

MANSFIELD TOWNSHIP COMMITTEE MEETING

June 14, 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: Mr. Baldwin, Ms. Nerbak, Mr. Appleby, Mayor Watters all present. Mrs. Oakley absent.

Salute to Flag was done by all.

APPROVAL OF MINUTES:

Mr. Baldwin made a motion to approve the minutes of the regular Township Committee meeting from May 24, 2006 with the correction of the spelling of Mrs. Mattson's name has no i, Mr. Appleby seconded the motion to approve.

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

Nays: None

Absent: Mrs. Oakley

PAYMENT OF BILLS:

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

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

Nays: None

Absent: Mrs. Oakley

Abstain: Mr. Baldwin from the bill on the list for Tri County Fire department.

PRESENTATION:

Mr. Tom Ferry, of the firm Ferraioli, Wielkocz, Cerullo, & Cuva spoke to the Township Committee to present of the 2005 audit. Mr. Ferry told the Township Committee that if they had any questions about the audit or any financial matters that they could call his office at anytime. Mr. Ferry explained that the Township is in very good financial standing. Mr. Ferry explained the numbers that were budgeted for the year 2005 were actually more than was spent. So, with the increasing of revenues and fund balances the Township is keeping the tax percentages low. Mr. Ferry also explained that the Tax collection rate has been increasing also in 2005 the tax collection rate was 97.76% in the prior year the tax collection rate was 96.97%, and the year prior to that the tax collection rate was 96.7%, which is great because moneys have to be budgeted to make up for the uncollected taxes. Statutory net debt is at .66% which is the very low for a township this size. Mr. Ferry stated that by 2020 the debt of the township thus far would be paid off. Mr. Ferry went through the audit with the Township Committee and also went through the recommendation page that he explained had already had been implemented with the Recreation Department.

RESOLUTIONS:

**TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2006-67**

WHEREAS, Jennifer Golas will be retiring from the Township of Mansfield after almost 16 years of service; and

WHEREAS, she has accumulated 137 sick days; and

WHEREAS, had she retired with 20 years of service by Dec. 31, 2005 she would have been entitled to use 50 sick days towards retirement; and

WHEREAS, she is retiring six months past the Dec. 31, 2005 cut-off;

WHEREAS, she has completed 80 percent of the required years to use sick days towards retirement; and

WHEREAS, instead of taking sick days in 2006 she has consistently maintained her excellent attendance and assistance as Deputy Court Clerk to enable a smooth transition in a new Court Administration, to the best interests of the Township of Mansfield; and

WHEREAS, she has always served the Township of Mansfield in an exemplary fashion to the betterment of the Court system of the township and the residents of the Township; and upon recommendation of the Temporary Administrator of the Township in recognition of her service to the Township;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that payment be made as follows:

Jennifer Golas	40 Sick Days	\$5,769.23
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Ms. Nerbak made a motion to approve Resolution 2006-67, Mr. Appleby seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

**TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2006-68
AUTHORIZING ACCEPTANCE OF ELECTRONIC RECEIPTS
FOR LOCAL UNIT OBLIGATIONS**

WHEREAS, the use of electronic receipts for payment of local unit obligations is authorized under N.J.S.A 40A:5-43 et seq.; and

WHEREAS, the municipal court has expressed a desire to offer credit cards as a means of paying fines in order to better serve the public;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, Warren County, New Jersey, that Visa and Mastercard credit cards can be accepted for payments of municipal court fines beginning on or after July 3, 2006; and

BE IT FURTHER RESOLVED that credit cards will not be accepted for the use of bail payments and credit card payments will only be accepted when made in person at the municipal court and in accordance with Court Rule R. 7:14-4 (c).

Mr. Baldwin made a motion to approve Resolution 2006-68, Ms. Nerbak seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

**TOWNSHIP OF MANSFIELD
RESOLUTION NO. 2006-69
AUTHORIZING PAYMENT OF FEES ASSOCIATED
WITH ELECTRONIC RECEIPTS**

WHEREAS, the Township of Mansfield Municipal Court will be accepting credit card payments for fines;
and

WHEREAS, there are fees associated with the acceptance of credit cards;

Mr. Baldwin made a motion to approve Resolution 2006-69, Ms. Nerbak seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

2006-70
RESOLUTION
TAX TITLE LIEN REDEMPTION

BE IT RESOLVED, by the Committee of the Township of Mansfield that the following tax sale certificate has been paid and satisfied in full pursuant to N.J.S.A. 54:5-59. The Mayor and Township Clerk are hereby authorized and directed to endorse same for cancellation, and affix the Township Seal, and have same delivered to the property owner or legal representative pursuant to N.J.S.A. 54:5-55.

TAX SALE CERTIFICATE NUMBER	BLOCK/LOT	AMOUNT
94-032	2703/23	\$855.06

Assessed to:

Stanfield, Ethel

Mr. Baldwin made a motion approve Resolution 2006-70, Mr. Appleby seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to with:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Mansfield, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mr. Baldwin made a motion to approve Resolution 2006-71, Ms. Nerbak seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

Ms. Nerbak made a motion to approve the Corrective Action plan that was created by Mr. Coppola, CFO, Mr. Baldwin seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

RESOLUTION 2006-72

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
MANSFIELD, COUNTY OF WARREN, NEW JERSEY, AUTHORIZING
INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF
MANSFIELD AND THE TOWNSHIP OF MANSFIELD SCHOOL DISTRICT,
COUNTY OF WARREN, NEW JERSEY**

WHEREAS, the Township of Mansfield and Township of Mansfield School District, County of Warren desire to enter into an Interlocal Services Agreement with respect to setting forth the terms and conditions of the sharing of media information specialist services; and

WHEREAS, municipalities and school districts are permitted to enter into such agreements pursuant to the Interlocal Services Act, N.J.S.A. 40:8A-1 et seq.

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

1. That the Mayor and Township Clerk are hereby authorized to execute an Interlocal Services Agreement between the Township of Mansfield and the Township of Mansfield School District, County of Warren setting forth the terms and conditions regarding the sharing of media information specialist.
2. A copy of the Agreement is on file in the office of the Township Clerk for inspection by the public.

Mr. Baldwin made a motion to approve Resolution 2006-72, Ms. Nerbak seconded the motion.

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

Nays: None

Absent: Mrs. Oakley

RESOLUTION NO. 2006-73

MANSFIELD TOWNSHIP LIQUOR LICENSE RENEWAL 2006-2007

WHEREAS, the following establishments have made application for renewal of Liquor Licenses for the license term 2006-2007:

1. Anderson Hotel #2116-33-001-001
2. Pasta Grill #2116-33-009-006
3. Mansfield Bottle King #2116-44-003-005

4. Ruby Tuesday #2116-33-002-003
5. Bhavind Kartik, LLC. #2116-33-006-007
D/B/A Comfort Inn

WHEREAS, the appropriate fees have been paid to the Municipality and the State of New Jersey Division of Alcoholic Beverage Control; and

NOW, THEREFORE, BE IT RESOLVED, by the Mansfield Township Committee that the foregoing Liquor License Applications be approved for the licensing year 2006-2007.

Mr. Appleby made a motion to approve Resolution 2006-73, Mr. Baldwin seconded the motion.

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

**2006-74 DOMESTIC VIOLENCE REIMBURSEMENT GRANT
RESOLUTION**

Mr. Appleby made a motion to approve Resolution 2006-74, Mr. Baldwin seconded the motion.

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

**RESOLUTION – 2006-75
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY**

WHEREAS, there exists a need for the service of a Licensed Professional Planner in the Township of Mansfield for the for the updating and revisions to the Housing Element and Fair Share Plan of the Master Plan pursuant to COAH Certification; and

WHEREAS, the maximum amount of the contract is \$10,000.00 and funds are available in the COAH Account; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1 1-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

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

1. The agreement with Maser Consulting, Joseph Layton, Professional Planner, is

awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:1 1-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law. A copy of the Agreement is on file for inspection with the Clerk of the Township of Mansfield.

2. A notice of this action shall be printed once in the Star-Gazette.

Mr. Baldwin made a motion to approve Resolution 2006-75, seconded by Ms. Nerbak.

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

Nays: None

Absent: Mrs. Oakley

RESOLUTION
TOWNSHIP OF MANSFIELD
NUMBER 2006-76

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 \$353.71 for an Alcohol Education Rehab Enforcement Fund 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 \$353.71 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:
Alcohol Education Rehab and Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$353.71 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:
Alcohol Education Rehab and Enforcement Fund

Ms. Nerbak made a motion to approve Resolution 2006-76, seconded by Mr. Baldwin.

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

Nays: None

Absent: Mrs. Oakley

PUBLIC PORTION:

Mayor Watters opened the public portion for comment, seeing that there was no comment from the public the public portion of the meeting was closed.

ORDINANCES:

FIRST READING:

Mr. Baldwin introduced Ordinance 2006-18 which was read by title only;

2006-18 SALARY ORDINANCE

Mr. Baldwin made a motion to approve Ordinance 2006-18 for introduction and requested that public hearing be advertised for June 28, 2006, seconded by Ms. Nerbak.

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

Nays: None

Absent: Mrs. Oakley

Mr. Baldwin introduced Ordinance 2006-19 which was read by title only;

**2006-19 AUTHORIZING THE PRIVATE SALE OF CERTAIN LAND
(BLOCK 2701, LOT 13.01)**

Mr. Baldwin made a motion to approve Ordinance 2006-19 for introduction and requested that public hearing be advertised for June 28, 2006, seconded by Mr. Appleby.

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

Nays: None

Absent: Mrs. Oakley

Mr. Baldwin introduced Ordinance 2006-19 which was read by title only;

**2006-20 AUTHORIZING THE PRIVATE SALE OF CERTAIN LAND
(BLOCK 2712, LOT 5 & 6)**

Mr. Baldwin made a motion to approve Ordinance 2006-20 for introduction and requested that public hearing be advertised for June 28, 2006, seconded by Mr. Appleby.

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

Nays: None

Absent: Mrs. Oakley

SECOND READING:

Mayor Watters opened the floor to the public for comment on Ordinance 2006-17, seeing there was no comment from the public, Mayor Watters closed the public portion.

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

Ms. Nerbak made a motion to approve the passage of Ordinance 2006-17 and requested the passage be advertised in the legal newspaper, seconded by Mr. Appleby.

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

Nays: None

Absent: Mrs. Oakley

ADMINISTRATOR REPORT:

Mr. Lee explained that Mansfield Township has turned a corner. In 2 ½ years the township has been turned around and is running much smoother. The township has grown by leaps and bounds. Mr. Lee express that there are some problems that are being encountered. We have positions filled by less people then in years prior. There have been issues with zoning that have people calling that are uncivil and I have advised the zoning officer if people are being uncivil hang the phone up. The zoning officer may only issue violations.

Mr. Lee stated that there are a number of residences and businesses that are not up to code with the township ordinances. There is a clean up scheduled for July and the public is being put on notice that as of August 1, 2006 for two weeks the zoning officer and a police officer will be going around the township and citing any violations that are existing at the time of inspections.

Mr. Lee stated that he had Mr. Appleby, Mr. Sliker, and Mr. Prisco come in for a meeting to discuss the Karrsville schoolhouse roof and the roof is being done in about 1 week and he wanted to find out what the intentions were for the schoolhouse and how much the Township Committee wants to put into the repairs of the building. All committee members present agreed that the roof should be completed as soon as possible.

Mr. Lee stated that a memo was distributed to all department heads and committee for NJ League of Municipalities in Atlantic City which people are required as the committee had stated that all request to attend must be submitted in writing and the committee will grant approval for attendance.

A quote was received for solar energy that the quote for the municipal building was ½ a million dollars after the state rebate is granted.

Mr. Baldwin stated that we were going to get quotes for the new DPW garage to be equipped with solar panels.

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that she attended a girl scout program about drinking that the girl scouts were doing to acquire their silver badge. She enjoyed the program that they had and was very proud of the girl scouts.

Mr. Baldwin stated that guide rail was installed on Rockport and Hazen Road and also on Cherry Tree Bend.

Mr. Baldwin also stated that the next Shared Services meeting is scheduled for the following Saturday.

Mr. Lee stated that the court is doing a great job and that for the Click or Ticket the police officers wrote 500 tickets for people that did not have their seatbelts on.

Ms. Nerbak stated that she had received a letter from Tracy Tobin a volunteer of the Economic and Industrial Development Advisory Council, that explained that due to other obligations he will no longer be able to be a member of the advisory council.

Mayor Watters appointed Jeremy Deluca to the Open Space Commission.

Mr. Baldwin made a motion to adjourn the meeting at 8:35pm which was carried by all.