

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 12, 2010

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: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Jewell made a motion to approve the minutes with corrections from the regular meeting held on April 28, 2010, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Mr. Jewell asked about PO #100157 were there rotors done also or is this just for pads.

Mr. Coppola stated that this was for two rotors also.

Ms. Nerbak made a motion to approve the bill list with the addendum, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

DISCUSSION ABOUT LETTER FOR SCHOOL MONEYS THAT WERE TAKEN AWAY

Mr. Watters made a motion to send a letter to Mr. Brennan and Commissioner Shunler's office in regards to the money that was denied for the windows at the Mansfield Elementary School being that the schools in Hunterdon County were denied the moneys and that they were later granted the money, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

HEARING FOR ROUTE 57 AUTO SALVAGE

Mr. Don Souders, Attorney for Route 57 Auto Salvage, here representing on the application for the junk yard license renewal.

Mr. Vex stated that there is a neighbor that has some concerns with what is going on with the site and we need to get this out in the open and work out the differences.

Mr. Vex stated that if there was anyone from the public that would like to speak please come forward.

Carol Thompson, Route 57, in April 2008 there was contact with Mayor Nerbak with the issues that went on at this site and at that point Mr. Mace started sending letters and addressing the issues. Mrs. Thompson requested that they operate as a business and take neighbors into consideration and keep regular hours and act as good neighbors.

Mr. Vex asked if at this point that there are items left out after working hours.

Mr. Souders stated that he felt that his clients are planning to conform to the ordinance and try to be good neighbors.

Joe Toscano stated that his employees go home at 5pm and that he leaves about 9 or 9:30.

Mr. Souders stated that he is involved at this point and will make sure that compliance is maintained.

The Township and Mr. Toscano made an agreement to try for 7:30 or 8:00 to be the time that all cars need to be behind the fence.

Mr. Baldwin made a motion to approve the license, with the closing time to be 8:00pm and all of the cars need to be behind the fence at that point, for 6 months and at that point they will need to come back in before the governing body, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

The Committee and Mr. Souders agreed that the next meeting with them would be held on December 15, 2010.

CFO REPORT:

Mr. Coppola had nothing to report.

CLERKS REPORT:

Ms. Hrebenak had nothing to report.

ENGINEERS REPORT:

Mr. DiSessa stated that the stormwater report was sent into the state.

Mr. DiSessa also stated that he has something to discuss with the committee in Executive Session about litigation.

PUBLIC PORTION:

Mr. Hager, Port Murray Road, came to discuss with the township committee that the firehouse is looking to get solar energy put onto the DPW garage and they are interested in taking back the other top bay back for rentals.

Mr. Baldwin stated that this is a good idea and he has no problem with the solar panels going in.

Ms. Nerbak stated that she also thought that this was a good idea also.

Mr. Todd, Washburn Road, stated that there are still problems with Comcast

Mr. Todd asked if there was going to be a layoff of DPW and police officers.

Mr. Vex stated that there are still negotiations going on and this will be on the agenda when it is going to happen.

Mr. Goulet, 216 Mitchell trees hanging on wires over the road and the township needs to contact someone to take care of.

Mr. Todd, Washburn Road, stated that there have been a number of instances on Rockport Road that JCP&L lines are being taken out by trees because they are not being maintained.

RESOLUTION:

2010-55

RESOLUTION
LIEN REDEMPTION

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of May 2010 that refund is to be made to the certificate holder as noted:

Robert Rothman
411 Grand Avenue
Englewood, NJ 07631
Block 1906 Lot 9
Certificate # 2009-15
\$14,470.54

Mr. Jewell made a motion to approve the passage of Resolution 2010-55, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

2010-56

RESOLUTION
Return of Premium

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$7,400.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of May 2010 that the \$7,400.00 premium is to be returned to the certificate holder as noted:

<i>CERTIFICATE HOLDER</i>	<i>BLOCK/LOT</i>	<i>CERT #</i>
Robert Rothman 411 Grand Avenue Englewood, NJ 07631	1906/9	2009-15

Mr. Watters made a motion to approve the passage of Resolution 2010-56, which was seconded by Ms. Nerbak.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None

Absent: None
Abstain: None

RESOLUTION OF THE TOWNSHIP OF MANSFIELD
SUPPORTING THE CLICK IT OR TICKET MOBILIZATION
OF MAY 24-JUNE 6, 2010
2010-57

WHEREAS, there was 583 motor vehicle fatalities in New Jersey in 2009; and

WHEREAS, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

WHEREAS, use of a safety belt remains the most effective way to avoid death and serious injury in a motor vehicle crash; and

WHEREAS, the National Highway Traffic Safety Administration estimates that \$135,000 lives were saved by safety belt usage nationally between 1975-2000; and

WHEREAS, the State of New Jersey will participate in the nationwide Click It or Ticket safety belt mobilization from May 24 to June 6, 2010 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

WHEREAS, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 92.67% to 100%; and

WHEREAS, a further increase in safety belt usage in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield hereby declares it's support for the Click It or Ticket safety belt mobilization program both locally and nationally from May 24 to June 6, 2010, pledges to increase awareness of the mobilization and the benefits of seat belt use and accepts a grant for the same in the amount of \$4000.00 to be used for 80 hours of overtime enforcement (at \$50/hour) during the two week mobilization period.

Mr. Baldwin made a motion to approve the passage of Resolution 2010-57, which was seconded by Mr. Watters.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION NO. 2010-58

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 year 2010 to be as follows:

Title:	From:	To:
Township Committee Member	\$4,646	\$4,576
Mayor	\$ 600	\$ 591
Deputy Mayor	\$ 300	\$ 296

BE IT FURTHER RESOLVED, that salaries are to be paid in accordance with Salary Ordinance – Ordinance 2008-01, which was adopted by Mansfield Township Committee on Jan. 23 2008.

Mr. Baldwin made a motion to approve the passage of Resolution 2010-58, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: Mr. Jewell

Absent: None

Abstain: None

RESOLUTION NO. 2010-59

APPOINTMENT OF DENA HREBENAK AS TOWNSHIP MUNICIPAL CLERK

WHEREAS, Dena Hrebenak has served in the capacity of Municipal Clerk since May 23, 2007 , for a three (3) year term as authorized by N.J.S.A. 40A:9-133 (c); and

WHEREAS, Dena Hrebenak has completed that term;

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

1. Dena Hrebenak, RMC is hereby appointed Municipal Clerk of the Township of Mansfield which is a tenured position.
2. A certified copy of this Resolution shall be filed with the Department of Community Affairs of the State of New Jersey within 7 days of the date thereof.

NOW, THEREFORE, BE IT RESOLVED on this 12rd day of May, 2010 that Dena Hrebenak is hereby appointed Municipal Clerk of the Township of Mansfield.

Ms. Nerbak made a motion to approve the passage of Resolution 2010-59, which was seconded by Mr. Jewell.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION 2010-60
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY

WHEREAS, there exists a need for the service of a Recreation Park Engineer in the Township of Mansfield; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1 1-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

2. A notice of this action shall be printed once in the Star-Gazette.

Ms. Nerbak made a motion to approve the passage of Resolution 2010-60, which was seconded by Mr. Baldwin.

Ayes: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

RESOLUTION NO. 2010-61

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD
SUPPORTING THE INCLUSION OF FORMER MANSFIELD POLICE OFFICER JOSEPH A. BIGG
ON THE CIVIL SERVICE COMMISSION'S STATEWIDE ELIGIBLE LIST

WHEREAS, the Township of Mansfield has terminated probationary Police Officer Joseph A. Bigg, Jr. from his position with the Township of Mansfield Police Department, effective May 7, 2010; and

WHEREAS, the Township has no plans to fill said position in the foreseeable future.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 12th day of May 2010 as follows:

1. Township of Mansfield Police Officer Bigg's position with the Township of Mansfield Police Department has been terminated, effective May 7, 2010.
2. The Township supports inclusion of former Township Police Officer Bigg on the Civil Service Commission's Statewide Eligible List to assist Mr. Bigg in securing future police employment.

Ms. Nerbak made a motion to approve the passage of Resolution 2010-61, which was seconded by Mr. Baldwin.

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

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.

- (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 May 12, 2010, that an Executive Session closed to the public shall be held on May 12, 2010 at 8:38 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

Mr. Watters made a motion to go into executive session, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Five Minute Break 8:33.

Roll Call: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski.

Return from Executive Session at 9:45pm.

Roll Call: Mr. Jewell, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski.

Pay the bill for Ford Motor Credit.

COMMITTEE PERSON COMMENTS:

Mr. Jewell stated that there was a letter received from the DPW in reference to doing a shared purchase with the school.

Mr. Jewell also stated that he and Mr. Vex spoke today in reference to the fire companies purchasing the fire trucks from the township.

Mr. Vex stated that he did not see a problem with possession of the trucks changing hands and that he had a contract that could be used for this that he will be giving to the clerk that the year, make , and model number will need to be filled in.

Mr. Jewell asked about the wording that was included in the contract for Harold Pellow and Assoc.

Ms. Hrebenak explained that the contract was already approved.

Mr. Watters had nothing to report.

Ms. Nerbak stated that the Department of Health is asking that the township to support the Pool Safety.

Mr. Vex stated that it is strongly advised to keep the website to township business only.

Mr. Baldwin asked what we were doing with the Limo and Taxi license.

Ms. Hrebenak stated that we are waiting for a meeting that Mr. Kobert, Esq. is present.

Mr. Baldwin stated that Mr. Sliker had added to his report that the school has inquired that the township help them out with the mulch.

Mr. Baldwin made a motion to assist the school with the mulch for the playground, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

Mr. Baldwin made a motion to adjourn at 9:50pm, which was carried by.