

MANSFIELD TOWNSHIP COMMITTEE MEETING

April 26, 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

Salute to Flag was done by all.

APPROVAL OF MINUTES:

Ms. Nerbak made a motion to approve the minutes from the regular meeting of March 22, 2006, seconded by Mrs. Oakley.

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

Ms. Nerbak made a motion to approve the minutes from the regular meeting of April 12, 2006, seconded by Mr. Baldwin.

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

PAYMENT OF BILLS:

Mr. Baldwin made a motion to approve the bill list with additions, seconded by Mrs. Oakley.

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

PRESENTATION:

Mr. Harry Pool Jr., Pollution Control Financing Authorities Vice Chairman, made a presentation to Mayor Watters of a check in the amount of \$5000. Mr. Pool stated that Pollution Control Financing Authority has completed paying off all of their landfill bonds of \$42,000,000 and at the last meeting in April, the members of the authority made a motion which was unanimously passed to donate to each municipality \$5000 maintaining a partnership with the municipalities and also helping provide a clean environment in all municipalities. Mr. Pool thanked Ms. Nerbak for all of her assistance to the authority.

PUBLIC PORTION:

Pastor Corley and members of her congregation were in attendance with questions for the township committee in regards to the roadside that was repaired by the DPW last week, due to erosion, that they are now not allowed to park on since the township discovered that it is a right of way easement for the township road.

Pastor Corley and the members of her congregation debated with the Township Committee that they do not agree with the Township's decision to tell them that due to New Jersey statues they were not allowed to park in front of a driveway and that parking along the roadside is not allowed unless cars are parallel parked.

Mr. Lee again stated the laws that apply to all of the issues that were present with the previous parking situation.

After deliberation the Township Committee agreed to have a resolution drafted to vacate the right of way easement.

ENGINEER'S REPORT:

Mr. Mace gave a copy of changes that were necessary to the stream buffer ordinance, the NJDEP requested that these changes be made. The NJDEP is allowing the township to make judgements on intermittent streams through the permitting process. These changes will affect some people, but not very many. The NJDEP requested that we send the Ordinance to them for approval prior to the adoption.

Mr. Mace asked the Township Committee to agree to send these changes to the NJDEP for approval prior to the changes being passed by ordinance.

Mr. Mace thanked everyone for their efforts with the Stormwater Management requirements.

Mr. Mace will be sending to the County the plans for the Recreation Property, and anticipates the bids for the driveway to begin as soon as June or July.

Mr. Mace stated that improvements of Snyder will require a number of permits and money necessary for all of the permits and engineering required.

The Township Committee agreed that at this time the improvements are not necessary for the work and costs that are involved for the improvements to happen.

RESOLUTIONS:

RESOLUTION
TOWNSHIP OF MANSFIELD
NUMBER 2006-42

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item thereof was not determined at the time of the adoption of the budget, and,;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Mansfield will receive \$7194.00 for a Municipal Alliance Grant and wishes to amend its 2006 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2006 in the sum of \$7194.00

that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:

Municipal Alliance Grant

BE IT FURTHER RESOLVED that a like sum of \$7194.00 be and the same is hereby appropriated under the caption of:

General Appropriations

- (a) Operations – Excluded from 5% Caps Public and Private Programs Offset by Revenues:
Municipal Alliance Grant

Ms. Nerbak made a motion to approve Resolution 2006-42, seconded by Mr. Baldwin.

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

RESOLUTION
TOWNSHIP OF MANSFIELD
NUMBER 2006-43

WHEREAS, an emergency has arisen with respect to the need to provide a local match for a municipal alliance grant and, no adequate provision was made in the 2006 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriations created, including the appropriation to be created by this resolution is \$2398.00 and three (3) percent of the total operating appropriations in the budget for 2006 is \$117,328.60 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2006.

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

- 2006 An emergency appropriation is here by made for Municipal Alliance – Local Match in the amount of \$2398.00.
2007 That said emergency appropriation shall be provided for in full in the 2007 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1)
2008 That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services

Mr. Baldwin made a motion to approve Resolution 2006-43, seconded by Mrs. Oakley.

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

RESOLUTION 2006-44

**A RESOLUTION AUTHORIZING THE RELEASE OF THE RESTORATION
GUARANTEE OF EDEN MANSFIELD, LLC FOR THE WALGREENS SITE
PLAN**

BE IT RESOLVED, the Township Engineer having approved the release of the Restoration Guarantee to Eden Mansfield, LLC, the Chief Financial Officer of the Township of Mansfield is hereby directed to return the cash portion of the Restoration

Guarantee amounting to \$8831.39 to Eden Mansfield, LLC and the original Bond No 5015816 issued by Bond Safeguard Insurance Company to Eden Mansfield, LLC.

Ms. Nerbak made a motion to approve Resolution 2006-44, seconded by Mr. Baldwin.

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

Nays: None

RESOLUTION 2006-45

A RESOLUTION AUTHORIZING THE RELEASE OF THE OFF-SITE PERFORMANCE GUARANTEE OF EDEN MANSFIELD, LLC FOR THE WALGREENS SITE PLAN

BE IT RESOLVED, the Township Engineer having approved the release of the Off-Site Performance Guarantee to Eden Mansfield, LLC, the Chief Financial Officer of the Township of Mansfield is hereby directed to return the cash portion of the Performance Guarantee amounting to \$1,532.77 to Eden Mansfield, LLC and the original Bond No 5015814 issued by Bond Safeguard Insurance Company to Eden Mansfield, LLC. upon the filing of a Maintenance Guarantee in the amount of \$2,275.00 which may be in the form of cash, letter of credit or a surety bond.

Ms. Nerbak made a motion to approve Resolution 2006-45, seconded by Mr. Baldwin.

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

Nays: None

RESOLUTION NO. 2006-46

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2006:

BE IT RESOLVED, that the following persons be and each is hereby appointed for a period of time beginning May 1, 2006 and ending Dec. 31, 2006 to the following respective municipal offices and/or positions of the Township of Mansfield:

Deputy Tax Collector
Deputy Treasurer

Rebecca Harm
Rebecca Harm

Ms. Nerbak made a motion to approve Resolution 2006-46, seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION 2006-47

A RESOLUTION AUTHORIZING THE RELEASE OF THE OFF-SITE PERFORMANCE GUARANTEE OF CORNERSTONE CONSTRUCTION COMPANY, LLC

BE IT RESOLVED, the Township Attorney and Municipal Engineer having approved the release of the Off-Site Performance Guarantee to Summit Capital on behalf of Cornerstone Construction Excavating and Electrical, Inc. the Chief Financial Officer of the Township of Mansfield is hereby directed to return the cash portion of the Performance Guarantee amounting to \$32,845.71 to Summit Capital on behalf of the Applicant.

Ms. Nerbak made a motion to approve Resolution 2006-47, seconded by Mr. Appleby.

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

Nays: None

RESOLUTION 2006-48

A RESOLUTION GRANTING CERTAIN BENEFITS TO THE CHIEF OF POLICE OF THE TOWNSHIP OF MANSFIELD

WHEREAS, the Chief of Police of the Township of Mansfield is not included in the bargaining unit for the officers of the Mansfield Township Police Department; and

WHEREAS, the Chief of Police, having previously been included in the FOP Contract as a Patrolman, and was entitled to certain benefits relating to sick leave buydown and EMT Stipends; and

WHEREAS, the Chief of Police has requested the Township Committee provide him with the same benefits afforded other officers of the Police Department relating to sick leave buydown and EMT Stipend;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Mansfield that the Chief Financial Officer of the Township of Mansfield shall pay to the Chief of Police the annual stipend provided for Certified EMT and sick leave buydown payments in the current FOP Contract in accordance with the terms of said agreement as if the Chief of Police were a party included in the same.

Ms. Nerbak made a motion to approve Resolution 2006-48, seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION NO. 2006-49

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2006:

BE IT RESOLVED, that the following person to the following respective municipal offices and/or positions of the Township of Mansfield:

Public Works Secretary

Jennifer Hikade

BE IT FURTHER RESOLVED, that the above listed employee would be hired at a salary of \$13.50 per hour, and upon completion of a satisfactory probationary period the salary would be raised to \$14.50 per hour.

Mrs. Nerbak made a motion to approve Resolution 2006-49, seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION 2006-54

RESOLUTION AUTHORIZING THE SALE OF PUBLIC LANDS TO THE MANSFIELD TOWNSHIP BOARD OF EDUCATION FOR EDUCATIONAL PURPOSES PURSUANT TO NJSA 40A:12-19

WHEREAS, the Township of Mansfield holds title to certain lots of land on the Tax Map of the Township of Mansfield as more particularly described in Schedule A attached hereto, which lands are not needed for public purposes; and

WHEREAS, the Mansfield Township Board of Education has requested they be allowed to purchase the same for education purposes; and

WHEREAS, the Township of Mansfield is authorized by the provisions of NJSA 40A:12-19 to sell surplus property to a Board of Education upon adoption of a resolution for the same;

NOW THEREFORE, IT IS HEREBY RESOLVED:

1. The Township of Mansfield agrees to sell to the Mansfield Township Board of Education the lots set forth in Schedule A attached hereto for the sum of One (1) Dollar.
2. The premises conveyed to the Mansfield Township Board of Education shall be conveyed expressly for the purposes of educational uses, subject to revert to the Township if used for any other purposes.
3. The Mayor and Clerk are hereby authorized to sign such documents as may be required to effectuate the sale of said lots, upon direction of the Township Attorney.
4. This Resolution shall remain in effect until June 1, 2006.

Mrs. Nerbak made a motion to approve Resolution 2006-54, seconded by Mrs. Oakley.

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

Nays: None

ORDINANCES:

Upon a motion by Mr. Baldwin, and a second by Mrs. Oakley, Ordinance 2006-15 was given its first reading and was read by title only.

ORDINANCE 2006-15

TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY

Mr. Baldwin made a motion to approve Ordinance 2006-15 and requested that Public Hearing be set for May 11, 2006 and advertised, seconded by Mrs. Oakley.

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

SECOND READING:

Mayor Watters opened the public hearing for Ordinance 2006-14. Seeing there was no comment from the public, Mayor Watters closed the public hearing.

ORDINANCE NO. 2006-14

AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED 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:

The salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined for the period below to be as follows:

Court Administrator	\$42,000.00 Apr. 7 to Dec. 31
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This Ordinance shall take effect immediately upon publication as provided by Law.

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

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

ADMINISTRATOR REPORT:

Mr. Lee stated that a letter was received that the former Eagle Valley Subdivision is in the process of becoming preserved lands.

COMMITTEE PERSON COMMENTS:

Mr. Appleby stated that the Karrville Schoolhouse is desperately in need of a roof, and also that Mary Trubek is almost completed with her plans for the Karrville Schoolhouse.

Ms. Nerbak stated that there will be a meeting for the Recreation Park on May 9, 2006, and the Recreation Commission had invited anyone on the Township Committee that would like to be present and help with the planning of the park.

Mr. Baldwin stated that last Saturday there was a shared services meeting and that he and Mayor Watters believed that the meeting was very successful. At the meeting the townships accountant was present and did a presentation for the people at the meeting.

Mr. Baldwin made a motion to adjourn which was carried by all.