges that



improvements required to roadways owned by the Township may require the relocation or repair of certain facilities it owns within the roadways. AWM understands and agrees that any such relocations, repairs, maintenance will be at the sole cost and expense of AWM. Except in the event of an emergency, the Township will engage AWM in prior consultation with regards to any work in conjunction with roadways which it owns and maintains where it is known that such work will require the relocation or repair of certain facilities owned by AWM.

#### **SECTION V.**

AWM, in the construction, installation, maintenance, and operation of its sewerage treatment and collection systems, shall comply with all applicable federal, state, and local statutes, rules, regulations, and ordinances and shall obtain all necessary approvals, permits, and licenses from, and pay all necessary fees to, all federal, state and local agencies having jurisdiction over any aspect of the sewerage collection and treatment system. At the end of the ninety-nine (99) year period provided for in Section III, should the Township elect not to extend or renew its consent, AWM shall continue to provide service to its then existing customers within the area defined by Section II until such time as arrangements are made in accordance with then existing law and regulation for continued service or alternate service.

#### **SECTION VI.**

AWM shall indemnify and hold harmless the Township and its agents and employees from and against any and all claims, losses, or damages of any type, arising out of the construction, installation, maintenance and operation of the sewerage collection and treatment system or any of its component parts.

#### **SECTION VII.**

All provisions of this Ordinance which are obligatory upon or shall inure to the benefit of AWM shall also be obligatory upon and shall inure to the benefit of all successors and assigns of AWM.

#### **SECTION VIII.**

To the extent now or hereafter permitted by the statutes or laws of the State of New Jersey, this Ordinance shall inure to the benefit of, and be binding upon, any city, town, or other municipal corporation to which the franchise area of the Township of Mansfield may hereafter be attached or annexed, or into which it may be incorporated.

#### **SECTION IX.**

To the extent that any part or parts of this Ordinance are repealed or otherwise modified or voided by state statute or case law, the remaining sections of this Ordinance shall remain in full force and effect.

#### **SECTION X.**

This Ordinance shall take effect upon final passage and approval, and publication by law.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-14 and requested that the results be advertised, which was seconded by Mrs. Oakley.

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

Nays: Mr. Watters

Abstain: None

Mr. Mace stated that copies of this Ordinance will have to be forwarded to the Public Utilities Board.

Ms. Nerbak made a motion to send copies of the approved Ordinance, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

Mayor Baldwin presented Ordinance 2007-15 for public comment:

Robert Jewell, Sunnyview Ave, stated that the proposed savings that will come from the merging of the boards could be made up in other places instead of getting rid of the board, like the purchase of rifles that was approved earlier this evening. Mr. Jewell stated that he feels that this is not being done to save money, but more so to place all items on before the Planning Board.

Mayor Baldwin asked if there were any other comments from the public, seeing there was none the public portion was closed.

### **ORDINANCE 2007-15**

#### **AN ORDINANCE TO AMEND CHAPTER 19 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD TO TRANSFER THE POWERS, DUTIES AND FUNCTIONS OF THE ZONING BOARD OF ADJUSTMENT TO THE PLANNING BOARD AND TO DISSOLVE THE ZONING BOARD OF ADJUSTMENT PURSUANT TO N.J.S.A. 40:55D-25(c)(1)**

**WHEREAS**, the Township Committee of the Township of Mansfield has concluded that it is in the best interest of the Township of Mansfield to transfer the powers, duties and functions of the Township Zoning Board of Adjustment to the Township Planning Board, effective April 1, 2008, and to thereafter dissolve the Zoning Board of Adjustment, and

**WHEREAS**, N.J.S.A. 40:55D-25(c)(1) expressly permits the Township to authorize the Township Planning Board to assume the full powers, duties and functions of the Zoning Board of Adjustment and thereby the dissolution of the Zoning Board of Adjustment.

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

#### **Section 1**

Section 19-6 ("Zoning Board of Adjustment") of Chapter 19 ("Land Use Administration and Procedures") is hereby amended as follows:

**A.** Section 19-6.1 shall be amended to read as follows:

#### *Establishment and Dissolution.*

There is hereby established in the Township, a Zoning Board of Adjustment, pursuant to N.J.S.A. 40:55-69, but said Zoning Board of Adjustment will be fully dissolved and with no further powers, duties or functions, effective April 1, 2008 and thereafter.

All new applications submitted to the Zoning Board of Adjustment after December 26, 2007, but prior to April 1, 2008, that do not involve relief pursuant to *N.J.S.A. 40:55D-70(d)* (“use variances”), shall be immediately transferred to the Planning Board for resolution.

The Zoning Board of Adjustment will undertake all necessary efforts to fully resolve, if possible, all pending matters prior to April 1, 2008. On or before April 1, 2008, all pending matters and all files and records held by the Zoning Board of Adjustment shall be immediately transferred to the Planning Board.

Commencing on April 1, 2008, the Zoning Board of Adjustment shall be deemed fully dissolved and with no further powers, duties or functions, and the Planning Board shall, pursuant to *N.J.S.A. 40:55D-25(c)(1)*, assume full responsibility for any matters that remained unresolved before the Zoning Board of Adjustment as well as all the powers, duties and functions previously vested in the Zoning Board of Adjustment.

## **Section 2**

Section 19-5 (“Planning Board”) of Chapter 19 (“Land Use Administration and Procedures”) is hereby amended as follows:

**A.** The first paragraph within Section 19-5.1 concerning “Alternate Members” shall be followed by the new paragraph set forth below:

Pursuant to *N.J.S.A. 40:55D-23.1*, effective April 1, 2008 and thereafter, there shall be four (4) alternate members of the Planning Board. Alternate members shall be appointed by the Mayor, and shall meet qualifications of Class IV members. Alternate members shall be designated at the time of appointment by the Mayor as “Alternate No. 1,” “Alternate No. 2,” “Alternate No. 3,” and “Alternate No. 4.” The terms of the alternate members shall be for two (2) years, except that the terms of the alternate members shall be such that the term of not more than two (2) alternate members shall expire in any one (1) year; provided, however, that in no instance shall the terms of the alternate members first appointed exceed two (2) years. A vacancy occurring other than by expiration of term shall be filled by the Mayor for the unexpired term only.

**B.** Section 19-5.7, entitled “Powers and Duties Generally” shall include two (2) new subsections to follow subsection “h,” which shall provide as follows:

(i) From December 26, 2007 through March 31, 2008, should any new application be submitted to the Zoning Board of Adjustment that does not involve relief pursuant to *N.J.S.A. 40:55D-70(d)* (“use variances”), said application shall be immediately transferred to the Planning Board for resolution. The Planning Board shall be responsible for addressing said application as well as any such applications submitted directly to the Planning Board, and shall have the power to grant the request to the same extent and subject to the same restrictions as the Zoning Board of Adjustment, pursuant to *N.J.S.A. 40:55D-60*.

(j) Commencing on April 1, 2008, the Zoning Board of Adjustment will be dissolved pursuant to Section 19-6.1 and the Planning Board shall thereafter assume full responsibility for any matters that remained unresolved and pending before the Zoning Board of Adjustment as well as all the powers, duties and functions previously vested in the Zoning Board of Adjustment, pursuant to *N.J.S.A. 40:55D-25(c)(1)*. Thereafter, the Class I and Class III members serving on the Planning Board shall be precluded from participating in the consideration of applications for development which involve applications pursuant to *N.J.S.A. 40:55D-70(d)* ("use variances").

### **Section 3**

If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

### **Section 4**

All Ordinances or parts thereof which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Code of the Township of Mansfield not inconsistent herewith are ratified and confirmed.

### **Section 5**

This Ordinance shall become effective after its final passage and publication as required by law.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-15 and requested that the results be advertised, which was seconded by Mrs. Oakley.

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

Nays: Mr. Appleby

Abstain: None

Mayor Baldwin presented Ordinance 2007-16 for public comment:

## **ORDINANCE 2007-16**

### **AN ORDINANCE TO AMEND CHAPTER V OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY ENTITLED ANIMAL CONTROL**

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD:

Section 1. The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

**5-2.2 LICENSE**

“...registration tag shall pay a fee of eight dollars and fifty cents (\$8.50) for each dog spayed or neutered and eleven dollars and fifty cents (\$11.50) for each dog not spayed or neutered.”

**5-3 LICENSING REQUIREMENTS**

“...fee of five dollars and fifty cents (\$5.50) for a spayed or neutered cat and nine dollars and fifty cents (\$9.50) for a cat not spayed or neutered.

Section 2. All ordinances inconsistent with the foregoing shall be deemed repealed by this ordinance.

Section 3. This Ordinance shall take effect immediately upon publication as provided by law.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-16 and requested that the results be advertised, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

Mayor Baldwin presented Ordinance 2007-18 for public comment:

**ORDINANCE 2007-18**

**AN ORDINANCE TO AMEND CHAPTER VI OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY ENTITLED ALCOHOLIC BEVERAGE CONTROL**

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD:

Section 1. The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

**6-3.4 LICENSE FEES**

<b>Annual License</b>	<b>Annual Fee</b>	<b>Number of License</b>
<b>Plenary Retail Consumption</b>	<b>\$1084.00</b>	<b>4</b>
<b>Plenary Retail Distribution</b>	<b>\$ 541.00</b>	<b>1</b>

Section 2. The provision of this section with respect to the limitation on the number of license shall not apply to the renewal or transfer of licenses presently issued.

Section 3. This Ordinance shall take effect immediately upon publication as provided by law.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-18 and requested that the results be advertised, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

Mayor Baldwin presented Ordinance 2007-19 for public comment:

### **ORDINANCE 2007-19**

#### **AN ORDINANCE TO AMEND ARTICLE III OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF MANSFIELD AT § 2-20.2 "MEMBERSHIP OF THE POLICE DEPARTMENT" TO PERMIT THE APPOINTMENT OF AN ACTING CHIEF OF POLICE SHOULD THE CHIEF OF POLICE BECOME INCAPACITATED**

**WHEREAS**, the Township Committee of the Township of Mansfield has concluded that it is in the best interest of the Township of Mansfield to allow for the appointment of an Acting Chief of Police in the event of the incapacity of the sitting Chief of Police; and

**WHEREAS**, *N.J.S.A. 40A:14-118* expressly permits the Township Committee to provide for a line of authority relating to the police function, as the governing body shall deem necessary for the effective government of the force.

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

#### **Section 1.**

Section 2-20.2 ("Membership of the Police Department") is hereby amended to add the following new provisions:

Should the sitting Chief of Police become incapacitated for a period which extends more than two (2) weeks in duration, the Township Committee may appoint, by resolution, an Acting Chief of Police to fulfill the powers, functions and duties of the Chief of Police. The Acting Chief of Police shall retain said appointment until such time as the sitting Chief of Police is able to return to active duty, either on a full time or approved light duty schedule.

#### **Section 2.**

If any part or parts of this Ordinance are for any reason held to be invalid, such adjudication shall not affect the validity of the remaining portions of this Ordinance.

**Section 3.**

All Ordinances or parts thereof which are inconsistent herewith are repealed, but only to the extent of such inconsistency. All other parts of the Code of the Township of Mansfield not inconsistent herewith are ratified and confirmed.

**Section 4.**

This Ordinance shall become effective after its final passage and publication as required by law.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-19 and requested that the results be advertised, which was seconded by Mr. Watters.

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

Nays: None

Abstain: None

Mayor Baldwin presented Ordinance 2007-20 for public comment:

**ORDINANCE 2007-20**

AN ORDINANCE TO AMEND CHAPTER 19-7.11 b.1  
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's

1. Section 19-7.11b.1 is hereby amended as follows:
2. A new Section 19-7.11 b 1 A is adopted as follows

"The fee for said zoning permit shall be \$35.00 for residential uses and \$50.00 for all other uses."

All ordinances inconsistent with the foregoing shall be deemed repealed by this Ordinance.

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

Mrs. Oakley made a motion to approve the passage of Ordinance 2007-20 and requested that the results be advertised, which was seconded by Mr. Appleby.

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

Nays: None



Abstain: None

**COMMITTEE PERSON COMMENTS:**

Mrs. Oakley stated that she would like to have the police and Home Depot come in for the first meeting in January for the presentation of the donation of the equipment needed by the police for the bags for emergency situations.

Mr. Watters stated that the list from Mansfield Twp Fire Company of the needed equipment was in all of the Committee members mailboxes.

Ms. Nerbak made a motion to provide the needed equipment to Mansfield Twp Fire Company using the contracted Emergency Fund, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

Ms. Nerbak stated that the personnel committee had decided to hire Bernard Murdock at a salary of \$22,000 per year starting January 2, 2008.

Mr. Appleby thanked everyone for a good six years while he was on the committee.

Ms. Nerbak asked the Township Committee if they would like to continue the contract with Michael Shadiack for the year 2008 as the township's labor attorney.

Mrs. Oakley stated that she felt we were covered in that area by the office of Courter, Kobert, and Cohen, but thanked Mr. Shadiack for all of the work that he had done for the township.

Mayor Baldwin stated that NJ American is planning on raising their rates and that they will be having a public comment period.

Mayor Baldwin thanked everyone for a great year.

Mr. Appleby made a motion to adjourn which was carried by all.