

MANSFIELD TOWNSHIP COMMITTEE MEETING

March 14, 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

Salute to flag was done by all.

Mayor Baldwin stated that Mr. Watters had requested that Glen Todd be appointed to the Environmental Commission for a three year term to expire on 12/31/2010.

Mrs. Oakley made a motion to approve the appointment of Glen Todd to the Environmental Commission, which was seconded by Mr. Appleby.

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

Nays: None

Mayor Baldwin stated that Mr. Alpaugh, the townships ex tax assessor, passed away and that he would like for the township to send flowers for all of the years of service that he had provided to the township.

MANSFIELD TOWNSHIP EMERGENCY SERVICES:

Terry Clancy, President of the Mansfield Emergency Medical Services, Michelle Gardner, Chief of the Mansfield Emergency Services, Bill Fous, the Treasurer of the Mansfield Emergency Medical Services, members of the Emergency Services and some of the consultants assisting the Emergency Services Department with the procedures of going to a partially paid department were present.

Mrs. Clancy stated that they were present as promised to discuss the Mansfield Emergency Services going to a paid department. The Emergency Services has been working over the past 14 months to achieve that goal and Mrs. Clancy stated that the process is almost completed. The State Department of Health will be inspecting on March 26. It is the intent of the Mansfield Emergency Services to go to a paid service by April 2, 2007. Over the past 14 months there have been dealings with consultants, legal council, labor attorneys, payroll accountants, the hardest part of this process has been the business end of it, as far as all of the inspections Mansfield Emergency Services met those standards long before they even entered into this process. Mrs. Clancy stated that without the Township's support Mansfield Emergency Services could not continue to do what they have been doing.

Mrs. Clancy explained Mansfield Emergency Services has hired 11 employees total that will be covering a shift from 6 am to 6 pm which is about 35% of the time and about 65% of the time will still be covered by the volunteers of the department which will consist of 6pm to 6am and weekends. Mansfield Emergency Services will continue to maintain the not for profit status and there will be continued 24 hours a day coverage, so the residents will still be provided with emergency care without any delay.

Mrs. Oakley asked Mrs. Clancy if all of the major insurance companies are part of this billing and whether there are contracts involved or how this works.

Mrs. Clancy explained that part of this process is to be approved by the state and federal governments to be able to bill the insurance companies and that there are inspections and compliance that the Emergency Services will have to complete during this process.

Ms. Nerbak asked for Mrs. Clancy to explain to the Township Committee and the public the process for the billing.

Mrs. Clancy explained that when advanced life support comes to the scene of an accident the patient is receiving a bill of in the near future \$700 for an assessment and anywhere up to \$1900 to be treated if they transport and the advanced life support is also billing on behalf of the volunteer rescue squad for transport and for mileage and that is a piece that basic life support could actually recoup through billing because the money that is billed from advanced life support is never received by the volunteer rescue squad.

Mr. Appleby questioned when it is that the advanced life support would be called to the scene?

Mrs. Clancy explained that there are many different protocols for which the advanced life support would be called to the scene for example difficulty breathing, chest pain, anaphylactic shock, bee sting, motor vehicle accident with entrapment, etc. One of the things that Mansfield Emergency is hoping to do being that there will be 2 EMTs present around the clock they will get on scene and they will try to assess the situation prior to advanced life support getting to the scene.

Ms. Nerbak asked what the maximum charge would be for this service?

Mrs. Clancy stated that at the time that they first started discussing this the maximum charge would be about \$450, which may change a little because that was discussed about a year ago.

Ms. Nerbak questioned what was the intent of Mansfield Emergency for the portion of the bill that is not covered by insurance or if a person does not have insurance.

Mrs. Clancy explained that Mansfield Emergency would have to make an effort to bill the patient and collect the money that is due to them, but that Mansfield Emergency would work with the people on a case by case basis.

Mayor Baldwin asked if the Township Committee had any other questions, and stated that all of his questions had been answered.

Mrs. Clancy stated that if there are any questions that the Township Committee had in regard to this that they may feel free to contact Michelle or herself.

Mayor Baldwin asked if there was anyone from the public that had any questions for Mansfield Emergency Services.

Dave McDonald, 143 Cynthia Drive, questioned what the need was for Mansfield Emergency to go to this paid service?

Mrs. Clancy explained that there were not enough volunteers available during the day to answer the calls that came in and as per current contract Mansfield Emergency is required to answer all calls in a timely fashion and that was not possible due to not enough available volunteers.

Mr. McDonald also asked what it is that changed this year that has caused the squads need to go to a paid service.

Mrs. Clancy explained that there are no longer a lot of volunteers that are working in the area or are allowed to leave their jobs to go to squad calls during the day which there were a lot of individuals in past years that either worked part time or where college students that were able to go to the daytime calls at this point about 95% of the members work full time and a number of them are out of town.

Merle Morse, Brantwood, questioned if there were any figures through taxes that go directly to fire and rescue services.

Mayor Baldwin stated that there are contracts that we have with all of the emergency services and that these contracts are fulfilled through line items within our budget, which is a fixed figure.

Merle Morris asked if there was a way that each home be taxed a certain percentage to cover the emergency services provided within the town.

Mayor Baldwin explained that the only something like that could be done is to have a fire district which would be a separate tax.

Alice Mayberry, Main Street, stated that speaking as a resident that has a scanner within her office at work that as calls are going out know for the squad they are going out over and over again with a slow response, so it will be a benefit to the residence for there to be a paid department with two EMTs constantly able to be dispatched.

Fred Goerlitz, Diamond Hill, asked what is the estimated projected outcome of the billing for this year.

Mrs. Clancy stated that the projection is about \$106,000 for the year.

Mr. Goerlitz also inquired if the squad has enough to cover if the calls do not meet the projection for the year.

Mrs. Clancy stated that they have spoken with their bank and there is money available if need be to cover to salaries if the projection is not reached.

Mr. Goerlitz question if the paid EMTs are considered members of the squad with voting rights.

Mrs. Clancy replied that as per the labor council they are paid employees and will not have voting rights.

Mr. Goerlitz questioned if the Township owned vehicles are going to be used by the paid EMTs and whether the township would be covering any injuries that may occur while the paid employees are in the municipal vehicles.

Mrs. Clancy stated that the squad would be covering the paid employees by their own worker's compensation policy.

Mrs. Clancy thanked everyone for all of their support and also said that if anyone had any questions that they could call her.

Mr. Appleby asked if there was a reasonable amount of time that they could come back and give a little progress report of how this is working out.

Mrs. Clancy stated that they would come back before the Township Committee in about 6 months and let them know how this is working out.

Mrs. Clancy also stated that if there are any problems before the end of 6 months that she would let the Township Committee know.

APPROVAL OF MINUTES:

Mr. Watters made a motion to approve the minutes from the regular meeting of 2/28/2007, Mr. Appleby seconded the motion.

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

Nays: None

CONSENT AGENDA:

RA2007-03 WOMEN'S CLUB OF HACKETTSTOWN

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

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

RESOLUTIONS:

RESOLUTION 2007 – 43

A RESOLUTION AUTHORIZING THE TERMINATION OF AN INTERLOCAL AGREEMENT WITH
THE COUNTY OF WARREN – PLUMBING SUBCODE ENFORCEMENT PROGRAM LAST
RENEWED MAY 26, 2004
EFFECTIVE APRIL 26, 2007

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mansfield that the Acting Clerk of the Township of Mansfield is hereby authorized and directed to advise the County of Warren of the Township of Mansfield's intent to terminate that certain Interlocal Agreement for Plumbing Subcode Enforcement last renewed May 26, 2004 as of April 26, 2007.

BE IT FURTHER RESOLVED, the Township of Mansfield expresses its sincere thank you to the officials of the County of Warren supplying said services to the Township since 1986 and their efficient and professional manner.

BE IT FURTHER RESOLVED, that the following individual shall be appointed Acting Plumbing Subcode Official as of April 26, 2007 for a period not exceeding 60 days thereafter:

CHRIS ROSE
License # 004819

BE IT FURTHER RESOLVED, a copy of this Resolution shall be forwarded by the Acting Clerk to the Department of Community Affairs, Division of Code Enforcement, State of New Jersey.

Ms. Nerbak made a motion to approve Resolution 2007-43, seconded by Mrs. Oakley.

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

RESOLUTION 2007-44

WHEREAS, the Governing Body of the Township of Mansfield received notice from the SHARE Program of its eligibility to receive a SHARE Grant in the amount of \$11,200.00; and,

WHEREAS, the purpose of the award is to create the Warren-Morris Council of Governments Shared Services Task Force and provide consultant services to research the shared services potential of the participating communities;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Governing Body of the Township of Mansfield, that the Governing Body does hereby accept the award of \$11,200, to create the Warren-Morris Council of Governments Shared Services Task Force and provide consultant services to research the shared services potential of the participating communities,

BE IT FURTHER RESOLVED, that the Chief Executive Officer of the Township of Mansfield be and hereby is authorized to execute a Grant Agreement with the New Jersey Department of Community Affairs on behalf of the Township of Mansfield and all other local units that are party to the SHARE Grant Agreement, and upon execution of said Agreement, the Township of Mansfield does accept the Terms and Conditions specified in the Agreement in connection to this grant award.

Ms. Nerbak made a motion to approve Resolution 2007-44, seconded by Mrs. Oakley.

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

RESOLUTION 2007-45
TOWNSHIP OF MANSFIELD
WARREN COUNTY, NEW JERSEY

WHEREAS, there exists a need for the service of a Labor Attorney in the Township of Mansfield for specialized legal services and advice to the Mayor and Township Committee; 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 **Michael A. Shadiack, Esquire** of the firm of Connell Foley 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.

Ms. Nerbak made a motion to approve Resolution 2007-45, seconded by Mrs. Oakley.

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

RESOLUTION 2007-46

WHEREAS, The Township of Mansfield Committee of the Township of Mansfield, County of Warren, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and,

WHEREAS, the Township of Mansfield Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township of Mansfield Committee has applied for funding to the Governor's Council on alcoholism and Drug Abuse through the County of Warren;

NOW, THEREFORE, BE IT RESOLVED by the Township of Mansfield, County of Warren, State of New Jersey hereby recognizes the following:

1. The Township of Mansfield Committee does hereby authorize submission of an application for the Mansfield Township Municipal alliance grant for calendar year 2007 in the amount of \$ 7,194.00.
2. The Township of Mansfield Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Ms. Nerbak made a motion to approve Resolution 2007-46, seconded by Mrs. Oakley.

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

Nays: None

RESOLUTION 2007-47

RESOLUTION OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, DESIGNATING THE MONTH OF MARCH AS "WOMEN'S HISTORY MONTH"

WHEREAS, New Jersey women of every race, class and ethnic background have made historic contributions to the growth and strength of our State in countless recorded and unrecorded ways; and

WHEREAS, New Jersey women have played, and continue to play, a critical economic, cultural and social role in every sphere of the life of the State by constituting a significant portion of the labor force working inside and outside of the home; and

WHEREAS, New Jersey women have played a unique role throughout the history of the State by providing the majority of the volunteer labor force of the State; and

WHEREAS, New Jersey women were particularly important in the establishment of early charitable, philanthropic and cultural institutions in our State; and

WHEREAS, New Jersey women of every race, class and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS, New Jersey women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement and other movements, especially the peace movement, which create a more fair and just society for all; and

WHEREAS, despite these contributions, the role of women in history has been consistently overlooked and undervalued in the literature, teaching and study of American history; and

WHEREAS, the Department of Community Affairs', specifically the Division of Women's, goals are to remember and celebrate New Jersey women and to:

- Ensure that NJ women are offered equal opportunities in education, the workforce, and healthcare regardless of age, sexual orientation, income, ethnicity, race or religion.
- Identify, implement, measure and coordinate programs that address the needs of NJ women.

- Engage in continuous study and research on issues affecting NJ women and their families, develop policy papers and legislative recommendations.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Mansfield, State of New Jersey, that March 2007 is designated as “Women’s History Month – Generation of Women Moving History Forward.”

Ms. Nerbak made a motion to approve Resolution 2007-47, seconded by Mrs. Oakley.

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

RESOLUTION – 2007-48

A RESOLUTION TO REPEAL RESOLUTION 2007-40 “A RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE PERTICARI, BLOCK 801 LOT 11.01”

WHEREAS, the County of Warren did not purchase the development easement on this property;

NOW THEREFORE BE IT RESOLVED, that Resolution 2007-40 be repealed by the Township Committee of the Township of Mansfield.

Ms. Nerbak made a motion to approve Resolution 2007-48, seconded by Mrs. Oakley.

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

RESOLUTION- No. 2007-49

FOR TRANSFER OF FUNDS

WHEREAS, there are insufficient funds in some of the 2006 budget line items; and

WHEREAS, it is permissible to transfer appropriation reserve funds before April 1, 2007.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following transfers be made:

FROM		TO	
Streets & Roads OE	\$1278.40	Fuel Diesel OE	\$1278.40

Ms. Nerbak made a motion to approve Resolution 2007-49, seconded by Mrs. Oakley.

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

PAYMENT OF BILLS WITH ADDENDUM:

Mrs. Nerbak made a motion to approve the bill list as presented with the addendum, Mr. Appleby seconded the motion.

Ayes: Ms. Nerbak, Mr. Appleby

Mrs. Oakley approved the bill list with the exception of check #4300 which she requested to table until a discussion was had in an executive session about the payment of this check.

Mayor Baldwin asked if there was a second to table the bill list.

Mr. Appleby seconded the motion to table the bill list.

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

Nays: None

RECIPE OF BIDS (8:00pm) RECREATION DRIVEWAY AND PARKING LOT

Mr. Mace asked if there was anyone in the meeting room that had a bid packet to deliver. Seeing there were no more bids, Mr. Mace asked for a motion to closed the receipt of bids.

Mr. Watters made a motion to close the receipt of bids, seconded by Mrs.Oakley.

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

Nays: None

Mr. Mace stated that once all of the bids are opened he will check all bids for the correct paperwork and then will notify all contractors the amount of all bids and will also be letting the bidders know if there were items missing from the bid documents.

Mr. Mace began to open the bids and the bids where as follows:

**BID PROPOSALS
PORT MURRAY RECREATION SITE PARKING LOT
BIDS RECEIVED - MARCH 14, 2007**

Bidder's Name & Address	Bid Amount for Walkway	Bid Amount for Parking Lot	Total Bid Amount
Pave-King, Inc., P.O. Box 87, Kenvil, NJ 07847	\$41,325.25	\$133,110.95	\$174,436.20
Jerry Conover Excavating, Inc., 210 Main Street, Gladstone, NJ 07934	\$17,395.40	\$90,309.90	\$107,705.30
Tilcon New York, Inc., 625 Mt. Hope Road, Wharton, NJ 07885			
Tomaro Contracting Co., Inc., 195 Green Pond Road, Rockaway, NJ 07866	\$55,000.00	\$170,000.00	\$225,000.00
Renda Roads, P. O. Box 39, Whitehouse, NJ 08888	\$61,268.00	\$180,872.50	\$242,140.50
Cross Road Construction Corp., 312 Emmet Street, Newark, NJ 07114	\$44,486.30	\$119,879.80	\$164,366.10
Intercounty Paving Associates, LLC, 859 Willow Grove Street, Hackettstown, NJ 07840	\$46,965.89	\$189,373.90	\$236,339.79
Hoer Excavating & Construction, T/A Lakeside Construction, P.O., Box 806, Hopatcong, NJ 07843	\$55,328.00	\$217,086.55	\$272,414.55
Brian Plushanski Construction, 78 Route 173W, Suite 1, Hampton, NJ 08827	\$49,596.00	\$124,611.50	\$174,207.50
Drill Construction, 80 Main Street, West Orange, NJ 07052	\$36,572.10	\$135,856.98	\$172,429.08
U-Con Contracting Corporation, P.O. Box 848, Sparta, NJ 07871	\$31,145.85	\$115,437.71	\$146,583.56
Salmon Bros., Inc., P.O. Box 67, Netcong, NJ 07857	\$40,492.25	\$140,978.89	\$181,471.14
Hale Built, 3511 Glover Road, Easton, PA 18040	\$35,907.62	\$118,234.61	\$154,142.23
Owl Contracting, 21 Gill Avenue, Rockaway, NJ 07866			
Bob Viersma & Sons, Inc., P.O. Box 224, Allamuchy, NJ 07820	\$39,124.00	\$132,127.00	\$171,251.00

Mr. Mace stated that he would like for the Township Committee to refer these bids to him for review, and that he would come bring his recommendation to the next meeting to award the contract.

Mrs. Oakley made a motion to approve the bids being referred to Mr. Mace to review for compliance, seconded by Mr. Watters.

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

ORDINANCE:

SECOND READING (after 8:00)

Mr. Appleby introduced Ordinance 2007-01;

Mayor Baldwin opened the floor for public comment, seeing that there was no comment the public portion was closed.

ORDINANCE NO. 2007-01

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:

SECTION 1. The salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined to be as follows:

Committee Members	\$4500 each
Mayor (additional)	\$600
Municipal Clerk	\$40,000
Acting Clerk	\$35,000
Elections Officer	\$250
Chief Financial Officer	\$50,000
Director of Finance	\$7,500
Deputy Treasurer	\$9,000
Tax Collector	\$21,650
Tax Search Officer	\$1,000
Alternate Deputy Tax Collector	\$2,500

Deputy Tax Collector		\$30,000
Assessment Search Officer		\$1,000
Tax Assessor		\$22,000
COAH Calculations		20 per calc.
Tax Assessor Secretary		\$5,000
Certified Lists (Tax Collector)		\$600
Economic Development Secretary		\$250
Environmental Secretary		\$900
Planning Board Clerk		\$8,500
Zoning Board Clerk		\$6,500
Zoning Officer		\$5,000
Court appearance by Zoning Officer		\$75 per appearance
Construction Code Official	Jan. 1 to Feb. 23 (per annum)	\$29,000
	after Feb. 23	\$40/hr.
Building Sub Code Official	after Feb. 23	\$30/hr.
Construction Code Secretary	Jan. 1 to Feb. 23 (per annum)	\$28,750
	Feb. 24 to Dec. 31	\$26,250
Fire Inspector	Jan. 1 to Feb. 23 (per annum)	\$2,080
	after Feb. 23	\$30/hr.
Electrical Inspector		\$21,750
Police Chief		\$74,961
Police Secretary		\$28,750
Court Security		\$100 per session
Director Emergency Management		\$2,500

OEM Certification Step	\$500
Assistant Emergency Management Director	\$500
Fire Department Liason	\$0
Prosecutor	\$18,630
DPW Superintendent	\$67,000
Recreation Supervisor	\$48,950
Machine Operator/Truck Driver	\$44,000-\$48,768
Machine Operator/Truck Driver (Appleby)	\$35,000
DPW Secretary	\$15.50/hr.
Part-Time Public Works Laborer	8 to 15 per hour
Director Recycling	\$1,300
Custodian	10 to 15 per hour
Department of Health Registrar	\$10,000
Department of Health Deputy Registrar	\$2,500
Animal Control Officers (2)	\$3575 each
Recreation Secretary	\$721
Clean Communities Coordinator	\$2,100
Judge	\$36,225
Court Administrator	\$46,575
Bonus	\$750-\$1500
Court Deputy Clerk	\$40,000
Violations Clerk- Rosemarie Hoover	\$13/hour
Violations Clerk - Andrea Marsallo	\$12/hour
Call-outs	\$50 per call-out
Public Defender	\$150 per case

Website Administrator	\$1,500
Detective Stipend	\$1,000
Corporal Stipend	\$1,000
EMT Stipend	\$750

Mr. Appleby made a motion to approve the passage of Ordinance 2007-01 and requested that the results be advertised, seconded by Mr. Watters.

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

Mayor Baldwin opened the floor to the public for comment on Ordinance 2007-02, seeing that there were no comments from the public, the public portion was closed.

2007-02
CALENDAR YEAR 2007 ORDINANCE TO EXCEED
THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0 % increase in the budget for said year, amounting to \$37,012.31 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 129,543.09 and that the CY 2007 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ms. Nerbak made a motion to approve the passage of Ordinance 2007-02 and requested that the results are published, seconded by Mr. Watters.

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

Nays: None

ENGINEERS REPORT:

Mr. Mace stated that he wanted to speak to the Township Committee about the well testing ordinance that he had brought before the township committee about one year ago. This ordinance would require a more regimented well testing within the township, this ordinance has never been introduced and he was wondering if the township committee would like to introduce this ordinance for adoption.

Mayor Baldwin requested that we place this item on the agenda for the next meeting.

PUBLIC PORTION:

Mayor Baldwin opened the floor for the public portion of the meeting.

Mrs. Alice Mayberry, Main Street, questioned whether all of the people that submit bids follow the same guidelines, and if they do how are the prices so different.

Mr. Mace explained that this is the way that it happens with bids.

Ms. Nerbak stated that all of the bidders are required to follow the same guidelines.

EXECUTIVE SESSION:

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 March 14, 2007, that an Executive Session closed to the public shall be held on March 14, 2007 at 8:25 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 or 1 year whichever is first.

Mr. Watters made a motion to go into executive session, which was seconded by Mrs. Oakley

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

Ms. Nerbak made a motion to open the regular meeting at 8:40, which was seconded by Mrs. Oakley

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

EXECUTIVE SESSION:

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 of 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 March 14, 2007, that an Executive Session closed to the public shall be held on March 14, 2007 at 8:40 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 go into executive session, which was seconded by Mr. Watters.

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

Nays: None

Ms. Nerbak made a motion to reconvene after the executive session at 9:15pm, which was seconded by Mr. Watters.

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

Ms. Nerbak made a motion to approve Mrs. Gail Carpenter doing a dog census for the year 2007 for half of the town in the amount of \$1900.00, which was seconded by Mrs. Oakley.

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

Nays: None

Ms. Nerbak made a motion to strongly consider using RHM benefits program for Health Insurance and would like to proceed with having meetings with both the Teamsters Union and with the Police Association to see if this would be an opt out of the State Benefits plan that is agreeable to both organizations, which was seconded by Mrs. Oakley.

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

Nays: None

Abstain: Mr. Watters

Ms. Nerbak asked for a letter that was sent from the Hackettstown Regional Medical Center to the Township Committee for a suggestion of a senior that should be elected to the Senior to the Hall of Fame and asked if the Township Committee had no suggestions if it could be referred to the Seniors for them to make a suggestion.

Ms. Nerbak also announced that the Warren County League of Municipalities meeting will be March 29 at 6:30pm at Bello Giorno in Belvidere.

Mayor Baldwin wanted to see what the surrounding towns are charging for dog fees to see if we need to raise our fees since the state is now allowing the fees to be raised.

There was some debate of the bill list and the reason that this item was tabled.

Mr. Appleby asked if this item could be tabled for the next meeting.

Mayor Baldwin stated that he did not want the bill list to be tabled for the next meeting.

Mrs. Oakley asked to go into executive session to discuss the item on the bill list and other circumstances having to do with it for personnel issues.

Mayor Baldwin stated that an executive session having to do with that type of personnel issue requires a rice notice.

Mrs. Oakley stated that she is not happy with that decision.

Ms. Nerbak made a motion to bring the bill list off the table, which was seconded by Mr. Watters.

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

Nays: Mrs. Oakley

Mr. Watters made a motion to approve the bill list with the addendum as presented, which was seconded by Ms. Nerbak

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

Nays: Mr. Appleby, Mrs. Oakley

Ms. Nerbak made a motion to adjourn at 9:20 pm, seconded by Mr. Watters, which was carried by all.

Respectfully Submitted,

**Dena Hrebenak
Acting Clerk**