

**MANSFIELD TOWNSHIP COMMITTEE MEETING**

**January 25, 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, Mayor Watters

Salute to Flag was done by all

Mrs. Oakley made motion to approve the minutes of the January 1, 2006 Reorganization Meeting, Mr. Baldwin seconded the motion.

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

Mrs. Oakley made motion to approve the minutes of the January 11, 2006 meeting, Mr. Baldwin seconded the motion.

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

Mrs. Nerbak made motion to approve the bill list with the exclusion of PO #260039, Mr. Baldwin seconded the motion.

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

Mayor Watters opened the floor for public comment. Seeing there was no one from the public for comment, Mayor Watters closed the public portion of the meeting.

**RESOLUTION 2006-26  
A RESOLUTION TO AMEND THE TEMPORARY BUDGET**

WHEREAS, the temporary municipal budget for the year 2006, was approved on the 1<sup>st</sup> day of January, 2006; and

WHEREAS, it is desired to amend said approved budget;

NOW THEREFORE, BE ITS RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, that the following amendment to the temporary budget be made:

Appropriation:

NJ DOT Guiderail Grant	\$ 100,000
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Mrs. Nerbak made a motion to approve the passage of Resolution 2006-26, Mr. Baldwin seconded the motion.

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

**COMMITTEE PERSON COMMENTS:**

Mrs. Nerbak stated that the first Economic Development meeting took place last Monday. Mr. Baldwin agreed to attend the monthly meeting for the for Economic Development at the Warren County Chamber of Commerce, the first meeting was last week. They spoke of a business that was interested in coming into the area.

Mr. Baldwin stated that the company was a lumber company looking for 10 acres, along a railroad. Mr. Baldwin suggested that there was property for sale along Thomas Road that were for sale. Mr. Baldwin was unsure of the name of the company.

Mrs. Nerbak also stated that she had read over the letter again that was sent by the Township Planning Board Attorney to the NJ DEP Highlands Commission, in regards to Borealis Compounds, and she would like a letter to be sent to the NJ DEP Highlands Commission from the Township Committee, also in regards to Borealis Compounds.

Mr. Lee suggested that the Township Committee make motion to pass a resolution referring to the situation with the NJDEP Highlands Commission and Borealis Compounds.

Mrs. Nerbak made a motion to approve Mr. Lee drafting a resolution on behalf of the Township Committee showing the support of the Committee with Borealis and NJDEP Highlands Commission, seconded by Mr. Baldwin.

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

Nays: None

Mr. Baldwin stated that the guardrails are being installed on the various roads. Mr. Baldwin also stated that there was going to be a Shared Services meeting held at the Municipal Building with some of the other local towns, to review all of the different types of shared services that are possible to cut some of the cost that the towns are incurring.

Mr. Baldwin stated that the Shared Services are working out very well with the courts.

Mayor Watters inquired of whether the gas tank installation was completed at the new DPW garage.

Mr. Baldwin stated that the gas tanks were all installed.

#### **ADMINISTRATOR REPORT:**

Mr. Lee stated that the letters that the committee requested be sent to all of the mall owners that require security had been sent out. He heard from one of the mall owners that the costs are quite extensive for the security that is required in the Ordinance. The mall owner stated that he may contact the other mall owners to see if the services could be shared.

Mr. Lee stated that a letter was received from Green Acres that there is grant money available for municipalities in the state.

Mr. Lee stated that a letter was received from the Town of Hackettstown inquiring if the Township of Mansfield would increase the amount given for the Wheels in Transit program.

Mrs. Oakley suggested that this be discussed in the Budget Workshop. The committee agreed.

**Upon a motion by Mrs. Nerbak, and a second by Mr. Baldwin Ordinance 2006-9 was introduced and read by title only:**

**Mrs. Nerbak made motion to approve the first reading of Ordinance 2006-9, requested that it be published and be given a second reading on February 5, 2006, Mr. Baldwin seconded the motion.**

**ORDINANCE NO. 2006-09**

**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:

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

Electrical Inspector	\$21,000
Court Violations Clerk	\$12 per hour
Part-Time Deputy Court Administrator	\$13.50 - \$16.00 per hour
Court Security Officer	\$100 per session
Construction Secretary	\$17,000 to \$22,500
Recreation Administrative Assistant	\$5,500

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

**Mr. Baldwin presented Ordinance 2006-1 for public comment:**

**ORDINANCE 2006 – 1**

**AN ORDINANCE TO AMEND SECTION 6-3.4 “LICENSE FEES” 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:

**6-3.4**

<b>....Class of License</b>	<b>Annual License Fee</b>
<b>a. Plenary Retail Consumption</b>	<b>\$904.00</b>
<b>b. Plenary Retail Distribution</b>	<b>\$451.00</b>
<b>c. Club License</b>	<b>\$180.00</b>

Section 2. This Ordinance shall take effect immediately upon publication as provided by law.

Section 3. All remaining portions of Section 6-3.4 shall remain in full force and effect.

Mr. Baldwin made motion to approve Ordinance 2006-1 on its seconded reading, Mrs. Oakley seconded the motion.

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

Mr. Baldwin presented Ordinance 2006-2 for public comment:

#### ORDINANCE 2006-2

#### AN ORDINANCE TO AMEND CHAPTER 16 "STREETS, SIDEWALKS AND DRIVEWAYS" 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:

##### 16-1 EXCAVATION OF STREETS.

a...(add at end of paragraph) No opening or excavation shall be permitted within the surface of any public road, street or right of way under the control of the Township upon which a permanent pavement has been placed within five years of the date of the application of such pavement except in emergency circumstances as provided for herein.

b...(add a new paragraph) The applicant shall supply a current New Jersey "One-Call" confirmation number, to document compliance with the underground utility location law.

d. Application Fees. The application shall be accompanied by an engineered plan, or sketch, drawn to scale, of the area to be disturbed, including proposed dimensions and restoration details, and shall be also be accompanied by an application fee of \$100.00 together with an escrow deposit to cover engineering review and inspections of:

1. \$350.00 for all openings up to 50 linear feet.
2. \$500.00 for all openings consisting of from 50 to 100 linear feet.
3. \$1000.00 for openings more than 100 linear feet.
4. \$150.00 for utility service connections for approved public utilities.

##### 16-7.9 Application Procedure.

Replace all references to Zoning Officer with Supervisor of Public Works.

##### 16-7.10 Certificate of Occupancy.

Replace all references to Zoning Officer with Supervisor of Public Works.

##### 16-7.11 Fees.

- a. The applicant shall pay an application fee in the amount of \$150 together with an escrow deposit in the amount of \$500.00 to cover engineering

review and inspections. Any unused escrow shall be returned to the applicant upon approval of the driveway installation.

- b. A driveway permit issued hereunder shall be valid for a period of one year from the date of issuance, unless an extension is granted by the Township Engineer, for cause.

Section 2. This Ordinance shall take effect immediately upon publication as provided by law.  
Section 3. All remaining portions of Chapter 16 shall remain in full force and effect.

Mr. Baldwin made motion to approve Ordinance 2006-2 on its seconded reading, Mrs. Oakley seconded the motion.

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

Mr. Baldwin presented Ordinance 2006-3 for public comment:

**ORDINANCE 2006-3**

**AN ORDINANCE TO REPEAL CHAPTER 18 "WATER" 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 REPEALED:

**CHAPTER 18 - WATER**

**ARTICLE I – WATER DEPARTMENT**

**ARTICLE II – WATER USE RESTRICTIONS**

Section 2. This Ordinance shall take effect immediately upon publication as provided by law.

Mr. Baldwin made motion to approve Ordinance 2006-3 on its seconded reading, Mrs. Oakley seconded the motion.

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

Mr. Baldwin presented Ordinance 2006-4 for public comment:

**ORDINANCE 2006-4**

**AN ORDINANCE TO REPEAL CHAPTER 14 "SWIMMING POOLS" 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 section of the Code of the Township of Mansfield are hereby  
REPEALED:

**CHAPTER 14 – SWIMMING POOLS**

Section 2. This Ordinance shall take effect immediately upon publication as provided by law.

Mr. Baldwin made motion to approve Ordinance 2006-4 on its seconded reading, Mrs. Oakley seconded the motion.

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

Nays: None

**Mr. Baldwin presented Ordinance 2006-5 for public comment:**

**ORDINANCE 2006-5**

**AN ORDINANCE TO AMEND CHAPTER II “POLICE DEPARTMENT ” 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:

**CHAPTER II: POLICE DEPARTMENT**

2-8.3. Membership of Police Department. The Police Department shall consist of a Chief of Police, Four Sergeants and such other officers, regular and special, as the Township Committee shall deem necessary, and by resolution appoint.

Section 2. All remaining portions of Chapter II shall remain in full force and effect.

Mr. Baldwin made motion to approve Ordinance 2006-5 on its seconded reading, Mrs. Oakley seconded the motion.

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

Nays: None

**Mr. Baldwin presented Ordinance 2006-7 for public comment:**

**ORDINANCE 2006-7  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, NEW JERSEY**

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

WHEREAS, the following property owned by the Township of Mansfield is not needed for public purposes;  
Block 2703 Lot 14

and

WHEREAS, John Papas, a contiguous owner of property to Block 2703 Lot 14 has offered the assessed value of said property, \$4600, to purchase the same; and

WHEREAS, all other contiguous owners have been offered the same price and have shown no interest in purchasing the same;

WHEREAS, it is in the best interest of the Township of Mansfield to sell this property at private sale to John Papas;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

1. Block 2703 Lot 14 on the Tax Map of the Township of Mansfield is not needed for public purposes.
2. The Mayor and Clerk of the Township of Mansfield, in consideration of and receipt of the sum of \$4,600.00 to be paid in hand by John Papas, shall and are hereby authorized to convey title and execute such further documents deemed necessary by the Municipal Attorney to satisfactorily transfer Block 2703 Lot 14 as depicted on the Tax Map of the Township of Mansfield, said property to be conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present assessments for the construction of improvements benefiting said property.
3. This Ordinance shall become effective immediately upon publication as required by law.

Mr. Baldwin made motion to approve Ordinance 2006-7 on its seconded reading, Mrs. Oakley seconded the motion.

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

**Mr. Baldwin presented Ordinance 2006-8 for public comment:**

ORDINANCE 2006-8  
TOWNSHIP OF MANSFIELD  
WARREN COUNTY, NEW JERSEY

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

WHEREAS, the following property owned by the Township of Mansfield is not needed for public purposes;  
Block 2616 Lot 6

and

WHEREAS, Glenn Wilkinson, a contiguous owner of property to Block 2616 Lot 6 has offered the assessed value of said property, \$500, to purchase the same; and

WHEREAS, there are no other contiguous owners;

WHEREAS, it is in the best interest of the Township of Mansfield to sell this property at private sale to Glenn Wilkinson;

NOW, THEREFORE, IT IS HEREBY ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, as follows:

4. Block 2616 Lot 6 on the Tax Map of the Township of Mansfield is not needed for public purposes.
5. The Mayor and Clerk of the Township of Mansfield, in consideration of and receipt of the sum of \$500.00 to be paid in hand by Glenn Wilkinson, shall and are hereby authorized to convey title and execute such further documents deemed necessary by the Municipal Attorney to satisfactorily transfer Block 2616 Lot 6 as depicted on the Tax Map of the Township of Mansfield, said property to be conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present assessments for the construction of improvements benefiting said property.
6. This Ordinance shall become effective immediately upon publication as required by law.

Mr. Baldwin made motion to approve Ordinance 2006-8 on its seconded reading, Mrs. Oakley seconded the motion.

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

Nays: None

Mr. Baldwin made motion to recess for five minutes followed by an executive session, seconded by Mrs. Oakley.

#### 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 January 25, 2006, at 8:03 pm that an Executive Session closed to the public shall be held on January 25, 2006, at 8:08 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.

**Motion made by Mr. Baldwin to approve the executive session, seconded by Mrs. Oakley.**

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

**The committee returned from executive session at 9:30 pm.**

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

**Respectfully Submitted,**

**Dena Hrebenak  
Deputy Clerk**