

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**April 25, 2007**

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. Watters, Ms. Nerbak, Mr. Appleby, Mayor Baldwin all present.

Salute to the flag was done by all.

### **PAYMENT OF BILLS:**

Mr. Watters made a motion to approve the bill list with addendum, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

### **CONSENT AGENDA:**

**RA2007-04    Mansfield Twp Fire Company #1  
Peddler's Permit- Tap Enterprises (2)**

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

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

Nays: None

Abstain: Mr. Appleby

### **ENGINEERS REPORT:**

Mr. Mace stated that a letter was received from NJDOT to submit applications for grants and he would like to resubmit the applications that we submitted last year. The Township Committee agreed to resubmit the applications.

Mr. Watters asked if we could apply for the bikeways grant for the recreation park.

Mr. Mace stated that he would submit for that grant.

Mr. Mace stated that the Musconetcong and its tributaries have been named a Category 1 stream in proposed regulations of the NJDEP and there is an Executive Order that was issued by the NJDEP Director that there can not be any waivers for the outer 150 feet.

**Mayor Baldwin stated that he would like to see us send a letter of objection to that proposed rule.**

**Mayor Baldwin explained to the Township Committee that the NJDOT is planning on paving Route 57 in Beattystown and was asking for the Township Committee's opinion whether to pave in the evening or during the day.**

**Mrs. Oakley asked that the paving be done during the day stating that the trucks and lights are difficult to deal with while trying to sleep.**

**Mr. Watters made a motion to approve the paving for the evening since the daytime paving would cause a lot of traffic to back up, but would like to request that a notice be sent out to all effected residents that the paving would be happening in the evening, which was seconded by Ms. Nerbak.**

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

**Nays: None**

**Abstain: None**

**EXECUTIVE SESSION:                      Litigation/ Contract Negotiations**

**Resolution read by Mr. Cohen:**

**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:

- (1) Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances and

any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

- (4) Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) Matters Relating to Public Safety and Property: any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations or possible violations of the law.
- (7) **Matters Relating to Litigation, Negotiations, and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.**
- (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.
- (9) Matters relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on April 25, 2007, that an Executive Session closed to the public shall be held on April 25, 2007 at 7:53 PM 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 the 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.

**Mrs. Oakley made a motion to approve the Executive Session Resolution, which was seconded by Ms. Nerbak.**

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

**Nays: None**

**Abstain: None**

**Return to Regular Session at 8:40.**

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

Mr. Coppola explained to the Township Committee that there is a bill that is still not paid for Mr. Edelston's service as attorney for the Planning Board on the HMUA project. The escrow for the HMUA project has been depleted and there has never been any more money added. Mr. Edelston is asking that the Township pay for the services that were rendered. Mr. Coppola stated that an appropriation could be made in next year's budget that would say prior year's bill to pay this bill for \$540.

Mr. Cohen stated that the Township Committee should not make a decision tonight, because he thinks that there is a way that this can be paid.

**RESOLUTION:**

RESOLUTION 2007-60

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, NEW JERSEY, AUTHORIZING AN AMENDMENT TO AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND THE TOWNSHIP OF WASHINGTON, COUNTY OF WARREN, NEW JERSEY

**WHEREAS, the Township of Mansfield and Township of Washington, County of Warren have entered into an Interlocal Services Agreement with respect to setting forth the terms and conditions of the sharing of Construction Code Enforcement; and**

**WHEREAS, there is a need to amend the start date and end date of the agreement; and**

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

**NOW, THEREFORE, 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 amendment to an Interlocal Services Agreement between the Township of Mansfield and the Township of Washington, County of Warren setting forth the terms and conditions regarding the sharing of Construction Code Enforcement services.**
- 2. A copy of the Amendment is on file in the office of the Township Clerk for inspection by the public.**
- 3. A copy of the Amendment is to be sent to the DCA for approval.**

**Ms. Nerbak made a motion to approve Resolution 2007-60 as presented, which was seconded by Mrs. Oakley.**

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

**RESOLUTION NO. 2007-61**

**AN RESOLUTION TO PROVIDE FOR A FINACIAL INCENTIVE FOR EMPLOYEES OF THE TOWNSHIP OF MANSFIELD TO WAIVE HEALTH INSURANCE BENEFITS OR SELECT A LOWER LEVEL OF COVERAGE.**

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

1. The Township of Mansfield will begin offering its active employees group health benefits under Horizon Blue Cross Direct access on June 1.
2. The state allows municipalities to offer incentive up to half the savings for employee who waive health benefits under N.J.S.A. 40A:10-17.1 and select coverage through a spouse.
3. Beginning June 1 any employee who is eligible for other health care coverage may waive coverage in consideration of the cash incentives below.
4. Beginning June 1 any employee who is eligible for health coverage may select a lower level of coverage in consideration of the cash incentives below.
5. Those employees who are eligible for family coverage are eligible to select the following levels of coverage in consideration of the associated cash incentive:

No Coverage:	\$369.18 per pay period.
Single Coverage:	\$178.36 per pay period
Parent/Child Coverage:	\$103.53 per pay period
Employee/Spouse Coverage:	\$ 63.87 per pay period
6. Those employees who are eligible for employee/spouse coverage are eligible to select the following levels of coverage in consideration of the associated cash incentive:

No Coverage:	\$273.19 per pay period.
Single Coverage:	\$140.93 per pay period
Parent/Child Coverage:	\$ 66.09 per pay period

**Mr. Watters made a motion to approve Resolution 2007-61 with changes, which was seconded by Mrs. Oakley.**

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

## PROCLAMATION

**WHEREAS, unintentional injury is the number one killer of children 14 and under; and**

**WHEREAS, each year, more than 5,000 children 14 and under die from unintentional injuries; and**

**WHEREAS, emergency rooms experience nearly 2.4 million visits from children 14 and under each summer; and**

**WHEREAS, 90 percent of these injuries and deaths are preventable; and**

**WHEREAS, 41 percent of these deaths occur during "trauma season," the months of May, June, July and August; and**

**WHEREAS, the risk areas that show the greatest seasonal surge in deaths and injuries between May and August compared to the rest of the year are biking, drowning, pedestrian, motor vehicle occupants, and falls; and**

**WHEREAS, Safe Kids Worldwide and Safe Kids New Jersey, led by the New Jersey State Safety Council promote childhood injury prevention by uniting diverse groups into local and state coalitions, developing innovative educational tools and strategies, initiating public policy changes, promoting new technology and raising awareness through the media; and**

**WHEREAS, Safe Kids Worldwide, with the support of founding sponsor Johnson & Johnson, launches Safe Kids Week 2007, "Make it a Safe Kids Summer," which focuses on five of the deadliest warm-weather risk areas of motor vehicles, drownings, pedestrian, biking and falls, and;**

**WHEREAS, Safe Kids New Jersey has planned special childhood injury prevention activities and community-based events for Safe Kids Week 2007 in an effort to educate families about summer safety.**

**NOW, THEREFORE, I, George Baldwin, Mayor of the Township of Mansfield, do hereby proclaim April 28-May 6, 2007,**

### **NATIONAL SAFE KIDS WEEK**

**In Mansfield Township, New Jersey and call upon all the residents of this township to join with me in supporting the efforts and activities of Safe Kids New Jersey to prevent childhood injury.**

**Mr. Appleby made a motion to approve Resolution 2007-62 as presented, which was seconded by Mr. Watters.**

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

**Nays: None**

**Abstain: None**

## PROCLAMATION

WHEREAS, all children deserve to be nurtured, protected, and free of physical or emotional harm; and

WHEREAS, child abuse and neglect is a significant social problem that damages the lives of children physically, mentally and emotionally and inflicts immeasurable harm to our society as a whole; and

WHEREAS, the Township of Mansfield is committed to building a continuum of child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered, with a strong emphasis on primary child abuse prevention; and

WHEREAS, the Township of Mansfield promotes and supports community-based programs designed to prevent injury, abuse or neglect of children, achieve positive outcomes for parenting behavior and family functioning and relationships, and empower and increase safety for domestic violence victims and their children; and

WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts, the media and private and public agencies have joined forces to promote public awareness and community involvement in prevention during the month of April and throughout the year;

NOW THEREFORE, I, George Baldwin, Mayor, of the Township of Mansfield, do hereby proclaim

APRIL 2007

AS

CHILD ABUSE PREVENTION MONTH

in the Township of Mansfield, and urge all my fellow residents to become involved in efforts aimed at preventing our children from being abused and neglected.

**Ms. Nerbak made a motion to approve Resolution 2007-63 as presented, which was seconded by Mr. Appleby.**

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

**Nays: None**

**Abstain: None**

### **ORDINANCE:**

#### **First Reading**

**Mayor Baldwin introduced Ordinance 2007-03;**

**2007-03**

**Ordinance Amending Recreation Fees**

Ms. Nerbak made a motion to approve the introduction of Ordinance 2007-03 and requested that a public hearing be set for May 9, 2007 at 8:00pm and that the public hearing be advertised, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: None

**2007-04          An Ordinance to amend Section 2-10 "Schedule of Fees"**

Ms. Nerbak made a motion to approve the introduction of Ordinance 2007-04 and requested that a public hearing be set for May 9, 2007 at 8:00pm and that the public hearing be advertised, which was seconded by Mr. Appleby.

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

Nays: None

Abstain: None

**2007-05          Well Testing Ordinance**

Ms. Nerbak made a motion to approve the introduction of Ordinance 2007-05 and requested that a public hearing be set for May 9, 2007 at 8:00pm and that the public hearing be advertised, which was seconded by Mr. Appleby.

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

Nays: None

Abstain: None

**PUBLIC PORTION:**

Mayor Baldwin opened the floor to the public, seeing that there were no comments from the public the public portion was closed.

**COMMITTEE PERSON COMMENTS:**

Mayor Baldwin stated that he, Mr. Sliker, and Chief Ort have been looking at getting a trailer for a police building down by the new DPW building, because the repairs that need to be done to the existing trailer will be more costly than a newer trailer.

Mayor Baldwin stated that Chief Ort asked for the Township Committee to send a letter of support to the Warren County Freeholders for the shooting range that they are purposing to put in Lopatcong Township.

Mayor Baldwin stated that the condenser unit for the Municipal Building has a leak in it and the repairs will cost \$1600.

**Mayor Baldwin also let the Township Committee know that the drainage on Beatty Road is being worked on now.**

**Ms. Nerbak made a motion to have a letter sent to the Warren County Freeholders in regards to the proposed shooting range in Lopatcong, which was seconded by Mrs. Oakley.**

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

**Nays: None**

**Abstain: None**

**Mrs. Oakley stated that the Yard Sale will be set for the second weekend in July on Saturday and Sunday from 8am to 3pm, if anyone is wishing to participate should tie balloons on their mailbox.**

**Ms. Nerbak stated that now that the Construction Office is going to Washington Twp. Michelle will be moving upstairs after the office is cleaned up downstairs and will be handing out permits and also assisting in the Clerk's Office. Aaron will be staying on through August in hopes of getting the records room downstairs straightened out and in order.**

**Mrs. Oakley made a motion to adjourn at 9:15pm which was seconded by Mr. Appleby and carried by all.**

**Respectfully Submitted,**

**Dena Hrebenak  
Acting Township Clerk**