

# MANSFIELD TOWNSHIP COMMITTEE MEETING

January 11, 2006

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. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters

Salute to Flag was done by all.

Mr. Baldwin made motion to approve the minutes from the December 14, 2005 meeting with corrections, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters  
Nays: None

Mr. Baldwin made motion to approve the minutes from the December 28, 2005 meeting with corrections, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters  
Nays: None

Mrs. Nerbak made motion to approve the bill list as presented, seconded by Mr. Baldwin.

Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters  
Nays: None

Mayor Watters opened the floor for public comment. Seeing that there was no public comment, Mayor Watters closed the public portion.

Mrs. Nerbak made motion to approve the consent agenda containing Bingo License BA-2006-1: Butler Park Volunteer Fire Company, seconded by Mrs. Oakley.

Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters  
Nays: None

## **RESOLUTION 2006-23 OVERPAYMENT OF TAXES**

*WHEREAS, the following properties have an overpayment for 2005 property taxes;*

*WHEREAS, these properties had successful tax appeals;*

*THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 11th day of January 2006 that the Tax Collector and Finance Officer may refund the following tax amounts:*

*Block 2401, Lot 7  
Hynes, Robert R.  
34 Brookside Avenue  
Hackettstown, NJ 07840*

\$278.13

*Block 1105, Lot 23  
Teets, Dennis D. & Jennifer  
8 Flemming Place  
Hackettstown, NJ 07840  
\$878.84*

**Motion made by Mr. Baldwin, seconded by Mrs. Oakley to approve Resolution 2006-25.**

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**

**Nays: None**

**RESOLUTION 2006-24**

**A RESOLUTION REQUESTING THE WARREN COUNTY TAX BOARD  
TO AMEND LINE ITEMS FOR THE MANSFIELD TOWNSHIP TAX LIST AS TO BLOCK  
1001.02 LOT 42**

**WHEREAS**, the Mayor and Township Committee of the Township of Mansfield have been advised that an improper merger of two contiguous lots occurred in August 1982 by the merging of then Block 1001 Lot 42 consisting of 61.85 acres with Lot 42A of Block 1001 consisting of 70 acres more or less in accordance with a certain judgment entered in the Superior Court of New Jersey Chancery Division, Warren County, Docket No. C-1542-80; and

**WHEREAS**, upon review of the title search, binder and aforesaid judgment of the Superior Court of New Jersey, counsel for the Township and the Mansfield Township Tax Assessor concur that an improper merger of said lots occurred;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Mansfield that the Warren County Tax Board amend the line items appearing the Tax List and Tax Duplicate for the Township of Mansfield to include Block 1001.02 Lot 42 as 60.6 acres and create a new line item to read Block 1001.02 Lot 42.02 as 70 acres both assessed to Abelino Anthony Bucarey, 586 Mt. Bethel Road, Oxford, NJ 07863.

**Motion made by Mr. Baldwin, seconded by Mrs. Oakley to approve Resolution 2006-24.**

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**

**Nays: None**

**RESOLUTION 2006-25**

**A RESOLUTION REQUESTING THE WARREN COUNTY TAX BOARD  
REMOVE AN IMPROPER ADDED ASSESSMENT FROM THE TAX LIST OF MANSFIELD  
TOWNSHIP AS TO BLOCK 2103, LOT 12**

**WHEREAS**, the Mayor and Township Committee of the Township of Mansfield have been advised that an improper added assessment for 2005 has been entered on the tax rolls of the Township of Mansfield on Block 2103 Lot 12 in the amount \$10,950; and

**WHEREAS**, upon review by the counsel for the Township and the Mansfield Township Tax Assessor both have requested the same;

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Mansfield that the Warren County Tax Board remove an improper added assessment for 2005

in the amount of \$10,950.00 appearing on the Tax List and Tax Duplicate for the Township of Mansfield for Block 2103, Lot 12.

**Motion made by Mr. Baldwin, seconded by Mrs. Oakley to approve Resolution 2006-25.**

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

**Mr. Lee stated that these ordinances are the result of going through the code book there were many sections that were no longer necessary, that is the reason for some of the following ordinances.**

Introduction of Ordinance 2006-1, which was read by title only as follows:

**2006-1                    AN ORDINANCE TO AMEND SECTION 6-3.4 “LICENSE FEES” OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY**

Mrs. Oakley made motion to approve Ordinance 2006-1 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mr. Appleby.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-2, which was read by title only as follows:

**2006-2                    AN ORDINANCE TO AMEND CHAPTER 16 “STREETS, SIDEWALKS AND DRIVEWAYS” OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY**

**Mr. Baldwin and Mr. Watters were in agreement that they would like to introduce this ordinance with the exception that the permit not be necessary for the paving of a driveway.**

Mr. Baldwin made motion to approve Ordinance 2006-2 with the amendment of removing permit for paving of a driveway, and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mrs. Oakley.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-3, which was read by title only as follows:

**2006-3                    AN ORDINANCE TO REPEAL CHAPTER 18 “WATER” OF THE CODE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY**

Mr. Baldwin made motion to approve Ordinance 2006-3 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mrs. Oakley.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-4, which was read by title only as follows:

**2006-4            AN ORDINANCE TO REPEAL CHAPTER 14 “SWIMMING  
POOLS” OF THE CODE OF THE TOWNSHIP OF  
MANSFIELD, WARREN COUNTY, NEW JERSEY**

Mrs. Nerbak made motion to approve Ordinance 2006-4 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mr. Baldwin.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-5, which was read by title only as follows:

**2006-5            AN ORDINANCE TO AMEND CHAPTER II “POLICE  
DEPARTMENT” OF THE CODE OF THE TOWNSHIP OF  
MANSFIELD, WARREN COUNTY, NEW JERSEY**

Mrs. Oakley made motion to approve Ordinance 2006-5 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mr. Baldwin.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-6, which was read by title only as follows:

**2006-6            AN ORDINANCE TO AMEND CHAPTER 22 OF THE CODE  
OF THE TOWNSHIP OF MANSFIELD TO CREATE  
ESTABLISH REQUIREMENTS FOR THE ESTABLISHMENT  
OF RIPARIAN BUFFER CONSERVATION ZONES.**

Mrs. Nerbak made motion to approve Ordinance 2006-6 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mr. Appleby.

**Ayes: Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: Mrs. Oakley, Mr. Baldwin**

Introduction of Ordinance 2006-7, which was read by title only as follows:

**2006-7            ORDINANCE AUTHORIZING THE PRIVATE SALE OF  
CERTAIN LAND OWNED BY THE TOWNSHIP OF  
MANSFIELD, WARREN COUNTY, NEW JERSEY KNOWN AS  
BLOCK 2703 LOT 14**

Mrs. Nerbak made motion to approve Ordinance 2006-7 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mrs. Oakley.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Introduction of Ordinance 2006-8, which was read by title only as follows:

**2006-8                    ORDINANCE AUTHORIZING THE PRIVATE SALE OF  
CERTAIN LAND OWNED BY THE TOWNSHIP OF  
MANSFIELD, WARREN COUNTY, NEW JERSEY KNOWN AS  
BLOCK 2616 LOT 6**

Mrs. Nerbak made motion to approve Ordinance 2006-8 and requested that second reading be advertised for January 25, 2006 at 8:00pm, seconded by Mr. Baldwin.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

**ENGINEER'S REPORT:**

Mr. Mace advised the committee that the bid packages were all reviewed and suggested that the bid be awarded to Owl Contracting in the amount of \$157, 355 for the Watters Road Project, they were the lowest, responsible bidder and the bid package was all in order.

Mrs. Nerbak made motion to approve awarding the Watters Road Project to Owl Contracting in the amount of \$157, 355, Mr. Baldwin seconded the motion.

**Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters**  
**Nays: None**

Mr. Mace stated that he received a letter from Mr. Lee inquiring about the Flood Ordinance, Mr. Mace copied the committee on his response letter stating that the ordinance needed to be kept in place, so that people are eligible for flood insurance. Mr. Mace stated that the soil erosion ordinance can be taken out of the ordinance book, but if the ordinance is removed the township may not ever take the soil erosion compliance back from Warren County Soil Conservation.

**ADMINISTRATOR REPORT:**

Mr. Lee stated that a letter was received from Comcast Cable stating that they would like to be notified of which streets were not hooked up to cable per the agreement between the Township and Comcast Cable.

Mr. Lee stated that the O&E part of the budget process has been forwarded to the Committee Members. The next regular meeting will be a budget workshop session.

Mr. Lee stated that at the request of the Mayor at the end of the meeting an executive session to discussion engineering.

**COMMITTEE PERSON COMMENTS:**

Mr. Baldwin stated that the Judiciary Committee met with the people from Washington Twp to interview the people for the Prosecutor's position. They all agreed to appoint Brett Morrow as the shared courts prosecutor, and to reappoint Steven Dunbar as the Public defender.

Mr. Baldwin also stated that everyone involved in the shared courts is pleased with Mr. Morrow, and that the shared courts with Washington Twp, is running relatively smoothly.

Mr. Baldwin stated that the DPW did need to spend more money last year for salt and grits than the year before. Mr. Baldwin also stated that Brent Sliker had received a quote on the seal for the Municipal Building.

Mrs. Oakley stated that Home Depot had donated a Christmas tree for the municipal building.

Mrs. Oakley expressed concerns with Baldwin Drive and the garbage that is collecting along the sides of the road. She also expressed concerns with the Warren County Board of Health report about the rats in the storm drain by Clearview Cinemas.

Mrs. Nerbak asked if there was anyway that the garbage dumpster could be moved to a different location.

Mr. Mace stated that he had been in correspondence with the owner of the mall and if an amended site plan is filed the mall will be required to move the dumpster.

Mrs. Oakley stated that the cars being parked around Riverside Plaza in the Fire Lane, and questioned if this is allowed, and if we can address this issue.

Mr. Lee stated that Title 39 does apply and the cars can be ticketed.

Mr. Watters appointed Guy Baggerly to the Environmental Committee.

Mr. Baldwin made motion to adjourn to Executive Session at 9:00, Mrs. Oakley seconded the motion.

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

Nays: None

### **RESOLUTION AUTHORIZING 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:

(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 December 14, 2005, that an Executive Session closed to the public shall be held on December 14, 2005 at 8:25 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.

Mr. Baldwin made motion to approve the Executive Session resolution, Mrs. Oakley seconded the motion.

Ayes: Mrs. Oakley, Mr. Baldwin, Mrs. Nerbak, Mr. Appleby, and Mayor Watters

Nays: None

Mr. Watters reopened the Regular Meeting at 9:30pm.

Mr. Baldwin made motion to adjourn the Regular Meeting at 9:45 pm, which was carried by all.

Respectfully Submitted,

Dena Hrebenak  
Deputy Clerk