

MANSFIELD TOWNSHIP COMMITTEE MEETING

May 25, 2011

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. Smith, Mr. Watters, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters made a motion to May 11, 2011, Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Mr. Clancy entered the meeting.

Mr. Watters asked about the bill for Connelly Foley- Mike Shadiak.

Ms. Nerbak explained that this was a bill that was overlooked by us and that Mrs. Fascanelli did a great job with this and they reduced the bill.

Mr. Watters asked about the bill for Harold Pellow and Associates and stated that he still has an issue with paying the bills for them.

Mr. Watters made a motion to approve the bill list excluding purchase order numbers 101053, 101054, 100928, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mayor Tomaszewski

Nays: Ms. Nerbak

Absent: None

Abstain: None

CFO REPORT:

Ms. Harm stated that Mr. Ferry is here from the auditor's office to go over the budget with the committee.

Mr. Ferry stated that the first thing that he needs from the Township Committee is for them to pass the resolution for the Self Examination of the budget which we have to do every third year.

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of Mansfield* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2011 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Township of Mansfield* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2011-54, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Ferry stated that the budget as introduced is .04180 increase which is 4 tax points which would be about \$40 on a \$100,000 assessed house. Mr. Ferry stated that last year the average house was \$240,000 which would have an increase of \$100. Mr. Ferry stated that the public hearing will be held on June 22 and at that point there will be a public hearing.

Ms. Nerbak asked if this could be explained to her and Mr. Clancy because there was never anything explained to them about the changes that were made to close the \$30,000 overage to meet the cap.

Mrs. Harm stated that Mr. Sliker had come up with the idea to take money out of capital for the paving and road work which was \$11,000 that was moved over to capital and there was a tractor that was left in capital that was removed which brought the reserve for uncollected taxes down and after that there were some things that were moved around. Mrs. Harm stated that she spoke with Mr. Smith and the positions of DPW secretary was eliminated and the position of Tax Assessor's assistant was transferred to April McGarity, Ms. Nerbak's \$500 that she offered to give up, Mrs. Harm will be taking 6 furlough days and Mrs. Fascenelli will be taking 4 furlough days which is about \$2000, and the custodian will be cut 2 days.

Mr. Smith stated that the DPW will not be cut hours.

Mr. Watters stated that it would not work out due to unemployment.

Mrs. Harm stated that something happened with the Union with the cut in hours.

Ms. Nerbak stated that there was no one else has offered to take a cut to save jobs.

Ms. Nerbak stated that she believed that Ms. Hrebenak offered at the last meeting to take furlough days.

Mrs. Harm stated that the furlough days were offered in order to keep the position of Website Administrator which is not an option.

Mr. Smith stated that this service is going to be outsourced.

Ms. Nerbak stated that there is no need for Ms. Hrebenak to take the furlough days then.

Mr. Smith stated that she will not be taking the furlough days.

Ms. Hrebenak stated that the money will be being removed out of her current salary for website administrator.

Ms. Nerbak stated that Ms. Hrebenak is being cut salary.

Mr. Watters stated that Ms. Hrebenak will not be taking furlough days.

Mr. Clancy stated that he would take \$500 out of his salary if this would help.

Mr. Ferry stated that if we were to make this change we would have to do a budget amendment which he would not suggest and that we should let the extra money from Mr. Clancy lapse into surplus. Mr. Ferry also stated that as the

budget is right now we are \$400 under the cap.

Mrs. Harm also stated that the DPW Assistant will be placed back into the Union and will have his title removed.

Mayor Tomaszewski made a motion to approve the introduction of the budget and requested that the public hearing be held on June 22, 2011, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CLERKS REPORT:

Ms. Hrebenak stated that she had nothing to report.

ENGINEERS REPORT:

Mr. DiSessa stated that he received a proposal from Honeywell for the new control system, he will go over it and get back to the Committee.

Mr. DiSessa stated that he has a letter that he received from DEP for the FEMA Flood Ordinances that will need to be revised.

PUBLIC PORTION:

Mr. John Tate, Mansfield Township Road Department asked Mr. DiSessa what needs to be done with the signs for Pequest and Heiser Road because they have been in the garage for weeks.

Mr. DiSessa stated that he would speak with Mr. Sliker tomorrow.

Mr. Proefrock, 50 Slope Drive, asked if there would be discussion at this point on ordinance 2011-12.

Mayor Tomaszewski asked Mr. Proefrock what were his concerns.

Mr. Proefrock stated that he would like to see all of the people that were overcharged refunded prior to the passage of this ordinance.

Mr. Smith asked that the permits be reviewed and that we work on the refunds.

Mr. Proefrock stated that he had an issue with the fees that were being charged for roofing and siding that they were too high for the homeowner if the same fee is being charged to commercial buildings.

Mr. Vex explained that this is the fee ordinance that Washington Township, Morris County uses and that we would have to speak with them to make any type of change to this.

Mr. Proefrock stated that whether the work that was done at the park could be reviewed by Mr. DiSessa.

Mayor Tomaszewski stated that Mr. DiSessa has not been asked to review the work that was done by the contractor.

RESOLUTION:

2011-52

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
2010-13	2614/6	\$381.77

Assessed To:
Johnson Wayman

Ms. Nerbak made a motion to approve the passage of Resolution 2011-52, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, 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 23-JUNE 5, 2011
2011-53

WHEREAS, there was 554 motor vehicle fatalities in New Jersey in 2010; 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 23 to June 5, 2011 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 93.73% 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 23 to June 5, 2011, 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.

Ms. Nerbak made a motion to approve the passage of Resolution 2011-53, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

ORDINANCE:

First Reading

Mayor Tomaszewski introduced Ordinance 2011-08 by title as follows:

ORDINANCE NO. 2011-08

AN ORDINANCE TO AMEND THE TOWNSHIP 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:

SECTION 1. The ranges of salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:

Police Chief	\$80,000	-	\$89,000
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BE IT FURTHER ORDAINED, that the Chief of Police shall continue to be required to work 40 hours per week. Due to the roll in of 13 extra days of holiday pay into his base salary, he is required to work the 13 holidays designated in the Personnel Manual, as are all other Police Employees who also have their holiday pay rolled into their base salary.

The above ordinance was introduced for First Reading by the Mayor and Township Committee of the Township of Mansfield, Warren County at a regular meeting held on May 25, 2011, 2011 and a Final Adoption at Public Hearing to be held June 8, 2011, at 8:00pm at the Municipal Building in and for said Township, at which time the public may comment.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2011-08 and requested that the public hearing be scheduled for June 8, 2011, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski introduced Ordinance 2011-12 by title as follows:

2011-12

AN ORDINANCE TO AMEND CHAPTER 10 "BUILDING AND HOUSING" OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY

BE IT ORDAINED BY THE MAYOR AND TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD:

Section 1. The following sections of the Code of the Township of Mansfield are hereby amended to read as follows:

Building subcode fees.

The building subcode fee shall be as follows:

New construction. New construction permit fees shall be based upon the volume of the proposed structure, and the rate per cubic foot shall be determined by the proposed use pursuant to Section 302.0, Use Group Classification, of the International Building Code/2006, NJ Edition. Fees shall be as established in New Jersey Administrative Code 5:23-4.20(c)(2), as may be amended from time to time.

Renovations; alterations; repairs. Permit fees for renovations, alterations and repairs shall be based upon the estimated cost of the work and be as established in New Jersey Administrative Code 5:23-4.20(c)(2), as may be amended from time to time.

The minimum fee shall be \$50.

Permit fees for additions. Permit fees for additions shall be computed on the same basis as for new construction for the added portion.

Combination renovations and additions. For combination renovations and additions, the fee shall be computed as the sum of the fees computed separately in accordance with Subsection A(1)(b) and (d) above.

Temporary structures (i.e., tents, construction trailers and similar structures): \$25 each.

Pools:

Aboveground: \$100

Inground: \$250

Siding and roofing

Estimated Cost	Fee
Up to \$5,000	\$100
Over \$5,000	\$200

Plumbing subcode fee. The plumbing subcode fee shall be as follows:

A fee of \$20 for each fixture or stack for all fixtures, except as listed in Subsection A(2)(b) through (g). The minimum fee shall be \$50. For the purposes of computing this fee, fixtures or stacks shall include, but not be limited to, lavatories, kitchen units, slop sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains,

dishwashers, clothes washers, drinking fountain, roof drain.

A fee of \$50 for each sewer pump.

A fee of \$75 for each backflow preventer (lawn sprinkler), installation or demolition of liquid propane or oil tank, and commercial heating and equipment. A flat fee of \$75 for fuel oil/gas piping (up to three fixtures).

A fee of \$80 for each water heater, water service, and sewer connection.

A fee of \$100 per special device for grease traps, interceptor/separators, water conditioners, hot water boilers, steam boilers or similar devices.

A flat fee of \$100 for cross connections and backflow preventers subject to testing and requiring inspection.

A fee of \$300 for each water-cooled air conditioning or refrigerant unit.

Electrical subcode fee. The electrical subcode fee shall be as follows:

Devices. Includes total of lighting fixtures, receptacles, switches, detectors, light poles, fractional HP motors, emergency and exit lights, communication points and alarm devices/fire alarm control panel(s).

First 15 items: \$40.

Each additional 20 or portion of 20 items: \$25.

Pools.

Pool permit: \$100 each.

Pool permit w/ underwater light(s): \$125 each.

Storable pool, spa, hot tub: \$75 each.

Annual inspection of commercial pools, spas, or hot tubs [per N.J.A.C. 5:23-4.18(1)]: \$100 each.

Motors and apparatus rated in/by horsepower. Includes, but is not limited to, garbage disposal, space heater/air handler, all other motors 1 HP and over, equal to or greater than:

One HP up to five HP: \$20 each.

Six HP up to 50 HP: \$75 each.

Fifty HP up to 100 HP: \$200 each.

Greater than 100 HP: \$600 each.

Transformers and apparatus rated in/by kilowatt. Includes, but is not limited to electric range/receptacle, oven/surface unit, electric water heater, electric dryer/receptacle, dishwasher, central A/C unit, space heater/air handler, baseboard heat, transformers/generators, electric sign lighting, equal to or greater than:

One KW up to five KW: \$20 each.

Five KW up to 50 KW: \$75 each.

Fifty KW up to 100 KW: \$200 each.

Greater than 100 KW: \$600 each.

Service panels and MCCs rated in amperes. Includes, but is not limited to, service, subpanels, motor control center, equal to or less than:

Two hundred amperes: \$75 each.

Two hundred amperes up to 600 amperes: \$250 each

Greater than 600 amperes: \$800 each.

Photovoltaic systems. Fee based on the designated kilowatt rating of the solar photovoltaic system as follows:

One KW up to 50 KW: \$75 each.

Fifty KW up to 100 KW: \$200 each.

Greater than 100 KW: \$600 each.

There shall be a minimum fee of \$50 in all of the above categories.

Mechanical systems and equipment fees. The mechanical fee shall be 10% of the building subcode fee for new structures. For the installation or replacement of mechanical systems or equipment in existing structures, the fee shall be based on the cost of work, utilizing the same schedule as used for the building subcode. The minimum fee shall be \$50.

Fire-protection subcode fees. The fire-protection fee shall be 10% of the building subcode fee for new structures. For the installation or replacement of fire-protection systems or equipment in existing structures, the fee shall be based on the cost of work, utilizing the same method as used for the building subcode. The minimum fee shall be \$50.

Plan review fee. The fee for plan review shall be 20% of the amount to be charged for a construction permit.

Demolition permit fee. The fee for a demolition permit shall be based upon the alleged use of the building or structure as heretofore existed, pursuant to Section 202.0, Use Group Classification of the International Building Code/2006, NJ Edition.

The demolition permit fee for buildings or structures falling within the Use Group Classifications S or U shall be \$100 for demolition of structures being undertaken at one time or one lot.

The demolition permit fee for buildings or structures falling within all remaining use group classifications shall be \$300 per building or structure.

There shall be no fee for the demolition of buildings or structures which have been condemned and/or ordered to be demolished by the Township of Mansfield.

Removal of building fee. The fee for a permit for removal of one building from one lot to another or to another location on the same lot shall be \$10 per \$1,000 of the estimated cost of moving, plus the estimated cost of new foundations and all work necessary to place the building in its completed condition in the new location.

Sign construction fee. The fee for a permit to construct a sign shall be \$2 per square foot surface area of the sign, computed on one side only for double-faced signs. The minimum fee shall be \$50.

Certificate of occupancy fees.

For a certificate of occupancy, the fee shall be 10% of the new construction permit fee. The minimum fee shall be \$40.

The fee for a continued certificate of occupancy for all use group classifications shall be in the amount of the \$100 per building or structure.

For a temporary certificate of occupancy, there shall be a fee of \$100.

Elevator fees. The fee for an application for a variation shall be \$50 for Class II and Class III structures. For Class I structures, the fee shall be \$500.

Reinstatement of lapsed permit fee. The fee for the reinstatement/extension of a lapsed permit shall be \$10 for each six-month lapsed period starting at the date the permit was issued.

Extra inspection fee. There shall be a charge of \$15 for each extra inspection required due to the fault of the owner, builder or contractor, or their agents.

Surcharge fee. In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act and the regulations promulgated pursuant thereto, the enforcing agency shall collect, in addition to the fees specified above, a surcharge fee of \$0.0016 per cubic foot of volume of new construction and \$80 per \$1,000 of value for all other construction. Such surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, as provided for in the regulations. All fee may be rounded to the nearest dollar amount.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2011-12 and requested that the public hearing be advertised for June 8, 2011, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski introduced Ordinance 2011-13 by title as follows:

ORDINANCE 2011-13

AN ORDINANCE TO SET THE MILEAGE REIMBURSEMENT RATE FOR THE TOWNSHIP OF MANSFIELD,
WARREN COUNTY, NEW JERSEY.

Be It Ordained by the Township Committee of the Township of Mansfield that the rate of reimbursement for mileage if the use of a privately-owned automobile is authorized or if no Government-owned automobile is available shall be set

at a rate of \$.31 per mile, contingent that the proper backup paperwork is submitted to the Chief Financial Officer and a voucher is properly executed.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield in the County of Warren, State of New Jersey authorizes mileage reimbursement at a rate of \$.31 per mile effective January 1, 2011,

All ordinances inconsistent with the foregoing shall be deemed repealed by this Ordinance.

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

Ms. Nerbak made a motion to approve the introduction of Ordinance 2011-13 and requested that the public hearing be advertised for June 8, 2011, which was seconded by Mr. Clancy.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Second Reading

Mayor Tomaszewski opened the floor for public comment on Ordinance 2011-11; seeing as there were no comments

2011-11

BOND ORDINANCE AMENDING BOND ORDINANCE NUMBER 2010-09
FINALLY ADOPTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP
OF MANSFIELD, NEW JERSEY ON APRIL 28, 2010

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, IN THE COUNTY OF WARREN, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The Bond Ordinance of the Township Committee of the Township of Mansfield, in the County of Warren, New Jersey (the "Township") entitled "Bond Ordinance Providing An Appropriation Of \$299,326 For Various Improvements In And By The Township Of Mansfield In The County Of Warren, New Jersey And Authorizing The Issuance Of \$285,072.35 Bonds Or Notes Of The Township For Financing Part Of The Appropriation," finally adopted on April 28, 2010 (the "Ordinance") is hereby incorporated by reference in its entirety.

Section 3(a)(2) and (4) of the Ordinance is hereby amended in its entirety as follows:

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Average Period of Usefulness
(2) Acquisition of mower.	\$106,240.00	\$101,180.95	5 years
(4) Acquisition of decal for vehicle.	260.00	247.61	5 years

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolutions in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local

Government Services is on file with the Clerk and is available there for public inspection.

This Section 4 constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$285,072.35.

All other provisions of the Ordinance shall remain unchanged.

This amendatory bond ordinance shall take effect twenty days after the first publication thereof after final adoption as provided by Local Bond Law.

Mr. Watters made a motion to approve the passage of Ordinance 2011-11 and that the results be advertised, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mayor Tomaszewski

Nays: Mr. Clancy, Ms. Nerbak

Absent: None

Abstain: None

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 May 25, 2011, that an Executive Session closed to the public shall be held on May 25, 2011 at 8:15 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

Mayor Tomaszewski made a motion to enter into Executive Session, which was seconded by Mr. Watters.

Mr. Vex stated that we will be discussing the COPS grant and also the possibility of joining a service for the police records.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None
Absent: None
Abstain: None

Return from Executive Session at 8:30.

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Mr. Vex stated that it was also discussed in Executive Session that Mansfield Township has not opted in to the Highlands Compliance and developed a plan and that we will not reconsider our stand until it would be in the best interest of the residents to opt in.

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that it is great that Mrs. Fascenelli is going to do the Electronics Waste Cleanup.

Ms. Nerbak made the following statement:

As an elected official my responsibility is to review all pending matters and make a decision that I feel is in the best interest of the taxpayers of Mansfield. Being a Township Committeeperson however, does not require me to remain neutral during an election. It does preclude me from politicking in this a, government building. On no occasion did I make any political calls within this building either using public paid for phones or my own personal cell phone. Any calls that I made that were of a political nature were made after I left the building and property. At no time did I violate the trust of the people who elected me. Thank you.

Mr. Clancy had nothing to report.

Mr. Smith stated that all of the ducts were cleaned and everyone is aware of this.

Mr. Smith stated that he feels that all of the paperwork for the packets is quite burdensome and he feels that this is something that we could do as an email paperless packet.

Mr. Watters and Ms. Nerbak stated that they were not able to receive electronic packets.

Ms. Nerbak stated that she had no computer at this point.

Mayor Tomaszewski asked if there was wireless available in the meeting room to be used.

Ms. Hrebenak stated that there was not but that the binders would be on the dias for the committee the night of the meeting.

Mr. Smith also suggested that the Committee think about putting a page on the website possibly called the Mayor's Page that could give a detail of the happenings for the month that are relevant to the happenings in the township all consolidated on one page.

Ms. Nerbak asked who would maintain this being that we just took that out of the budget.

Mr. Smith stated that he contacted a webmaster and he would do the work for \$500 for the rest of this year and \$1500 for next year.

Mr. Watters had nothing to report.

Mayor Tomaszewski stated that he felt to save on Overtime have the officers court cases held on duty.

Mr. Smith asked Mr. Clancy how he felt that this would work.

Mr. Clancy stated that there would only be one court day per month that they would be available and if there was an issue they would have to leave court. Mr. Clancy also stated that if there was something going on out on the road they would not be available to come back in which could cause a case to be dismissed.

Mayor Tomaszewski made a motion to have the Officers schedule with Jerilynn Harris when they are on duty for the court sessions, which was seconded Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to adjourn at 8:44.