

MANSFIELD TOWNSHIP COMMITTEE MEETING

August 13, 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, Mayor Nerbak

Salute to the flag was done by all.

PAYMENT OF BILLS:

Mr. Baldwin made a motion to approve the bill list with addendum excluding Purchase Order #280871, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola stated that he had given each committee member a copy of the monthly budget report and also a copy of the price quote for the animal census which is the same price that it was last year, so he would like to see if this is what the committee would like to do.

Mr. Baldwin asked what happened to the Carpenters. Isn't that who used to do the census for the town.

Ms. Hrebenak stated that she received a letter from Mrs. Carpenter stating thanking the township for having her do the previous year's census and that she understood that the township had hired someone else for animal control.

Mr. Baldwin asked that Mrs. Carpenter be asked if she is interested in doing the census for the township and that if she is not then he would like to move that Mr. Norton perform the animal census for 2008, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Mr. Coppola asked the Township Committee what they would like to do about the My Love Cleaners authorization from the Planning Board, there was no escrow fee acquired and we have received a bill from Mr. Edleston.

Mr. Baldwin made a motion to send a letter to Mr. Lee asking for an escrow to be set up to pay the bills that the township receives for his approval for a temporary trailer on the premises, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak had nothing to report.

MAYORS REPORT:

Mayor Nerbak stated that she had received a letter from Governor Corzine asking her to attend a meeting at Drumthwacket from 2pm to 3pm to discuss the Highlands Master Plan and that she would be attending the meeting and Mayor Nerbak asked the other committee members if there is any comments that they would like for her to bring to the meeting and further if the township would like to advise the Governor to sign the Highlands Master Plan as it is being presented.

Mr. Baldwin stated that he spoke with Sam Race in reference to this situation, and both of them agreed that we should advise the Governor to sign the Highlands Master Plan as it is being presented due to the fact that if the plan is sent for amendments the areas that are considered in the Highlands Preservation will be placed under even more stringent rules with some of the other proposed amendments from some of the environmental groups that have gotten involved.

Mr. Baldwin made a motion to have Mayor Nerbak ask Governor Corzine to sign the Highlands Master Plan as it is presented, which was seconded by Mrs. Oakley.

Mr. Watters asked if there was anything included for the property owners that have had their land devalued by this law to be compensated.

Mayor Nerbak stated that there is not, but that she will bring this also to the Governor's attention.

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

Nays: None

Absent: None

Abstain: None

Mayor Nerbak stated that NJ DEP is requesting that we fill out an application for the 2008 Clean Water NJ awards category.

Mr. Mace stated that he doesn't feel that we have anything that rises to the level of State awarding.

Mayor Nerbak stated that she had given each committee member a copy of the minutes from the Raritan Valley NJ Transit study meeting that she had gone to.

Mayor Nerbak stated that Mr. Cruts had resigned from the Open Space Committee and that she would like to accept his resignation.

Mayor Nerbak also stated that letters were sent out to Bruce Stymacks and Jeremy DeLuca asking if they still were interested in serving on the Open Space Committee due to lack of attendance and that the letter has stated that they need to respond by August 1, 2008 and as of today we have received no response, so therefore Mayor Nerbak also excepted the resignation of Bruce Stymacks and Jeremy DeLuca.

Mrs. Oakley made a motion to concur with Mayor Nerbak's accepting the resignations and asked that letters of appreciation be sent out to the resigning members, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mayor Nerbak stated that she wished to appoint Diane Margolin to replace Mr. Cruts on the Open Space Committee with a term to expire 12/31/2009.

Mrs. Oakley made a motion to concur with Mayor Nerbak's with the appointment, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mayor Nerbak stated that she has had a number of requests for the open positions and that she will discuss the open positions with the chair and will then be making her appointments to the Open Space Committee.

ENGINEERS REPORT:

Mr. Mace stated that he had nothing to report.

Mr. Jewell stated that he read over the zoning report and that he felt that sending correspondence to the contractor that had a sign posted on Beatty Road was overzealous. The contractor was marking the entrance to the road that the job that he is working on is for deliveries and that road is not easily visible from Rockport Road.

Mr. Mace stated that he was asked to clean up all of the temporary signs in the township and as far as they knew that was one of the temporary signs.

PUBLIC PORTION:

Ted Tomaszewski, Snyder Road, explained to the Township Committee that the speed on Snyder Road is unbelievable and needs to be enforced and he had mentioned this to Chief Ort because he feels that the road should not be a 35 mph speed limit there are parts of Route 57 that have a 35mph speed limit and that is a state highway and also Janes Chapel Road has a 30 mph speed limit and is more open and Snyder Road is more confined especially by his house.

Mr. Mace explained that this is an enforcement issue and that this Governing Body is not able to change the speed limits without the States approval.

Mayor Nerbak stated that she believed that the road was not posted originally and that we had petitioned the stated to set the speed limit to 35mph.

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

RESOLUTION:

RESOLUTION NO. 2008-78

A RESOLUTION TO PROVIDE FOR AND DETERMINE THE SALARIES AND COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARIES AND COMPENSATION.

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

The salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined for the period below to be as follows:

Court Security	\$115 per session
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Mrs. Oakley made a motion to approve the passage of Resolution 2008-78, which was seconded by Mr. Watters.

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

2008-79
RESOLUTION

Cancellation of Taxes
Block 1204 Lot 11QFARM

WHEREAS, the following property has outstanding property taxes for 2008;

WHEREAS, this outstanding amount occurred due an erroneous assessment for farmland in 2008;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of August 2008 that the Tax Collector is hereby authorized to cancel the following taxes:

Block 1204 Lot 11QFARM
Mazzacchi, Mario & Rich, Philip
269 Hazen Road
2008 Taxes - \$5,175.00

Mr. Baldwin made a motion to approve the passage of Resolution 2008-79, which was seconded by Mr. Jewell.

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

2008-80
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
200711	2607/01	\$383.78

Assessed To:
Hunter, Trunice

Mrs. Oakley made a motion to approve the passage of Resolution 2008-80, which was seconded by Mr. Watters.

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

2008-81
RESOLUTION
Cancellation of Taxes
Block 301 Lot 13& Block 1204 Lot 12.01QFARM

WHEREAS, the following properties have outstanding property taxes for 2008;

WHEREAS, this outstanding amount occurred due to the State of New Jersey purchasing the property and the exempt classification being omitted in the 2008 tax duplicate;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of August 2008 that the Tax Collector is hereby authorized to cancel the following taxes:

*Block 301 Lot 13
State of New Jersey, DEP
172 Jane Chapel Road
2008 - \$2,104.50*

*Block 1204 Lot 12.01QFARM
State of New Jersey, DEP
Hazen Road
2008- \$759.00*

Mr. Oakley made a motion to approve the passage of Resolution 2008-81, which was seconded by Mr. Baldwin.

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

2008-82
RESOLUTION
Cancellation of Taxes on Foreclosed Properties

WHEREAS, the following properties have outstanding property taxes for 2008;

WHEREAS, this outstanding amount occurred due to the township's successful foreclosure action in 2008;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of August 2008 that the Tax Collector is hereby authorized to cancel the following taxes:

*Block 501 Lot 21
Township of Mansfield
Tunnel Hill Road
2008 - \$17,209.75*

*Block 601.03 Lot 62.06
Township of Mansfield
Rear Route 57
2008- \$2,032.63*

*Block 2707 Lot 3
Township of Mansfield
Adams Street
2008- \$132.25*

*Block 2707 Lot 5
Township of Mansfield
Adams Street
2008- \$66.13*

*Block 2707 Lot 18
Township of Mansfield
Jefferson Street
2008- \$132.25*

Mr. Baldwin made a motion to approve the passage of Resolution 2008-82, which was seconded Mrs. Oakley.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mrs. Oakley stated that two weeks ago Mr. Watters and herself met with applicants that were looking to fill the open position in the clerks office. We were down to two candidates and the decision was left up to Ms. Hrebenak to decide between the two who would better fit the position.

Mrs. Oakley made a motion to hire April McGarity for the position of Deputy Clerk/Deputy Registrar to begin on 8/14/2008 at a salary of \$29, 200 with a 90 day probationary period, which was seconded by Mr. Jewell.

Mr. Watters asked when benefits begin and if this covered the family or if it was only individual.

Mayor Nerbak stated that as of right now the health benefits covered the families of our employees.

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

Nays: None

Absent: None

Abstain: None

Mrs. Oakley also stated that the Town wide Yard Sale is scheduled for September 13th and 14th .

Mrs. Oakley asked if this could be posted again on the webpage.

Ms. Hrebenak stated that the article would be posted again when the date comes closer.

Mrs. Oakley made a motion to approve Becky Harm attending the League of Municipalities Conference, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mr. Watters asked if anyone knew where the power lines were going to be run through Mansfield Township.

Mayor Nerbak stated that as far as she knows there are not going to be run through Mansfield Township it will be running through the northern part of the county.

Mr. Watters also asked that the Police Fuel Consumption Reports be more like the reports that the DPW gives to the Township Committee.

Mrs. Oakley stated that she asked Chief Ort for an exact gallon log of usage and that he will be getting that for the Township Committee.

Mr. Watters also stated that there was gas delivered and the amount was 1225 to the Municipal building and the police log stated that they used 1208 this is a slight discrepancy in the fuel used and the amount delivered.

Mr. Baldwin and Mayor Nerbak stated that it is very possible that there may have been some fuel still in the tank.

Mr. Watters stated that he is not making any excuses he is just pointing out that there is a slight discrepancy.

Mr. Watters stated that Snyder Road still is in need of paving.

Mr. Baldwin stated that the Morris County Co-op sent out correspondence that states that since the Co-op started they have saved \$13,194,000 over the years.

Mr. Baldwin also stated that Mr. Sliker will be filling in Cherry Tree Bend Road and there will be a section that will be repairs because it is breaking apart and there will be a cap put on because we are paying \$65.85 a ton and that is outrageous to start with and that is in place and we asked what the pricing is looking like it will be next year and they said probably anywhere between \$90 to \$100 per ton in place after taking a cut in the budget of over \$60,000 in the budget upkeep of the township roads has not been easy the rest of whatever is left in paving will be used also, and that Mr. Sliker had given all of the fuel logs to the Township Committee members for their review and that there is a discrepancy of 17.6 gal diesel that is not accounted for on the fuel logs. Mr. Baldwin also explained to the Township Committee that Salt was \$54.48 per ton this year and that the Warren County Co-op has sent out correspondence that the price for next year is \$67.39 per ton.

Mr. Watters stated that he received a call from a Diamond Hill resident that told him that his road is in need of repair.

Mr. Baldwin stated that he would let Brent know and have him check on the roads in Diamond Hill.

Mr. Jewell made a motion to take a 5 minute break at 8:26 pm, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Abstain: None

Mayor Nerbak stated that the only other thing that she had was the letter that came addressed to Bill Edelston requesting the purchase of township property, Block 2704 Lot 14 for the assessed value.

Ms. Hrebenak stated that she would send out a letter to the adjacent property owners to see if there is any interest with any of the other neighbors.

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 August 13, 2008, that an Executive Session closed to the public shall be held on August 13, 2008 at 8:33pm 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.

Mr. Watters made a motion to go into Executive Session, which was seconded by Mrs. Oakley.

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

Nays: None

Absent: None

Abstain: None

Return from Executive Session at 8:55pm.

Roll Call: Mrs. Oakley, Mr. Watters, Mr. Baldwin, Mr. Jewell, Mayor Nerbak

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:

- (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.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on August 13, 2008, that an Executive Session closed to the public shall be held on August 13, 2008 at 8:56 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.

Mr. Baldwin made a motion to go into Executive Session for discuss of legal matters, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Return from Executive Session at 9:05pm.

Roll Call: Mrs. Oakley, Mr. Watters, Mr. Baldwin, Mr. Jewell, Mayor Nerbak

Mayor Nerbak made a motion to adjourn at 9:08pm.

Respectfully Submitted,

Dena Hrebenak, RMC