

MANSFIELD TOWNSHIP COMMITTEE MEETING

September 13, 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.

APPROVAL OF MINUTES:

Mr. George Baldwin made a motion to approve the minutes of the regular meeting held on August 9, 2006, seconded by Mr. Dick Appleby.

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

Mrs. Cate Oakley made a motion to approve the minutes of the regular meeting held on August 23, 2006, seconded by Mr. George Baldwin.

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

PAYMENT OF BILLS:

Ms. Ellen Nerbak made a motion to approve the bill list as presented, seconded by Mr. George Baldwin.

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

ENGINEER'S REPORT:

Mr. Mace explained that the letter that he had received from Mr. Lee from the NJDOT that explained that the State would be doing a milling and overlaying project from mile post 18.5 and 19.4, this will encompass just west of Hazen Road and just east of airport Road through Beattystown.

Mr. Mace would like to write a letter to the State about the crosswalks on Route 57, and would also like to question why after all of the work that was done through Beattystown for the calming affect that will now have to be removed for the milling and overlaying.

Mr. Mace also received correspondence from the NJDEP of changes that they feel we will need to make to the Ordinance for Riparian Buffers.

Mr. Mace also stated that bids have been sent out and that the bids would be presented for the next Township Committee meeting.

CONSENT AGENDA:

2006-101

RESOLUTION

OVERPAYMENT OF TAXES

Block 1703, Lot8

WHEREAS, the following property has an overpayment for 2005 property taxes;

WHEREAS, this overpayment occurred due to the State of New Jersey refunding the homeowner's 2005 tax rebate to be applied to delinquent taxes;

WHEREAS, the homeowner has paid her taxes current and sold the property;

THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 13th day of September that the Tax Collector and Finance Officer may refund the following tax amount:

*Block 1703, Lot 8
Dianne Johansson
Property location: 1878 Route 57
55 Hester Road
Bangor, PA 18013
\$806.23*

2006-102

**RESOLUTION
OVERPAYMENT OF TAXES
Block 804.01, Lot7**

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

WHEREAS, this overpayment occurred due to a refinance on the property and the new and old mortgage company paid the third quarter taxes;

THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 13th day of September that the Tax Collector and Finance Officer may refund the following tax amount:

Block 804.01, Lot 7

*O'Neil, John K & Matkowski, Corinne
3 Mount Bethel Road
Port Murray, NJ 07865
\$1,671.70*

2006-103

RESOLUTION
OVERPAYMENT OF TAXES
Block 1102.22, Lot4 C029D

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

WHEREAS, this overpayment occurred due to the property being sold and the mortgage company and attorney paid the third quarter taxes;

THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield this 13th day of September that the Tax Collector and Finance Officer may refund the following tax amount:

*Block 1102.22, Lot 4 C029D
Darryl E. and Tanya S. Muraski-new owners
C/O Donald J. Farino
103 Pleasant View Road
Hackettstown, NJ 07840
\$958.82*

Blue Light Permits
Rescue Squad Kim Bennett
Butler Park Fire Michael Barger, Dale Bickel, Danny Cals
RA2006-7 Mansfield PTA

Mrs. Cate Oakley made a motion to approve the Consent Agenda as presented, seconded by Ms. Ellen Nerbak.

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

Nays: None

PUBLIC PORTION:

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

ORDINANCES:

FIRST READING

Mayor Watters introduced Ordinance 2006-29, which was read by title only;

ORDINANCE NO. 2006-29

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

Ms. Ellen Nerbak made a motion to approve the introduction of Ordinance 2006-29 and requested that the Public hearing be advertised for the September 27, 2006 meeting, seconded by Mr. George Baldwin.

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

PUBLIC HEARING & SECOND READING

Mayor Watters opened the floor for public comment on Ordinance 06-26, seeing that there were no comments from the public the public hearing was closed.

ORDINANCE NO. 06-26

AN ORDINANCE TO VACATE CERTAIN RIGHTS RESERVED TO THE TOWNSHIP OF MANSFIELD IN CERTAIN STREET VACATION ORDINANCES: NO. 3-81, INTRODUCED FEBRUARY 11, 1981, AND ADOPTED MARCH 11, 1981; ORDINANCE NO. 4-81, INTRODUCED FEBRUARY 11, 1981, AND ADOPTED MARCH 11, 1981; AND ORDINANCE NO. 02-85 INTRODUCED FEBRUARY 13, 1985, AND ADOPTED MARCH 13, 1985, ALL OF WHICH STREET VACATION ORDINANCES RELATE TO STREETS OR PORTIONS OF PAPER STREETS LOCATED WITHIN THE AREA KNOWN AS SILVER SPRING LAKE.

WHEREAS, the Township of Mansfield by Ordinance No. 3-81, adopted an Ordinance entitled, "An Ordinance to Vacate a Portion of Certain Streets Never Opened or Constructed and Deemed Paper Streets which are Designated on the Current Tax Map of the Township of Mansfield, Warren County, New Jersey, as Portions of Sederreck Drive, Howard Drive, Winston Drive and Park Place," which Ordinance was adopted on March 11, 1981, and recorded in the Office of the Clerk of Warren County, Belvidere, NJ; and

WHEREAS, the Township of Mansfield by Ordinance No. 4-81, adopted an Ordinance entitled, "An Ordinance to Vacate a Portion of Certain Streets Never Opened or Constructed and Deemed paper Streets Which are Designated on the Portions of Grant Drive, Harding Drive, Garfield Drive, Douglas Drive, Dunbar Drive, Booker Drive, Urban Drive, Roosevelt Drive and Harris Boulevard," which Ordinance was adopted on

March 11, 1981, and recorded in the Office of the Clerk of Warren County in Belvidere, NJ; and

WHEREAS, the Township of Mansfield by Ordinance No. 02-85, adopted an Ordinance entitled, "An Ordinance to Vacate a Portion of Certain Streets Never Opened or Constructed and Deemed Paper Streets which are Designated on the Current Tax Map of the Township of Mansfield, Warren County, New Jersey, as portions of Harding Drive, Garfield Drive, Desota Drive, Liberty Place, Robinson Boulevard, Hayes Drive, Elm Place, Booker Drive, Urban Drive, Stucker Drive, Roosevelt Drive, Grant Drive, Attuck Drive, Sederreck Drive, Howard Drive, and Winston Drive," which Ordinance was adopted on March 13, 1985, and recorded in the Office of the Clerk of Warren County in Belvidere, NJ; and

WHEREAS, each of the aforesaid three street vacation Ordinances reserved unto Mansfield Township in Section 1 of each Ordinance, "a full and complete easement and right-of-way to utilize the entire area vacated for the construction, occupancy, maintenance and use of any sewer, water, drainage pipes or any other utility or any other easement that may exist and are located therein"; and

WHEREAS, the Township Committee is of the opinion that the aforesaid reservation is not necessary for public use or for public purposes and the retention of such reservation unnecessarily interferes with the development of the area.

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

1. With respect to Ordinance No. 3-81 hereinabove identified, the reservation identified in Section 1 wherein it states "reserving unto the said Township of Mansfield a full and complete easement and right-of-way to utilize the entire area vacated for the construction, occupancy, maintenance and use of any sewer, water, drainage pipes, or any other utility or any other easement that may exist and are located therein" be and the same is hereby vacated in its entirety and the Township retains no rights and respect to said property whatsoever. The descriptions of those streets identified in the aforesaid Ordinance No. 3-81 is incorporated herein by reference to said Ordinance as recorded in the Office of the Clerk of Warren County.

2. With respect to Ordinance No. 4-81 hereinabove identified, the reservation identified in Section 1 wherein it states "reserving unto the said Township of Mansfield a full and complete easement and right-of-way to utilize the entire area vacated for the construction, occupancy, maintenance and use of any sewer, water, drainage pipes, or any other utility or any other easement that may exist and are located therein" be and the same is hereby vacated in its entirety and the Township retains no rights with respect to said property whatsoever. The descriptions of those streets identified in the aforesaid Ordinance No. 4-81 is incorporated herein by reference to said Ordinance as recorded in the Office of the Clerk of Warren County.

3. With respect to Ordinance No. 02-85 hereinabove identified, the reservation identified in Section 1 wherein it states "reserving unto the said Township of Mansfield a full and complete easement and right-of-way to utilize the entire area vacated for the construction, occupancy, maintenance and use of any sewer, water, drainage pipes, or any other utility or any other easement that

may exist and are located therein” be and the same is hereby vacated in its entirety and the Township retains no rights with respect to said property whatsoever. The descriptions of those streets identified in the aforesaid Ordinance as recorded in the Office of the Clerk of Warren County.

4. All existing rights of public utilities and CATV companies, if any, are hereby expressly reserved and excepted from this vacation.

5. All Ordinances of the Township of Mansfield which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

6. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

7. This Ordinance shall take effect upon final passage and publication according to law.

Ms. Ellen Nerbak made a motion to approve the passage of Ordinance 2006-26 and requested that the results be advertised, seconded by Mr. George Baldwin.

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

Mayor Watters opened the floor for public comment on Ordinance 06-27, seeing that there were no comments from the public the public hearing was closed.

ORDINANCE 2006-27

AN ORDINANCE TO AMEND CHAPTER 10 “BUILDING AND HOUSING” 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 amended to read as follows:

10-1.6(c) (d) (2) Building Subcode Fees

Building Permits

Fee Description	\$ Range	Amount
Premanufactured Construction		
Estimated Cost	\$1-\$50,000	\$24.00 per thousand
Estimated Cost	\$50.001-\$100,000	\$18.00 per thousand
Estimated Cost	Over \$100,000	\$10.00 per thousand

Rehabilitation

Estimated Cost \$50,001-100,000 \$18.00 per thousand

Minor Work

Estimated Cost 50,001-100,000 \$18.00 per thousand

Minimum Fee \$46.00

Roofing

Estimated Cost 50,001-100,000 \$18.00 per thousand

Minimum Fee \$46.00

Siding

Estimated Cost 50,001-100,000 \$18.00 per thousand

Minimum Fee \$46.00

Sign

\$1.25 per square foot

Minimum Fee \$46.00

Asbestos Abatement: Flat Fee \$65.00

Lead Hazard Abatement: Flat Fee \$140.00

Clearance Certificate: \$25.00

Demolition

Under 5,000 sq ft in area and under 30 ft \$65.00

Over 5,000 sq ft in area and over 30 ft \$95.00

Temporary Structures

\$125.00

Open Structural Towers

\$50,001-100,000

18.00 per thousand

Underground Storage Tanks

550 gal \$65.00

1000 gal \$95.00

2000 gal \$125.00

Structures for working farms receiving 20% of income from farm \$10.00 per 1,000

Maximum fee \$1,200.

Fee for tents over 900 square feet or more than 30 feet in any direction shall be \$150.00

Plan Review

Based on 20% of cost

\$250.00 for 1 & 2 family dwellings group R3 or R5 and for light commercial structures having temperatures controlled from single point. All others \$1225.00

There shall be an additional fee of \$45.00 per hour of review of any amendment or change to a plan that has been already released.

Certificate of Occupancy 10% of cost

Continuing Certificate of Occupancy \$125.00

Fee for Variation

Class I Structure	\$550.00
Class II Structure	\$120.00
Class III Structure	\$120.00

Fee for Resubmission

Class I Structure	\$225.00
Class I & III Structure	\$65.00

Plumbing Fee

Minimum Fee \$50.00 for the first four (4) fixtures or gas appliances, every fixture thereafter shall be \$10.00

Special Devices shall be \$65.00

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

Ms. Ellen Nerbak made a motion to approve the passage of Ordinance 2006-27 and requested that the results be advertised, seconded by Mr. George Baldwin.

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

Mayor Watters opened the floor for public comment on Ordinance 06-28, seeing that there were no comments from the public the public hearing was closed.

ORDINANCE NO. 2006-28

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:

Registrar \$10,000 from Aug. 23 to Dec. 31

This Ordinance shall take effect immediately upon publication as provided by Law.

Ms. Ellen Nerbak made a motion to approve the passage of Ordinance 2006-28 and requested that the results be advertised, seconded by Mr. George Baldwin.

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

ADMINISTRATOR REPORT:

Mr. Lee stated that Mr. Mannon, Planning Board Chairman, was brought to Ohio for Triple Bypass Surgery, and that at present he is home.

Mr. Lee stated that notification has been received from the State about the intended State Health Benefits changes for the next year, co pays will be increased.

Mr. Lee stated that Wal Mart has advised that they will be remodeling their store and that he has granted them permission to park 25 temporary trailers for storage in parking lot.

Mr. Lee stated that we are receiving bill from all of the professionals for plan review for the county and that an escrow is not set up and through correspondence with David Hicks, he is under the impression that the county should not be required to pay an escrow fee for plan review.

Mr. Lee stated that the Grandview development homeowner's are upset that the trees are being trimmed along the road, the trees are in the Township right of way and the trees are hitting the trucks and buses.

Ms. Ellen Nerbak made a motion to go into Executive Session for the purpose of discussing personnel matters at 7:53, seconded by Mr. George Baldwin.

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

Mr. George Baldwin made a motion to return to the regular meeting at 7:58pm, seconded by Mr. Dick Appleby.

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

COMMITTEE PERSON COMMENTS:

Mrs. Oakley questioned whether the Township could purchase the flags that go on the poles welcoming people to Mansfield Township.

Mr. Baldwin stated that all paving is completed for the year and over the course of the year we have repaved 3 ½ miles of road, and the recreation people are keeping things up with all of the fields. Also that the shared services meeting is scheduled for next Tuesday at the Washington Township Municipal Building, Morris County.

Ms. Nerbak stated that SWAC has approved the Warren County Freeholders resolution to keep the landfill open until 2008, with recommendations to keep the landfill open until 2010. Pollution Control numbers show that the landfill can be kept open until 2010. There will be an ordinance that will be recommended to the towns to pass having to do with recycling for the solid waste plans.

Ms. Nerbak stated that the joint meeting for Warren and Sussex Counties for Warren County League of Municipalities will be taking place on October 19, 2006 at the Adam Todd. The speakers will be from the State of New Jersey COAH division.

Mr. Baldwin stated that they will be drilling test holes on the recreation property.

Mayor Watters stated that September 26, 2006 there will be a meeting about the Highlands Act in Hunterdon County.

Mr. George Baldwin made a motion to adjourn at 8:15pm, which was carried by all.