

TOWNSHIP OF MANSFIELD COMMITTEE MEETING

August 11, 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 the corrections from the regular meeting held on July 28, 2010, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: Ms. Nerbak, Mayor Tomaszewski

PAYMENT OF BILLS:

Mr. Watters made a motion to approve the bill list and addendum, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola stated that in the packets is the contract proposal from the HVAC contractor.

Mr. Baldwin asked what the difference is from last year.

Mr. Coppola stated that the change is not significant.

Mr. Watters asked if the changes to the system would change the contract.

Mr. Coppola stated that there would be no change because the contract is not all inclusive.

Mr. DiSessa stated that he could review the contract and let the committee know if there was anything in the contract that would need to be changed.

Mr. DiSessa stated that the changes would not affect the contract.

Mr. Baldwin made a motion to approve the contract for the HVAC with AJ Celiano, which was seconded by Mr. Jewell.

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

CLERKS REPORT:

Mr. Baldwin made a motion to approve going forward with Gramco for the meeting room PA System, which was seconded by Mr. Jewell.

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

Ms. Nerbak made a motion to approve the application for the raffle license for the Mansfield Cowboys, which was seconded by Mr. Watters.

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

ENGINEERS REPORT:

Mr. DiSessa stated that he has given the committee members copies of the July zoning report and that if there are any questions to see him.

Mr. DiSessa stated that he has spoken to the State DOT representative about the Washburn Road and it is pretty clear that the township needs do the coring on Washburn Road in order to get the grant money from the state. Mr. DiSessa also stated that with the length of time that this project has taken the township is losing points in the system and this could hurt the township for the future in the granting process.

PUBLIC PORTION:

John Tate, Mansfield Township Employee, Snyder onto Rockport Road, Mr. Terhune's bushes are out in the road and it is hard to view. Also Valley Road and Janes Chapel the pine trees are hanging in the road.

Mr. Baldwin told Mr. Tate that the Snyder and Rockport Road would need to be reported to the county.

Glen Todd, Washburn Road, stated that he was in when we were doing the work on Washburn Road and no one listened and now there are more problems with the road.

RESOLUTION:

2010-79

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Blau Road Realignment project

WHEREAS, the Commissioner of Transportation has made available allotments of Municipal Aid.

WHEREAS, Mansfield Township is submitting an application of Municipal Aid for the Blau Road Realignment project.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Mansfield Township, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "MA-2011-Mansfield Township-00071" to the New Jersey Department of Transportation on behalf of Mansfield Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Mansfield Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Ms. Nerbak made a motion to approve the passage of 2010-79, which was seconded by Mr. Baldwin.

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

Nays: Mayor Tomaszewski

Absent: None

Abstain: None

2010-80

Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Watters Road Rehabilitation project.

WHEREAS, the Commissioner of Transportation has made available allotments of Municipal Aid.

WHEREAS, Mansfield Township is submitting an application of Municipal Aid for the Watters Road Rehabilitation project.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of Mansfield Township, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as "MA-2011-Mansfield Township-00008" to the New Jersey Department of Transportation on behalf of Mansfield Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Mansfield Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Ms. Nerbak made a motion to approve the passage of 2010-80, which was seconded by Mr. Baldwin.

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

Nays: Mayor Tomaszewski

Absent: None

Abstain: None

2010-81

RESOLUTION

EXTEND GRACE PERIOD
FOR PAYMENT OF TAX

WHEREAS, the 2010 final and 2011 preliminary tax bills will be mailed out beyond the June 14, 2010 statutory date, N.J.S.A. 54:4-64 as a result of a delay in obtaining the Municipal Tax Rate, and;

WHEREAS, the law of 1994 known as A179 requires a minimum of a twenty –five day payment period for either estimated or final tax bills.

NOW THEREFORE BE IT RESOLVED, by the Mansfield Township Committee this 11th day of August 2010, that the grace period allowed for payment of the August 1, 2010 tax quarter be extended to September 3, 2010 and any payment received after said date will be charged interest from the original August 1, 2010 due date.

Mr. Watters made a motion to approve the passage of Resolution 2010-81, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

2010-82

RESOLUTION FOR MEMBER PARTICIPATION IN A COOPERATION PRICING AGREEMENT
A RESOLUTION AUTHORIZING THE TOWNSHIP OF MANSFIELD TO ENTER INTO A COOPERATIVE
PRICING AGREEMENT

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Middlesex Regional Educational Services Commission, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on August 11, 2010 the governing body of the Township of Mansfield, County of Warren, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Township of Mansfield.

Mr. Jewell made a motion to approve the passage of Resolution 2010-82, which was seconded by Mr. Watters.

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

Nays: None

Absent: None
Abstain: None

ORDINANCE

First Reading

ORDINANCE NO. 2010-15

AN ORDINANCE TO AMEND AN ORDINANCE 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 ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

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

Court Administrator	\$43,479 - \$73,954
Deputy Court Administrator	\$37,341 - \$55,226
Judge	\$33,817 - \$85,964
Temporary Part-Time Police Officer	\$13.50 to \$17.00 per hour

Ms. Nerbak made a motion to approve the introduction of Ordinance 2010-15 and requested that the public hearing be advertised, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Second Reading

ORDINANCE 2010-14

AN ORDINANCE TO AMEND THE GENERAL CODE OF THE TOWNSHIP OF MANSFIELD, CHAPTER 8,
ARTICLE 5 – TAXICABS
TO REPLACE THE LICENSING REQUIREMENTS FOR TAXICABS

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield as follows:

Section One: Chapter 8, Article 5 of the Code of the Township of Mansfield is replacing to read as follows:

ARTICLE 5 – TAXICABS

8-55: Definitions.

As used in the chapter, the following terms shall have the meanings indicated:

DRIVER: Any person who drives or will drive a regulated vehicle.

OPERATOR: Any corporation, partnership, sole proprietorship, association, or person in whose name

any regulated vehicle is registered with the Department of Motor Vehicles and/or who operates or will operate any regulated vehicle.

REGULATED VEHICLE: Any vehicle engaged in the carrying of passengers for hire, including but not limited to taxicabs, limousines, vans, minivans, omnibuses and all similar vehicles, but not including those public conveyances regulated exclusively by state or federal law.

8-56: License required.

It shall be unlawful to hire out, operate, garage or park any regulated vehicle within the Township of Mansfield unless said regulated vehicle and the driver thereof are licensed pursuant to this chapter.

8-57: Term of license.

All operator's and driver's licenses issued under this chapter shall be valid from the date of their issuance through the following May 1st, Renewed licenses shall be valid from May 1st through May 1st of the succeeding year unless suspended or revoked.

8-58: Fees.

Operators shall be required to pay the following license fees:

A. For each regulated vehicle: \$100.00 per vehicle.

B. For each driver: \$50.00 per driver

C. Any license issued for any regulated vehicle may be transferred in accordance with this chapter upon payment of a fee of \$50.00.

8-59: Issuance of Licenses, Transfers, Licensing of Substitute Vehicles.

A. The Township Clerk is hereby authorized to issue licenses for regulated vehicles, and drivers of Regulated vehicles licenses and driver's licenses upon receiving notice of approval of the application(s) therefore from the Mayor and Township Committee. The maximum passengers in a vehicle will be one passenger in the front seat and two or three passengers in each additional row of seating depending upon the type of seating available. Each driver's license shall set forth the dates said license will remain effective and shall include a current and clear picture of the driver, the driver's full name, the operator's business name, and a brief description of the driver, including his or her age, height, complexion, color of hair and color or eyes. The maximum number of taxicab licenses outstanding at any time shall not exceed five (5) licenses.

B. Nothing contained in this section shall prevent the renewal of license in existence on the effective date of the section.

C. Transfers; licensing of substitute vehicle:

1. No owner of any licensed taxicab or livery shall sell, lease, rent, assign, hire, transfer or in any other manner dispose of such taxicab or livery or any taxicab or livery business without notification to the Mayor and Township Committee; and no owner of any licensed taxicab or livery shall sell, lease, rent, assign, hire, transfer or in any other manner dispose of any taxicab license without first obtaining proper transfer of the license.

2. In the event that any licensed owner shall acquire a vehicle during any license period which is intended to be used as a substitute for one previously licensed, the owner thereof shall immediately notify the Township Clerk, in writing, of such substitution and apply for a transfer of the license from the previously licensed vehicle to the one to be substituted therefore. Subject to the provisions of this chapter and the payment of the transfer fee, the Township Clerk shall approve the transfer of such license.

3. During the period subsequent to such notification and prior to the approval or disapproval by the Mayor and Township Committee of the transfer of the license to permit the operation of such substituted vehicle, the owner may operate such substituted vehicle or cause the same to be operated, subject to the other provisions of this chapter.

4. Nothing herein contained, however, shall be construed as authorizing any person who is not presently licensed as an owner to operate or permit the operation of any taxicab or livery owned by him, as

herein defined, prior to the granting to him of an owner's license; nor does it authorize the operation by a licensed owner of any additional vehicle for which no owner's license has been granted, pending approval by the Mayor and Township Committee.

8-60: Insurance and power of attorney requirements.

Operators, upon applying for a regulated vehicle license, shall furnish proof of an insurance policy covering each regulated vehicle in accordance with N.J.S.A. minimum coverage requirements for each regulated vehicle are as follows: for taxicabs, at least \$500,000 per occurrence; for limousines and all other regulated vehicles, at least \$1,500,000 per occurrence. Operators must produce proof that the required insurance policy will be in effect and has been prepaid for the entire period the requested license will be effective (usually May 1st through May 1st). Each owner shall also execute and deliver to the Township Clerk the required power of attorney in accordance with N.J.S.A. 48:16-1 et seq., as amended and supplemented from time to time.

8-61: State inspection, parking and sign requirements.

A. Operators must provide proof that each regulated vehicle has been inspected by a state- operated inspection facility.

B. Operators must provide proof that each regulated vehicle has a garage or designated parking space located on private property, as permitted by law, where said vehicle will be stored when not in use. Written approval from the owner or enter of said private property must be produced. No more than one regulated vehicle may be stored at any single residential property located within the Township of Mansfield. The operators may request an exception for additional vehicles from the governing body and permission may be granted on a case by case basis.

C. All regulated vehicles must have permanently affixed signs on the driver and passenger doors setting forth the operator's business name, regulated vehicle license number, the maximum number of passengers allowed by said license, and the business office telephone number. If the word "taxi" or "cab" does not appear in the owner's name then the word "taxi", "taxicab" or "cab" must also be painted on both sides. The letters and numbers on said signs must be at least three inches tall and two inches wide and must be clearly visible from a distance of 50 feet.

D. The schedule of fares to be charged shall be clearly and prominently displayed in each regulated vehicle. The schedule of fares shall also be provided with the annual application for a vehicle license.

8-62: Business office to be maintained; hours and days of operation.

All operators, upon applying for one or more regulated vehicle licenses, shall be required to maintain a business office in any zone permitted for such an office within the Township of Mansfield. The address and telephone number of said office must be listed on all regulated vehicle locations.

8-63: Photographs and fingerprints required;

A. Each applicant for a regulated vehicle driver's license shall, upon making application therefore, furnish his or her existing driver's license (non provisional) for a record check and three recent photographs of passport size, one of which shall be retained by the Township Clerk, another which shall be affixed to the driver's license, and the third which shall be affixed to a card suitably framed under any transparent covering such as plastic or other transparent non-breakable glass covering approved by the Police Department and displayed in a prominent place in the interior of the regulated vehicle being driven. Said card must also contain a brief description of the driver, including his or her age, height, and complexion, color of hair and color of eyes.

B. Each applicant for license shall provide proof that he or she is either a citizen of the United States or has legal immigration status.

C. Each applicant shall be fingerprinted for a criminal history background check.

D. Each applicant must possess a satisfactory knowledge of traffic regulations and of geography of the Township.

8-64: Records of trips.

The drivers of all regulated vehicles must keep a written record of each trip, including the date and exact time the trip commenced and ended and the number of passengers carried. Trip records must be maintained by the operator for at least one year and must be made available for inspection by the Police Department of the Township of Mansfield or any other law enforcement agency upon request. No person shall cruise on the streets of the Township at any time for the purpose of soliciting passengers.

8-65: Traffic regulations and limitation on solicitation

A. All drivers will be held fully responsible for compliance with all traffic, parking and safety regulations on the road. In addition, all passengers will be required to enter and exit all regulated vehicles through the door or doors closest to the curb where said passengers are waiting for pick up or are being dropped off.

B. Regulated vehicles that are registered with the state as limousines shall not be allowed to solicit fares on the road and may only pick up passengers who have prearranged said limousine transportation by telephone.

8-66: Refusal to issue license; suspension or revocation.

The Mayor and Township Committee may refuse to issue a license or suspend any license or revoke any license after notice and hearing if:

A. This chapter is violated in any particular way

B. The operator or driver has been convicted of a felony, misdemeanor, Disorderly persons or frequent or significant violations of Title 39 of the Revised Status of New Jersey

C. The driver fails to render reasonably prompt and adequate service while driving a regulated vehicle, has contributed to injury or person or property, or for other good cause.

D. The regulated vehicle has become unsafe or unsanitary, or the policy of insurance provided for in Paragraph 8-60 of this chapter has been allowed to lapse and no substitute has been furnished prior to the effective date of said lapse.

E. The falsification of any information contained in the application for a license.

8-67: Violations and penalties.

Except as required by N.J.S.A. 48:16-1 et seq., any operator and/or driver found to have violated the provisions of this chapter may have his or her license issued hereunder suspended or revoked by the Mayor and Township Committee. Repeat offenders are subject to revocation of all their licenses issued hereunder. Furthermore, upon conviction of said violation by the Municipal Court, any operator and/or driver shall be subject to one or more of the following: a fine not exceeding \$1,000.00, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days.

Section Two: This Ordinance shall take effect upon the publication of notice of final adoption as provided by law.

Mr. Baldwin made a motion to approve the passage of Ordinance 2010-14 and requested that the results be advertised, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak read a letter as follows:

Dear Committee Members:

We would like to take this opportunity to express our sincere thanks to the Public Works Department for their continued efforts in keeping the recreation fields in Mansfield Township not only in safe playing condition, but maintained in a manner that sets them apart from fields in other communities. The individuals responsible for the fields and surrounding areas have used their talent (and creativity at times), to achieve their goals in a cost and time effective manner which is greatly appreciated during these hard pressed times. They are readily available to work within the various sports scheduled and to discuss questions and/or concerns with the fields as needed.

We look forward to continued successful seasons with the assistance of the Public Works Department here in Mansfield.

Sincerely,

Diane Cecere

Ms. Nerbak thanked the Public Works Department for all of the work that they did at the park.

Ms. Nerbak stated that Joanne Fascenelli found a grant for endangered and threatened species and also repair of the trails and Ms. Nerbak is requested that the township committee agree that we can participate in this grant process, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mr. Watters had nothing to report.

Mr. Jewell asked about the insurance changes.

Ms. Hrebenak stated that the contract for insurance coverage goes through January 1, 2012 so we would go out for proposals next year.

Mayor Tomaszewski stated that Mr. Sliker had spoken to him about the quotes to clean and maintain the gas tanks from behind the Mansfield Township Fire Company.

Mrs. Fascenelli stated that she spoke to Mr. Sliker about the tanks when the quote came in and she is thinking that if we can recycle the tanks that the recycling grant could be used.

Mr. Baldwin stated that the lightning hitting the building cost a couple of hundred dollars to fix the alarm system, but that the deductible was more expensive than the repairs that were done.

Ms. Nerbak reported that because of time constraints the DPW employees assigned to the Park Project are being reassigned. As per the request by the Mayor Viesma & Sons has submitted a quote to complete the part of the project originally assigned to the DPW. Cory Stoner of Harold Pellow is requesting an additional \$29,960.

Ms. Nerbak moved that we accept the quote of \$29,960 to be paid out of the Open Space Fund.
Seconded by Mr. Jewell

Ayes: Mr. Jewell, Mr. Baldwin, Ms. Nerbak

Nays: Mr. Watters, Mayor Tomaszewski

Absent: None

Abstain: None

Mr. Watters made a motion to adjourn at 8:30pm, which was carried by all.