

MANSFIELD TOWNSHIP COMMITTEE MEETING

September 10, 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:

Ms. Hrebenak suggested that the minutes from the July 23, 2008 meeting be held for the next meeting since there were a number of changes that were made.

The Township Committee agreed to hold the approval of the July 23, 2008 minutes for the next meeting.

Mrs. Oakley made a motion to approve the minutes from the August 13, 2008 meeting, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mr. Baldwin made a motion to approve the minutes from the August 27, 2008 meeting with corrections, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: Mrs. Oakley

PAYMENT OF BILLS:

Mr. Watters questioned what the Flak Litigation was that was listed on the bill list.

Ms. Hrebenak stated that this was litigation from someone that was trying to build a house on Smith Road and did not receive approvals from the State so now had filed litigation with the State and the Township.

Mr. Watters also asked what was the repair to the hydrolic leak in the John Deere backhoe.

Mr. Baldwin stated that he would find out from Mr. Sliker.

Mr. Baldwin made a motion to approve the bill list as presented, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola asked if the Township Committee would be interested in pledging with NJ League against the COAH regulations.

Mr. Baldwin made a motion to approve pledging \$500. to the NJ League of Municipalities toward the lawsuit for the new COAH rules, which was seconded by Mr. Jewell.

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

Nays: Mr. Watters

Absent: None

Abstain: None

Mr. Coppola also stated that there was new recycling information that was posted to the website.

Mr. Coppola explained to the Township Committee that the electric bill is about \$1000 less this year January thru August compared to the same timeframe last year.

CLERKS REPORT:

Ms. Hrebenak explained that she has one Autocab license that is being approved and also that NYK will be having a one day sale for Puma products on November1, 2008 and that the permit is being issued for this.

Ms. Hrebenak also explained to the Township Committee that she is in the process of reviewing all of the revolving loan files.

MAYORS REPORT:

Mayor Nerbak explained that she went to the meeting with the Governor and expressed the concerns that the Township has with the Highlands Master Plan and that after listing to the opinions of many Mayors the Governor approved the Highlands Master Plan as presented to him.

Mayor Nerbak appointed James Bensco to the Open Space Committee with a term to expire 12/31/2009.

Mayor Nerbak appointed Lee Burrows to the Open Space Committee with a term to expire 12/31/2008.

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

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

Nays: Mr. Watters

Absent: None

Abstain: None

DISCUSSION WITH JCP&L (7:45pm)

Hannah Massaquoi, Hunterdon and Warren County Area Manager for JCP&L reviewed the new enhanced vegetation management plan with the Township Committee.

ENGINEERS REPORT:

Mr. Mace stated that the Meadows project would be starting the housing in the spring and that Toll Brothers was very happy with how things have been handled by Mansfield Township.

PUBLIC PORTION:

George Woodward, 55 Bright Road, asked why it is that the Township would be stopping the provision of services on Bright Road after 40 years of performing these services.

Mr. Mace stated that as far as he knew Bright Road from the culvert back was a private road and the only reason that the plowing had been done so far back on the private road was that there was no place for the Township trucks to turn around prior to the culvert.

Barbara Woodward, daughter of George Woodward, asked what makes Bright Road a private road.

Mr. Baldwin explained that the Township Road ends prior to the underpass and that is where the snowplows will now turn around.

Mr. and Mrs. Woodward presented the Township Committee with a folder that contained an ordinance from when the road was vacated and explained that the ordinance the way that it reads states that the road was vacated from the wooden bridge and not the underpass.

Mr. Watters stated that he believed that if the Township had maintained the road for the past 40 years then we should continue to maintain the road.

Mayor Nerbak thanked Mr. and Ms. Woodward for all of their information and stated that we will research this topic and meet to discuss this at another date.

Ms. Woodward asked that the Committee give her advanced notice due to her schedule with traveling.

Mayor Nerbak said that would be no problem.

Ann Marie Bell, 11 Parkview Drive, asked if there was anything that could be done with the airport stating that there was an accident this weekend at the end of the runway and that if the pilot had not been experienced the plane would have crashed into the Diamond Hill development. Mrs. Bell stated that she has called a number of different agencies and she is not getting any assistance and that her concerns are for the residents and her family. She also stated that there are not supposed to be night flights going out of the airport and that there have been a number of night flights which is very dangerous due to the fact that there are no lights on the runway. Mrs. Bell asked if the Township could recommend any other agency that could help the residents with the airport problem.

Mayor Nerbak stated that the rules and regulations are set by the federal government and that the Township really could not do anything to regulate the airport.

Mr. Mace stated that the DOT Division of Aeronautics should be able to give her some assistance.

Kristy Mastrolacasa, 12 Parkview Drive, stated that her backyard abuts the airport property and that the planes have hit the tops of the trees and they have come extremely close to scraping the top of her home.

Both of the woman thanked the Township Committee for their suggestions on who they could go to.

Mayor Nerbak thanked both women for coming in and also stated that she wished that there was something that the Committee could do to help.

Kathie Todd, 509 Jackson Valley Road, stated that in March she felt that Mayor Nerbak had encouraged her to attend the Open Space meetings and to take the minutes for the committee and she asked what she should do with the minutes since she was not appointed to the Open Space Committee.

Mayor Nerbak stated that the minutes should be given to Alice Mayberry.

RESOLUTION:

RESOLUTION 2008-83

--	--	--	--	--	--

Mr. Baldwin made a motion to approve the passage of Ordinance 2008-14 and requested that the results be advertised, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Jewell stated that himself and Mr. Baldwin met to go through all of the application for DPW Assistant Supervisor and got a short list of names together for interviews.

Mr. Baldwin concurred with Mr. Jewell and also stated that the State contract for salt should be the same price as the county contract price.

Mr. Baldwin explained to the Township Committee that the furnace liner needs to be replaced due to a number of cracks in the existing one.

Mr. Watters stated that the Road Department fuel report looks good and that the police fuel report is still lacking a breakdown.

Mrs. Oakley stated that she would speak to Chief Ort again about breaking the report down like the report that is received from the DPW.

Mayor Nerbak stated that the Musconetcong River Association will be having a meeting on Tuesday at Waterloo Village and that possibly Mr. Baldwin or Mrs. Oakley could attend.

Mayor Nerbak asked where we were with the letter that was received for the purchase of township property.

Ms. Hrebenak stated that letters were sent to the adjacent property owners and there has not been any response as of yet.

Mayor Nerbak stated that there will be a Shared League Meeting on October 16.

Mrs. Oakley made a motion to take a five minute break at 9:00 and then proceed into an Executive session, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

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:

- (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.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on September 10, 2008, that an Executive Session closed to the public shall be held on September 10, 2008 at 9:05 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.

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 September 10, 2008, that an Executive Session closed to the public shall be held on September 10, 2008 at 9:31 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.

Return from Executive Session at 9:39 all members present.

Mr. Jewell asked what happened with the Animal census.

Ms. Hrebenak stated that Mrs. Carpenter had no interest in performing the Animal Census, so Mr. Norton performed the Animal Census and it is completed and submitted to the State.

Mr. Jewell also requested that we research the Bright Road ordinance and that all members of the Township Committee drive down the road to see the conditions of the road.

Mr. Baldwin made a motion to adjourn at 9:41pm which was carried by all.