

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 9, 2008

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, Mr. Baldwin, Mr. Jewell, Mayor Nerbak

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters stated that on page 9 the school found out that they were in the top 7 out of all schools not the top 70.

Mayor Nerbak stated that she believed that the County OEM was the office that ran the Medication Tabletop Exercise not as indicated on page 10 as the Mansfield Emergency Services.

Mr. Baldwin made a motion to approve the minutes from the regular meeting held on March 12, 2008 with the changes, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Mr. Baldwin made a motion to approve the minutes from the regular meeting held March 26, 2008, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

PAYMENT OF BILLS:

Mr. Baldwin made a motion to approve the passage of the bill list with the addendum with the removal of the membership for the mayors association, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

CFO REPORT:

Mr. Coppola stated that he had given reports for overtime, and payroll reports for the committees review. Also that the Township Committee has been given copies of the draft shared court agreement, draft permanent animal control contract, draft for a shared animal control officer, and also the draft agreement for Independence Twp Animal Control.

Mr. Coppola asked the Township Committee if even though the budget has not been adopted if they would like to lease a Durango and handed out the prices for review and the cutoff date for this pricing is May 16th, so if this something that the township is interested in we should move forward in order to get the pricing. There is also a decision of a three totaling \$8,400 per year or four year lease \$6500 per year. Mr. Coppola did not want to authorize anything prior to the budget being adopted so he was looking to the Township Committee for direction.

Mr. Baldwin made a motion to approve the lease of the Durango for a four year term, which was seconded by Mrs. Oakley.

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

Mr. Baldwin made a motion to approve the lease of a police car for a three year term, which was seconded by Mrs. Oakley.

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

CLERKS REPORT:

Ms. Hrebenak stated that she was handing out the financial disclosures to the Township Committee members to be filled and handed back in by April 30.

ENGINEERS REPORT:

Mr. Mace handed out the Zoning Report to the Township Committee for the 1st quarter of 2008.

Mr. Mace also stated that he is working on the meeting for the low or moderate income housing with the Regency people.

PUBLIC PORTION:

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

RESOLUTION:

2008-43

A RESOLUTION OF THE TOWNSHIP OF MANSFIELD SUPPORTING THE CONCEPT OF A SCENIC BYWAY
WHEREAS, the State of New Jersey has established a New Jersey Scenic Byways Program to help municipalities identify, evaluate, designate and manage roadways that link scenic, natural, cultural, historic, archaeological and recreational resources, and;
WHEREAS, the New Jersey Scenic Byways Program requires the submission of a Scenic Byway Nomination Application to request a New Jersey Scenic Byway designation for a roadway, and;
WHEREAS, Heritage Conservancy has prepared, in collaboration with local, county, regional, and state stakeholders, an application to nominate Route 57 in its entirety as a New Jersey Scenic Byway in recognition of the unique scenic, natural, cultural, historic, archaeological and recreational assets along this roadway, and;
WHEREAS, obtaining a New Jersey Scenic Byway designation for Route 57 involves a coordinated effort among the municipalities through which Route 57 passes including the Township of Franklin, Township of Greenwich, Town of Hackettstown, Township of Lopatcong, Township of Mansfield, Borough of Washington, Borough of Washington, and the Township of Washington, in addition to other local stakeholders and county, regional and state agencies, and;
WHEREAS, the benefits of such coordination include an increased public appreciation of the resources along this roadway, tourism revenue, and access to federal funds that can be used to support the planning and implementation of economic development activities, resource conservation measures, recreational amenities, and roadway improvements related to enhancing the experience of traveling along Route 57.
NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield of the State of New Jersey that the Township Committee supports the nomination of Route 57 as a New Jersey Scenic Byway, as described in the application, and;

BE IT FURTHER RESOLVED that Heritage Conservancy may submit the nomination applications on behalf of the Township of Mansfield, and;
BE IT FURTHER RESOLVED that the Township of Mansfield is willing to continue its commitment to work with a variety of partners to maximize the benefits that can be derived from a properly managed scenic byway, and;
BE IT FURTHER RESOLVED that the Township of Mansfield will actively participate in the process associated with obtaining a scenic byway designation through the appointment of a representative from the Township of Mansfield to work with local, county, regional and stated stakeholders to prepare and implement a Corridor Management Plan for the future administration and management of the Route 57 Scenic Byway.

Mrs. Oakley made a motion to approve the passage of Resolution 2008-43, which was seconded by Mr. Baldwin.

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

Ms. Williamson asked that a copy of the certified resolution be sent to her office, and also reminded the Township Committee that a designee will need to be appointed.

RESOLUTION NO. 2008-44

WHEREAS, the temporary municipal budget for the year 2008, was approved on the 1st day of January, 2008; and

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE, BE ITS RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, that the following amendment to the temporary budget be made:

Appropriation:

Municipal Alliance Grant	\$7194.00
Mun. Alliance Local Match	\$2398.00

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

ORDINANCE:

Public Hearing

Mayor Nerbak opened the meeting for public comment on Ordinance 2008-04;

Linda Schimke, Valley Road, questioned if the ordinance was stating that the applicant needed Military Law Enforcement experience.

Mr. Jewell stated that he would like the ordinance to say 2 years prior military experience or 2 years law enforcement experience.

The Township Committee agreed that this would be ok to change in the ordinance.

ORDINANCE: 2008-04

AN ORDINANCE TO AMEND CHAPTER 2-8 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED "POLICE DEPARTMENT" TO CLARIFY THE QUALIFICATION REQUIREMENTS,

WHEREAS, the Township Committee of the Township of Mansfield has determined that Chapter 2-8 of the Township Code should be amended to clarify the qualification requirements for new police officers to address concerns raised by the Police Department;

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

Section I.

The Code of the Township of Mansfield is hereby amended so that Section J "Appointments and qualifications" be revised to read as follows:

- i. Has a High School Diploma and has either 60 College Credits or at least two years of prior military or two years law enforcement experience.

Section II.

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

Section III.

If any section, subsection, paragraph, phrase or sentence of these amendments to the Township Code is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section IV.

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

Mrs. Oakley made a motion to approve the passage of Ordinance 2008-04 and requested that the results be advertised, which was seconded by Mr. Baldwin.

Ayes: Mrs. Oakley, Mr. Baldwin, Mr. Jewell, Mayor Nerbak

Nays: Mr. Watters

Absent: None

Mayor Nerbak opened the meeting for public comment on Ordinance 2008-05;

Linda Schimke, Valley Road, stated that this ordinance was a good idea for the township to enforce.

ORDINANCE: 2008-05

AN ORDINANCE TO AMEND CHAPTER 5 OF THE CODE OF THE TOWNSHIP OF MANSFIELD ENTITLED TO REQUIRE OWNER REIMBURSEMENT FOR ALL FEES AND COSTS OF BOARDING,

WHEREAS, the Township Committee of the Township of Mansfield has determined that Chapter 5 of the Township Code should be amended to require owner reimbursement for all fees and costs of boarding their animal upon impoundment;

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

Section I.

The Code of the Township of Mansfield is hereby amended to add the following provision to Chapter 5 “Animal Control”:

The owner of any animal impounded pursuant to this Chapter or any other provision of the Township Code or State Law, shall be responsible for the full costs of impoundment, boarding, medical treatment and, if deemed necessary, the destruction of said animal

Section II.

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

Section III.

If any section, subsection, paragraph, phrase or sentence of these amendments to the Township Code is, for any reason, declared to be unconstitutional or invalid, such section, subsection, paragraph, phrase or sentence shall be deemed severable.

Section IV.

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

Mrs. Oakley made a motion to approve the passage of Ordinance 2008-05 and requested that the results be advertised, which was seconded by Mr. Baldwin.

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

Nays:

Absent: None

COMMITTEE PERSON COMMENTS:

Mr. Watters stated that he attended a chief's meeting last Monday and Lt. Danielson would be handing out the new pagers this week to the fire departments and also that there are some problems that the dispatch is running into with road names being mixed up between County Routes and the road names.

Mrs. Oakley stated that Becky Harm took her test for Tax Collector and that she should be receiving the results in 6-8 weeks.

Mrs. Oakley also stated that she would be handing out the copies of recommendations from William Pearson the person who did the police department audit and that the rest of the report would be delivered to the Township Committee in about 4 to 6 weeks.

Mrs. Oakley stated that one of the suggestions was to have a second in command with the rank of Captain and a minimum of 10 patrol officers not counting supervisors.

Mrs. Oakley asked if the Township Committee would like to proceed with interviews for Captain or ask the Chief for suggestions.

Mr. Baldwin stated that he would like to wait for the rest of the report prior to having a discussion about the Captain position.

Mayor Nerbak stated that she had attended the Zoning Board meeting on Monday and thanked all of the members for their services and also asked if there was anyone interested in becoming an alternate member of the new board.

Mayor Nerbak also stated that she had received a phone call from the president of the Skyland's Sierra Club asking if the Township Committee could pass a resolution in protest of the parks being closed within the state and also attend the Rally in protest being held at High Point State Park.

Mayor stated that Mr. Vex, Esq. stated that the agreements were in order for animal control and asked if the Township Committee wanted to vote on these tonight or if they would like more time to review them.

Mr. Baldwin made a motion to approve the Mayor signing the Memo of Understanding with Washington Twp, Morris County for animal control, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Mr. Baldwin made a motion to approve the Mayor signing the agreement for Animal Control Services Contract between Mr. Norton and Mansfield Twp., which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Mr. Baldwin made a motion to approve proceeding with negotiation of the Animal Control Services Agreement between Independence Twp and Mansfield Twp., which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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:

(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.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on April 9, 2008, that an Executive Session closed to the public shall be held on April 9, 2008 at 9:00 p.m. 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 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.

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

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

Nays: None

Absent: None

Return from executive session 9:11pm.

Mr. Baldwin made a motion to adjourn at 9:12pm, which was seconded by Mrs. Oakley and carried by all.

Respectfully Submitted,

Dena Hrebenak