

**MANSFIELD TOWNSHIP COMMITTEE MEETING**

**February 22, 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, Ms. Nerbak, Mr. Appleby, Mayor Watters all present.

Salute to flag was done by all.

**APPROVAL OF MINUTES:**

Mr. Baldwin made a motion to approve the minutes from the regular meeting on February 8, 2006, Mrs. Oakley seconded the motion.

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

Ms. Nerbak made a motion to approve the Executive Session Minutes from 1/26/05, 3/9/05, 4/27/05, 5/11/05 and release to public, Mr. Baldwin seconded the motion.

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

Ms. Nerbak made a motion to approve the minutes from the Special meeting of February 1, 2006, Mr. Baldwin seconded the motion.

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

**PAYMENT OF BILLS:**

Mr. Baldwin made a motion to approve the bill list as presented, Mrs. Oakley seconded the motion.

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

**CONSENT AGENDA:**

**RA 2006-3            Mansfield PTA**

Mrs. Oakley made a motion to approve the consent agenda, Mr. Appleby seconded the motion.

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

**PUBLIC PORTION:**

The police department was present and came to the Township Committee with concerns that the Township Committee was considering purchasing the Jeep Liberty for a police vehicle.

Sergeant Newman spoke to the Township Committee with his concerns and the current statistics for the Jeep Liberty as compared to one of the current police vehicles, the Crown Victoria. Sergeant Newman stated that at 40 mph the Jeep Liberty has a high roll over factor. In a cone course that is used to test police vehicles the Jeep Liberty was shown to roll

over between the 7<sup>th</sup> and 8<sup>th</sup> cone. Many of the calls that the police are required to respond make high speeds necessary, and the statistics show that the Jeep Liberty is not a safe vehicle for high speed travel. Most of the safety equipment that is currently in the police vehicles is not available for this vehicle. Sergeant Newman spoke on behalf of the police department asking for the Township Committee to reconsider the purchasing of the Jeep Liberty.

Mrs. Oakley asked what cars would be considered to be acceptable to the police department.

Sergeant Clancy stated that he had a list of police vehicles that were tested by the Michigan State Police and rated well for police vehicles. Sergeant Clancy stated that if any of the Township Committee was interested he could furnish them with the list of cars that were tested and had good ratings.

Mr. Baldwin explained that the Township Committee was only considering the idea, it was not anything definite.

Mr. Lee asked if this type of vehicle could be used for the Quasi Public road jobs.

Sergeant Clancy stated that the cars are on the road for 12 hours per day, and off the road for 12 hours a day.

Ms. Nerbak asked for copies of the vehicle information and the statistics.

#### **ENGINEER'S REPORT:**

Mr. Mace stated that he had given all of the Township Committee members a copy of the proposed modification to the sections in the Ordinance to accommodate the new Storm water Management regulations. Mr. Mace stated that the state regulations could be adopted by statute number only and a copy of the statute would need to be on file in the clerk's office.

Mr. Mace also stated that he had at the last meeting given information about the well testing changes, and wondered if there was any action that could be taken as of yet.

#### **RESOLUTIONS:**

##### **RESOLUTION 2006-32**

#### **A RESOLUTION OF THE TOWNSHIP OF MANSFIELD TO THE COMMISSIONER OF THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION ON THE MATTER OF BOREALIS COMPOUNDS, INC.**

Whereas, Borealis Compounds, Inc. (hereafter "Borealis"), is a corporate landowner and business in the Township of Mansfield operating at Lot 1, Block 1301 and Lot 6, Block 1307; and

Whereas, Borealis is an industrial facility located on 45 acres in the Township of Mansfield's industrial zone; compounding plastic materials and provides insulation for electrical buried cables capable of transmitting a capacity of 10,000 volts and upwards and

Whereas, 114 individuals are employed at the facility most of whom reside locally or come from nearby municipalities; and

Whereas, 18 of the 45 acres are presently fully developed; and

Whereas, the Mansfield Township Committee is concerned over both the impact of the Highlands Water Protection and Planning Act upon the site as well as the financial impacts imposed upon the company under new and significant increases in water permit fees; and

Whereas, the present site has been industrially developed since the 1970s; Borealis being the third occupant of the site having taken title in 1996. Recently, Borealis attempted to gain approval to install an additional gravel area to provide space for trucks to park while awaiting the opening of the facility each morning and

Whereas, the NJDEP has indicated that an additional gravel area is not permitted due to the location of the site in the Highlands Preservation Area; and,

Whereas, the Township has been advised that the company plans to construct additional storage and warehousing space on the site, which would seem to be prohibited under Highlands Regulations; and

Whereas, new water permit fees charged to Borealis, based on allowable consumption, have increased from \$1600.00 in 2005 to \$21,000.00 in 2006; and

Whereas, the combination of the Highlands Legislation and the increase in the water permit fees severely impacts upon the financial affairs of the Company and may likely impair its economic viability in the not too distant future in retaining its base of operations in Mansfield Township; and

Whereas, this business is viewed as vital to the Township's economic well being by providing a significant source of employment and a desirable ratable to the Township; a clean industry that both the Township and, indeed, the State of New Jersey should encourage to remain in this State.

Now Therefore, It is hereby Resolved by the Mayor and Township Committee of the Township of Mansfield, that it implores the Commissioner of the New Jersey Department of Environmental Protection utilize the power and influence of his office to modify the Highlands Regulations to permit the continued expansion and growth of this business at its present location, as well as to make the appropriate adjustment to the clearly excessive increase in the water permit fee.

Ms. Nerbak made a motion to approve Resolution 2006-32, Mr. Baldwin seconded the motion.

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

Nays: None

#### **RESOLUTION NO. 2006-33**

#### **A RESOLUTION TO SUSPENDED ENFORCEMENT OF SEPTIC SYSTEM LICENSING (ORDINANCE 2005-11) PENDING APPROVAL OF THE NJDEP**

**WHEREAS**, the Code of the Township of Mansfield provides for testing and licensing of onsite septic systems in the Township of Mansfield beginning March 1, 2006, in accordance with Ordinance 2005-11; and

**WHEREAS**, the NJDEP has yet to approve the contents of said ordinance as a part of the Mansfield Township Wastewater Management Plan;

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Township of Mansfield that the Construction Code Official of the Township of Mansfield shall suspend enforcement of the provisions of Ordinance 2005-17 until further direction of the Township Committee.

This Resolution shall be effective immediately.

Mrs. Oakley made a motion to approve Resolution 2006-33, Mr. Baldwin seconded the motion.

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

Nays: None

#### **ORDINANCES:**

Mayor Watters opened the public hearing for Ordinance 2006-10. Seeing there was no public comment, the public hearing was closed.

#### **ORDINANCE 2006-10**

**AN ORDINANCE TO REPEAL CHAPTER 13 "SOIL REGULATIONS" 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 13 SOIL REGULATIONS**

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

Ms. Nerbak mad a motion to approve Ordinance 2006-10, Mr. Appleby seconded the motion.

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

Mr. Lee stated that one of the members of the committee would like to have an executive session to discuss Ordinance 2006-11, and possible amendments to a salary listed in the ordinance.

**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 February 22, 2006 that an Executive Session closed to the public shall be held on February 22, 2006 at 8:05 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.

Mayor Watters reopened the regular meeting at 8:15pm.

Roll Call: Mrs. Oakley, Mr. Baldwin, Ms. Nerbak, Mr. Appleby, Mayor Watters, all present.

Mayor Watters opened the public hearing for Ordinance 2006-11. Seeing there was no public comment, the public hearing was closed.

**ORDINANCE NO. 2006-11**

**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 of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:

	<u>2006</u>
Administrative Assistant	\$28,000
Committee Members	\$4,200
Mayor	\$525
Municipal Clerk	\$12,839
Deputy Clerk	\$4,650
Elections Officer	\$105 per Election
Chief Financial Officer	\$47,320
Deputy Treasurer	\$500
Tax Collector	\$20,600
Tax/Finance Clerk	\$28,840
Tax Search Officer	\$1,000
Deputy Tax Collector	\$5,000
Deputy Tax Collector II	\$2,500
Assessment Search Officer	\$1,000
Tax Assessor	\$20,872
COAH Calculations	20 per calc.
Tax Assessor Secretary	\$5,000

<b>Certified Lists (Tax Collector)</b>	<b>\$600</b>
<b>Economic Development Secretary</b>	<b>\$550</b>
<b>Environmental Secretary</b>	<b>\$880</b>
<b>Planning Board Clerk</b>	<b>\$8,250</b>
<b>Zoning Board Clerk</b>	<b>\$6,250</b>
<b>Zoning Officer</b>	<b>\$5,000</b>
<b>Construction Code Official</b>	<b>\$29,000</b>
<b>Fire Inspector</b>	<b>\$2,080</b>
<b>Electrical Inspector</b>	<b>\$21,000</b>
<b>Police Chief</b>	<b>\$73,261</b>
<b>Police Secretary</b>	<b>\$26,000</b>
<b>Director Emergency Management</b>	<b>\$1,100</b>
<b>Assistant Emergency Management Director</b>	<b>\$500</b>
<b>Fire Department Liason</b>	<b>\$2,500</b>
<b>Fire Marshall</b>	<b>\$1,500</b>
<b>DPW Superintendent</b>	<b>\$64,656</b>
<b>Richardson - Recreation</b>	<b>\$37,500</b>
<b>Recreation Supervisor</b>	<b>\$47,268</b>
<b>Machine Operator/Truck Driver</b>	<b>\$43,527-\$45,268</b>
<b>New DPW Laborer/Truck Driver</b>	<b>\$30,000</b>
<b>Seasonal DPW Laborer/Truck Driver</b>	<b>\$13/hour</b>
<b>DPW Secretary</b>	<b>\$15/hour</b>
<b>Part-Time Public Works Laborer</b>	<b>7 to 15 per hour</b>
<b>Director Recycling</b>	<b>\$1,300</b>
<b>Custodian</b>	<b>14.42 per hour</b>

Department of Health Registrar	\$5,830
Department of Health Deputy Registrar	\$2,350
Animal Control Officers	\$6,863
Recreation Secretary	\$721
Clean Communities Coordinator	\$2,000
Court Administrator Secretary	\$32,500
Judge	\$35,000
Court Administrator	\$45,000
Performance Bonus	\$1,500
Court Deputy Clerk	\$5,000
Call-outs	35 per call-out
Public Defender	150 per case
Website Administrator	\$1,500
Detective Stipend	\$1,000
Corporal Stipend	\$1,000
EMT Stipend	\$750

Mrs. Oakley made a motion to approve the passage of Ordinance 2006-11 with the change to the Police Chiefs salary from the amount of \$73, 261 to \$74, 000, Ms. Nerbak seconded the motion.

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

Mrs. Oakley made a motion to approve the passage of Ordinance 2006-11, seconded by Ms. Nerbak.

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

Mr. Lee stated that the salaries are retroactive to January 1, 2006.

**COMMITTEE PERSON COMMENTS:**

Mrs. Oakley expressed that she would like to have the Township Committee pass the Pedophile Free Zone Ordinance, that many of the other towns have passed recently.

Mr. Lee advised that he did not suggest the passage of that type of ordinance, and also that there was not really any way of enforcing this type of Ordinance.

Ms. Nerbak stated that some of the committee had gone to the Highlands Meeting that was held at Warren Hills High School, and at the meeting a letter was handed out to people that attended the meeting in protest of the new regulations that are purposed to be mailed to NJDEP. She inquired if anyone that did not attend the meeting would like to read a copy.

Mrs. Oakley asked for a copy of the letter.

Mr. Appleby stated that there have not been many people that were attending many of the commissions that he is a member of and there have not been many times that a quorum could be reached.

Ms. Nerbak stated that the Economic Development Committee did not meet this month, due to the speaker that was going to attend could not attend the meeting. The speaker will be in attendance at the March meeting.

Mr. Baldwin stated that he had attended a meeting at the Liberty Township Municipal Building about solar energy. He has scheduled a couple of companies to come and meet with Brent to see what the possibilities for the Township buildings would be. Mr. Baldwin stated that the representative from the state had agreed to come to a township meeting for the residents of the township.

Mr. Baldwin will give the information to Mr. Appleby for the Environmental Commission to explore hosting the meeting with the State solar energy representative.

#### **ADMINISTRATOR REPORT:**

Mr. Lee stated that the township had received a response from National Realty in response to the request to abide by the ordinance for mall security. National Realty has presented a plan for what they intend to do to conform with the ordinance requirements. Copies of the proposal have been distributed to the Township Committee and the Police Chief for their comments.

Mr. Lee stated that Mr. Coppola and himself had met with the auditor to discuss the budget and what could be expected from the state. The budget will be being introduced on March 8, 2006 with a final reading on April 12, 2006. With the budget as proposed the township will come in just under a one cent increase.

#### **EXECUTIVE SESSION:**

#### **CONTRACT NEGOTIATIONS**

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**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mansfield, assembled in public session on February 22, 2006 that an Executive Session closed to the public shall be held on February 22, 2006 at 8:40 p.m. in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

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Mr. Appleby made motion to approve Executive Session Resolution, Mr. Baldwin seconded the motion.

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

Nays: None

Mayor Watters brought the Regular meeting back to order at 9:15pm. All committee members were present.

Mr. Baldwin made a motion to adjourn the meeting at 9:20pm, which was carried by all.

Respectfully Submitted,

Dena Hrebenak