

# MANSFIELD TOWNSHIP COMMITTEE MEETING

May 24, 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:**

May 10, 2006

Mr. Baldwin made a motion to approve the minutes from the May 10, 2006, seconded by Ms. Nerbak.

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

Nays: None

Abstain: Mr. Baldwin

## **PAYMENT OF BILLS:**

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

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

Nays: None

## **RESOLUTIONS:**

### **TOWNSHIP OF MANSFIELD WARREN COUNTY, NEW JERSEY RESOLUTION #06-62**

#### **TONNAGE GRANT APPLICATION (2006)**

**WHEREAS,** The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

**WHEREAS,** It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grant to develop new municipal recycling programs and to continue and to expand existing programs; and

**WHEREAS,** The New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

**WHEREAS,** The Recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

**WHEREAS,** A resolution authorizing this municipality to apply for such tonnage grants for 2006 will memorialize the commitment to this municipality to recycling and to indicate the assent of the Committee of the Township of Mansfield to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

**WHEREAS,** Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Mansfield hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and Energy and designates JoAnn Fascenelli, Recycling Coordinator, to ensure that the application is properly filed; and

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

Ms. Nerbak made a motion to approve Resolution 2006-62, seconded by Mrs. Oakley.

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

**RESOLUTION**  
**TOWNSHIP OF MANSFIELD**  
**NUMBER 2006-63**

**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 \$500.00 for a WalMart Police 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 \$500.00 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:  
WalMart Police Grant

**BE IT FURTHER RESOLVED** that a like sum of \$500.00 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:  
WalMart Police Grant

**BE IT FURTHER RESOLVED,** that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Ms. Nerbak made a motion to approve Resolution 2006-63, seconded by Mr. Appleby.

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

**ORDINANCES:**

**FIRST READING:**

**ORDINANCE 2006-17**

**ORDINANCE TO CANCEL UNEXPENDED BALANCES OF IMPROVEMENT AUTHORIZATIONS OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY**

**WHEREAS, the Township of Mansfield did adopt the following Ordinances:**

<u>Ord. #</u>	<u>Description</u>	<u>Date</u>
96-08	Various	May 8, 1996
98-06	Open Space Easements	May 13, 1998
99-10	Acquisition of Property	April 14, 1999
99-19	Const. Mun. Building	July 14, 1999
00-17	Underground Tanks	November 8, 2000
02-01	Recon. Airport Rd.	February 13, 2002
02-19	Acq. Land Rec. & Open Space	November 13, 2002
04-07	Hazen Rd.	July 28, 2004;

and

**WHEREAS, all purchases and agreements have been completed and there remains unexpended balances of \$380,815.99;and**

**BE IT ORDAINED** by the Township Committee of the Township of Mansfield, that the unexpended balances of such ordinances be cancelled as follows:

Cancellation of fully funded improvement authorizations by the Capital Improvement Fund are cancelled back to the Capital Improvement Fund. Cancellation of other funded improvements are cancelled to General Capital Fund Balance. Unfunded improvement authorizations are cancelled against Deferred Charges to Future Taxation - Unfunded.

<u>Ord. #</u>	<u>Cancelled to or Against</u>	<u>Amount</u>
96-08	General Capital Fund Balance	\$1,894.08
98-06	General Capital Fund Balance	\$24,094.53
99-10	General Capital Fund Balance	\$20,915.89
99-19	General Capital Fund Balance	\$2,314.75
99-19	Deferred Charges to Future Taxation - Unfunded	\$550.00
00-17	Capital Improvement Fund	\$2,248.72
02-01	General Capital Fund Balance	\$44,264.33
02-19	General Capital Fund Balance	\$245,858.08
04-07	General Capital Fund Balance	\$38,675.61

**This ordinance shall take effect immediately after final passage, approval and publication as provided by law**

Mr. Baldwin made a motion to approve the introduction of Ordinance 2006-17, seconded by Mrs. Oakley.

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

Nays: None

**PUBLIC PORTION:**

Mrs. Mattson asked the committee about the article that was in the newspaper on April 30 about the Township Committee turning down Green Acres money for the recreation park.

The township committee explained to Mrs. Mattison that the money was turned down due to the rules and regulations that go along with the money and that the township would not be able to use the property for what it was meant for.

Ms. Nerbak also explained that the \$750,000 that is mentioned in the newspaper is not the amount that we could have received at the time that the money was available to the township.

**ENGINEER'S REPORT:**

Mr. Mace explained that he received a letter from the state about the speed limits that we had asked for on township roads (Parke, Watters and Blau) and the state did their analysis all of the roads are 30 to 35 mph and a letter is in the mail from Mr. Mace's Office.

Mr. Mace also asked if the Township Committee would like to apply for the State Fiscal Year DOT grant for \$175,000 of state money for Washburn road from Watters Road to within 150' of the railroad. This would include an overlay and drainage pipes. All of the committee agreed to reapply for the grant this year, since the grant was not given for this project last year.

Mr. Mace stated that he and Mr. Baldwin had discussed fixing the sharp curve on Blau Road should be a project that takes place soon, but the township would have to acquire property for the curve to be corrected.

**CONSENT AGENDA:**

**RA2006-6                      MANSFIELD TOWNSHIP FIRE COMPANY**

*2006-64*

***RESOLUTION  
OVERPAYMENT OF TAXES***

*WHEREAS, the following property has an overpayment for 2006 second quarter property taxes;*

*WHEREAS, the property taxes were paid by the title company and mortgage company;*

*THEREFORE BE IT RESOLVED by the Committee of the Township of Mansfield this 24th day of May 2006 that the Tax Collector and Finance Officer may refund the following tax amount:*

*Block 1904, Lot 12  
Daniel & Rachel McGouran  
37 Slope Drive  
Hackettstown, NJ 07840  
\$1, 689.10*

2006-65

**RESOLUTION  
OVERPAYMENT OF TAXES**

*WHEREAS, the following property has an overpayment for 2006 second quarter property taxes;*

*WHEREAS, the property taxes were paid by the attorney and mortgage company;*

*THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 24th day of May 2006 that the Tax Collector and Finance Officer may refund the following tax amount:*

*Block 1204.04, Lot 6  
2 Blue Grass Lane  
Amy Weltchek, Attorney at Law  
2422 Hamburg Turnpike  
Wayne, NJ 0.74 70  
\$2, 149.4.7*

2006-66

**RESOLUTION  
OVERPAYMENT OF TAXES**

*WHEREAS, the following property has an overpayment for 2006 second quarter property taxes;*

*THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 24th day of May 2006 that the Tax Collector and Finance Officer may refund the following tax amount:*

*Block 2723, Lot 13  
Robert Moentenich  
134 Winters Avenue  
Port Murray, NJ 07865  
\$998.86*

**Mr. Baldwin approve the consent agenda as presented, Mr. Appleby seconded the motion.**

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

Nays: None

Abstain: Mr. Appleby

**ORDINANCES:**

**SECOND READING:**

Mayor Watters introduced Ordinance 2006-16 for public comment. Seeing that there were no comments from the public, Mayor Watters closed the floor to public comment on Ordinance 2006-16.

**ORDINANCE 2006-16  
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 2712 LOT 12**

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

Block 2712 Lot 12

and

WHEREAS, Diane Tyson, a contiguous owner of property to Block 2712 Lot 12 has offered the assessed value of said property, \$2400.00, 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 Diane Tyson;

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 2712 Lot 12 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 \$2,400.00 to be paid in hand by Diane Tyson, shall and are hereby authorized to convey title and execute such further documents deemed necessary by the Municipal Attorney to satisfactorily transfer Block 2712 Lot 12 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 a motion to approve the passage of Ordinance 2006-16, seconded by Mr. Appleby.

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

**ADMINISTRATOR REPORT:**

Mr. Lee asked for approval to have Mr. Layton, Township Planner, proceed with third round COAH requirements.

Mr. Baldwin made a motion to approve having Mr. Layton proceed with third round COAH, seconded by Ms. Nerbak.

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

ORDINANCE NUMBER – CA-06-03

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$19,776.95 FOR THE PURCHASE OF EMERGENCY VEHICLES

WHEREAS, the Fire Companies of the Township of Mansfield are in need of purchasing Emergency Vehicles for the safety of their men and the community of the Township of Mansfield.

BE IT ORDAINED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, as follows:

1. The sum of \$19,776.95 is hereby appropriated from Capital Surplus.
2. There is no debt incurred by this Ordinance.
3. This Ordinance shall take effect immediately.

Ms. Nerbak made a motion to approve CA-06-03, seconded by Mrs. Oakley.

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

Nays: None

Mr. Lee discussed the way that the Township Committee should be dealing with Public Relations (newspapers, radio station, etc.).

**COMMITTEE PERSON COMMENTS:**

Mr. Appleby stated that he is going to be three quotes for the Karrsville School House roof.

Ms. Nerbak asked if Borealis came before the Planning Board.

Mr. Baldwin said that they had and everything was taken care of.

Ms. Nerbak also stated that all of the committees have been having trouble with their memberships, and she stated that she would like to see if anyone from the public was interested in taking part in the any of the various committees.

Ms. Nerbak stated that the Warren County League Meeting was planned for June 29, 2006.

Mr. Baldwin thanked everyone in the township for all of the help in his time of need.

Mr. Baldwin made a motion to adjourn, and it was carried by all.