

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 12, 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, and Mayor Watters all present.

Salute to Flag was done by all.

EXECUTIVE SESSION:

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 April 12, 2006 that an Executive Session closed to the public shall be held on April 12, 2006 at 7:31 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 a motion to approve Executive Session Resolution, Mrs. Oakley seconded the motion.

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

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

Ms. Nerbak made a motion to open the Regular Meeting at 8:00, seconded by Mrs. Oakey.

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

Nays: None

PAYMENT OF BILLS:

Mr. Baldwin made a motion to approve the Bill List, seconded by Mrs. Oakley.

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

Nays: None

PUBLIC PORTION:

Mayor Watters opened the public portion of the meeting.

Pastor Corley of the Mt. Bethel Church of God in Christ inquired about whether or not the Township intended to fix the water damage that she feels was caused by the Townships catch basin that is located at the corner of Snyder and Mt. Bethel Roads.

Mrs. Oakley asked the Pastor who it is that is responsible for maintaining the grave sights. Pastor Corley stated that the church is responsible.

Mr. Lee explained to Pastor Corley that the parking area that she refers to and uses is actually in the Township's right of way and that we can fix the issue, but the parking lot will not be able to be used.

Mr. Lee also stated that a driveway permit would need to be submitted, and if a parking lot is still necessary then the church would need to apply to the Planning Board for a Site Plan approval.

Pastor Corley stated that she would take the advice that the Township Committee has given her and speak to her Attorney and do whatever is necessary to rectify this issue.

Pastor Corley asked why she has to change her parking if the Township fixes the problem on the property. Mr. Mace stated that the parking is grandfathered from the current rules and regulations, until a change is made to the property.

ENGINEER'S REPORT:

Mr. Mace stated that a letter was received today by him that the State Department of Transportation will be accepting application for grants for Municipal Road projects that needs to be received back from us by June 30. Mr. Mace stated that himself and Mr. Baldwin had a brief conversation prior to the start of the meeting about roads that need reconstruction.

Mayor Watters asked for Mr. Mace to apply for the grant.

Mr. Mace asked if the Township Committee had made any considerations about the proposed well ordinance that he had given to the committee in February.

CONSENT AGENDA:

RA2006-5 Mansfield Township PTA Raffle

Ms. Nerbak made a motion to approve the Consent Agenda, Mrs. Oakley seconded the motion.

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

Nays: None

RESOLUTIONS:

RESOLUTION 2006-39

SELF-EXAMINATION OF BUDGET RESOLUTION
[as required by DCA]

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 2006 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.

Ms. Nerbak made a motion to approve Resolution 2006-39, seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION NO. 2006-40

A RESOLUTION APPOINTING A LIAISON TO A SHARED SERVICES WORKGROUP

WHEREAS, sharing services and joint purchasing can increase efficiency and reduce costs; and

WHEREAS, the sharing of services and joint purchasing is becoming more needed as state mandated costs, such as stormwater management, are increasing without a corresponding increase in revenue; and

WHEREAS, a shared services workgroup, including but not limited to representatives of Allamuchy, Independence, Mansfield and Washington townships, Hackettstown, and Washington Township Morris County is being formed;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of Township of Mansfield, County of Warren, New Jersey does hereby appoint George Baldwin and Andrew Coppola to the aforementioned shared services workgroup; and

BE IT FURTHER RESOLVED, that the municipal clerk is hereby directed to forward copies of this resolution to:

Shared Services Workgroup
100 Port Murray Rd.
Port Murray, NJ 07865

Mrs. Nerbak made a motion to approve Resolution 2006-40, seconded by Mr. Appleby.

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

Nays: None

RESOLUTION NO. 2006-41

RESOLUTION APPOINTING COURT ADMISTRATOR

WHEREAS, the Township of Mansfield appointed Barbara Ball, Court Administrator for the Township of Mansfield; and

WHEREAS, Barbara Ball resigned as an employee of the Township of Mansfield effective March 17, 2006;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

1. Jerilynn Harris is hereby appointed Court Administrator of the Township of Mansfield at an annual salary of \$42,000 upon the approval of the Administrative Office of the Courts and the Municipal Court Judge.
2. A certified copy of this Resolution shall be filed with the Administrative Office of the Courts within 7 days of the date thereof.

Mr. Baldwin made a motion to approve Resolution 2006-41, seconded by Mrs. Oakley.

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

Nays: None

ORDINANCES:

Mr. Baldwin introduced Ordinance 2006-14, which was read by title only;

2006-14 SALARY AMENDMENTS

Mr. Baldwin made a motion to approve the introduction of Ordinance 2006-14, seconded by Mrs. Oakley.

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

Nays: None

Mayor Watters opened the floor for public comment on Ordinance 2006-12. seeing there was no comment from the public the public hearing was closed.

ORDINANCE 2006-12

TOWNSHIP OF MANSFIELD

CALENDAR YEAR 2006

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS

AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized

by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2006 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 1.0% increase in the budget for said year, amounting to \$31,089.25 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2006 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$108,812.38, and that the CY 2006 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Baldwin made a motion to approve the passage of Ordinance 2006-12, seconded by Mrs. Oakley.

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

PUBLIC HEARING FOR BUDGET RESOLUTION 2006-42

Mayor Watters opened the floor for public comment. Seeing there was no public comment on the budget the public hearing was closed.

FINAL ADOPTION OF 2006 BUDGET RESOLUTION 2006-42

Ms. Nerbak made a motion to approve Budget Resolution 2006-42, seconded Mrs. Oakley.

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

Nays: None

APPROVAL OF CAPTIOL BILL LIST

Ms. Nerbak made a motion to approve the capitol bill list, seconded by Mr. Baldwin.

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

Nays: None

ADMINISTRATOR REPORT:

Mr. Lee asked the Township Committee to make a motion to either approve or disapprove the engineering contract that Mr. Mace had already reviewed and agreed to.

Mr. Baldwin made a motion to approve the engineering Contract, seconded by Mrs. Oakley.

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

Nays: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that she had received a letter of resignation from Donna Salvo, Recreation Commissioner, as of March 31, 2006. Ms. Nerbak made a motion to accept the letter of resignation with regret, seconded by Mr. Baldwin.

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

Nays: None

The Township Committee stated that they would like to have a letter sent to Mrs. Salvo thanking her for her time and hard work.

Ms. Nerbak stated that a letter was received from Tina Larson and that she wished to be appointed to the position of Recreation Commissioner. Ms. Nerbak made a motion to appoint Tina Larson to the Recreation Commission as the Softball Commissioner to serve the unexpired term of Donna Salvo, seconded by Mrs. Oakley.

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

Nays: None

Mr. Appleby stated that he had Mr. Bundy bring in some sound equipment for a demonstration for the Township Committee. If the Township Committee has any questions or concerns Mr. Bundy was at the meeting to address any concerns of the Township Committee. Mr. Bundy will be submitting a quote for the equipment that he has presented.

Ms. Nerbak asked the audience if they could hear the Township Committee members more clearly. All in the audience responded positively.

Mr. Bundy stated that he could either hook up to the existing tape player or the other option with this system is that a digital recorder could be used instead of tapes.

Mrs. Oakley asked what the price would be for this system and Mr. Bundy responded that the equipment would be about \$7800 with manufacturer's warranty for the equipment and he would be available for any other issues.

Mr. Lee asked for a proposal in writing of the equipment that would be supplied to the township, and after that as a Township we will have to get other quotes for the same type of equipment.

Mrs. Oakley stated that the Town wide yard sale has been set for the second weekend in July which will be Friday, Saturday, and Sunday 10am to 4pm.

Mr. Baldwin stated that he went to Warren County Chamber of Commerce breakfast and Dave Hicks and Dave Dech were at the breakfast telling everyone about the roads that the county intends to do repairs on this year.

Mr. Baldwin stated that himself and Mr. Coppola attended a shared services class and learned a lot of the advantages and disadvantages that other municipalities have experienced.

Mrs. Oakley made a motion to take a five minute break at 9:10 pm which was carried by all.

Ms. Nerbak made a motion to go into Executive session after the break, which was seconded by Mr. Baldwin.

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

Nays: None

RESOLUTION AUTHORIZING EXECUTIVE SESSION

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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 April 12, 2006, that an Executive Session closed to the public shall be held on April 12, 2006 at 9:15 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.

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

Mr. Baldwin made a motion to open the Regular Meeting at 9:30pm, which was carried by all.

Mr. Baldwin made a motion to adjourn at 9:38 pm, which was carried by all.

Respectfully Submitted,

Dena Hrebenak
Deputy Clerk