

## **MANSFIELD TOWNSHIP COMMITTEE MEETING**

**September 12, 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, Mr. Baldwin

Salute to the flag was done by all.

### **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 September 12, 2007, that an Executive Session closed to the public shall be held on September 12, 2007 at 7:34 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

Return to regular session at 8:10 pm.

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

**APPROVAL OF THE MINUTES:**

Ms. Nerbak made a motion to approve the minutes of the regular meeting held on August 22, 2007, seconded by Mr. Watters.

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

**PAYMENT OF BILLS:**

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

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

**CONSENT AGENDA:**

**Fireman's Relief Association Application- Richard Bross**

Mr. Appleby made a motion to approve the consent agenda for passage, which was seconded by Mrs. Oakley.

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

**CFO's Report:**

Mr. Coppola reported that he had placed in the packet a memo of how the Township could lessen the cost of the cell phone bill that he and Mr. Sliker had worked out.

Mr. Coppola also stated that the text messaging and all of the other features have been removed from the phones already by Mr. Sliker.

Mr. Watters stated that he did not want to take the phones away from the emergency services and questioned if this was the only way that the bill could be lowered.

Mr. Coppola explained that the reason that we got a good plan was because of the minutes package that we picked for the number of phones that we have, and that if we set up the phone with separate minutes the plan would be more costly.

Mayor Baldwin asked Mr. Watters if he would just like to leave things the way that they are.

Mr. Watters stated that he would like to leave the plan the way that it is.

Ms. Nerbak asked if the Recreation online registration is now up and running.

Mr. Coppola stated that he and Greg Barry have been working with the tech person to get the program set up, so it is not up and running as of yet and that possibly by the end of the month the program will be ready.

Mr. Coppola stated that Hackettstown will be sending a proposal for use of their sweeper with an operator, which should work out better than having to buy a sweeper.

Mayor Baldwin also stated that Mr. Watters said that the county had expressed an interest in a shared service for this type of thing also.

#### **ENGINEERS REPORT:**

Mr. Mace stated that he had nothing to report.

Mr. Watters asked if they had been able to number the stores as of yet.

Mr. Mace stated that Jim Dodge is in the process of doing that.

Mrs. Oakley asked why the arrows are in the location that they are now going to cause accidents.

Mr. Mace stated that Debbie Hirt from NJDOT explained that if the arrows were located any further from the entrance to the mall people would not remain in the lane to turn.

Mrs. Oakley also asked if the garbage dumpster behind Shop Rite could be relocated because it is causing problems for people traveling Baldwin Drive.

Mr. Mace stated that this can not be relocated until the mall comes in for any other approvals.

#### **PUBLIC PORTION:**

Courtney Beam- Mansfield Village Apt, came to ask the Township Committee if there was anything that could be done to have more police manpower present at the apartments towards the evening hours. Ms. Beam and her neighbors have had a number of problems at their apartments that have needed police.

The Township Committee asked Ms. Beam not to discuss what the problems were that she has been having being that there is an investigation going on presently, and also explained to her that this would be something that the Committee would have to discuss with the Chief of Police.

Patricia Weymister- Ms. Beams godmother asked if this would be something that would be taken care of at the next meeting.

Mrs. Oakley stated that she would discuss this with Chief Ort and see what there is that can be done.

**RESOLUTION:**

**TOWNSHIP OF MANSFIELD  
COUNTY OF WARREN, STATE OF NEW JERSEY  
RESOLUTION NO. 2007-96**

**A RESOLUTION AMENDING THE POLICE DEPARTMENT POLICIES AND PROCEDURES OF THE  
TOWNSHIP OF MANSFIELD**

**WHEREAS, the Township Committee has adopted Policies and Procedures for the Police Department; and**

**WHEREAS, the enabling ordinance adopting said Policies and Procedures provided that the same may, from time to time be amended, by Resolution of the Township Committee; and**

**WHEREAS, the Chief of Police feels that it is necessary to make changes to the current policies and procedures that are presently in place; and**

**NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Mansfield that the amendments made to the Policies and Procedures for the Police Department be adopted.**

**This resolution shall take effect September 12, 2007.**

**Ms. Nerbak stated that she never saw the Policies and Procedures and that she would like to see them prior to adopting any resolution, which all of the Committee members agreed.**

**RESOLUTION NO. 2007-97**

**APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2007:**

**BE IT RESOLVED, that the following person to the following respective municipal offices and/or positions of the Township of Mansfield:**

**Violations Clerk            Judith Casella**

**BE IT FURTHER RESOLVED**, that the above listed employee would be hired at a salary of \$12.00 per hour.

Ms. Nerbak made a motion to approve the passage of Resolution 2007-97, which was seconded by Mr. Appleby.

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

Nays: None

**ORDINANCE:**

**Second Reading**

Mayor Baldwin opened the floor for public comment on Ordinance 2007-12, seeing there were no comments from the public the public portion was closed.

**ORDINANCE 2007-12**

**AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING NEW SECTIONS 3 CLINIC SPORTS REGISTRATION FEES AND SCHOLARSHIPS**

**WHEREAS**, the Township Committee of the Township of Mansfield has determined that there should be, within the Township of Mansfield; recreation registration fees.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended to include the following provisions regarding recreation registration fees.

**Section 1**

Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new section establishing Clinic Sports Registration Fees:

**Chapter IIIA-13. Clinic sports registration fees for participation of children in sports clinics of the Township of Mansfield shall be as follows:**

- (a) Summer Field Hockey**
  - i. \$20 for players enrolled in one of Mansfield's field hockey league programs or the winter clinic.**
  - ii. \$40 for all others who are not or have never been registered in a Mansfield field hockey league program or clinic.**
- (b) Winter Field Hockey Clinic**

- i. No fee for those registered in one of Mansfield's field hockey league programs.
  - ii. \$20 for those who are not or have never been registered in a Mansfield field hockey league program or clinic.
- (c) Summer Junior Tennis
  - i. \$30 per week per child for the Pee Wee class plus \$10 per child Insurance Fee
  - ii. \$50 per week per child for Beginner, Advanced Beginner or Intermediate class plus \$10 per child insurance fee

## **Section 2**

Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new section establishing Scholarships:

Chapter IIIA-14. Sports registration scholarships for participation of children in sports programs of the Township of Mansfield shall be as follows:

- (a) Scholarships may be awarded to participants by the Receptions Commission based on need, in such cases registration fees are waived.

## **Section 3**

This ordinance shall take effect immediately after passage.

## **Section 4**

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Mr. Watters made a motion to approve the passage of Ordinance 2007-12, which was seconded by Mrs. Oakley.

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

Mayor Baldwin opened the floor for public comment on Ordinance 2007-13, seeing there were no comments from the public the public portion was closed.

**ORDINANCE NO. 2007-13**

**AN ORDINANCE TO AMEND 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:

Recreation Administrative Assistant                      \$15/hr not to exceed five hours per week

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

Mrs. Oakley made a motion to approve the passage of Ordinance 2007-13, which was seconded by Mr. Appleby.

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

Nays: None

**COMMITTEE PERSON COMMENTS:**

Mrs. Oakley asked the other Township Committee members if possible that in November we could transfer money to hire 2 more police officers.

The Township Committee all agreed that a request for 2 new officers should be submitted to the committee prior to them making any decision.

Mr. Watters stated that he had attended the Fire Chiefs Meeting and that they had requested that the mall stores receive their own separate addresses.

Ms. Nerbak reminded the Township Committee that the Warren County League meeting is scheduled for October 18.

Ms. Nerbak also stated that Joan Cichy began earlier this week working for the Recreation Commission.

Ms. Nerbak made a motion to proceed with the Codification of the Township Ordinances including the Land Use Ordinances with General Code for a total amount of \$21,145 which will include the E-Code appending between supplements and the PC/Codebook and E-code supplements, which was seconded by Mrs. Oakley.

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

**Nays:** None

Mayor Baldwin stated that a letter was received from Frank Wheatley, Warren County OEM, explaining that the Emergency Management Plan that was updated by Mr. Griffith has been approved by the State Police.

Mayor Baldwin also stated that there were locks downstairs that had been changed without any authority from anyone on the Township Committee.

**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:**

- (10) 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.**
- (11) 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.**
- (12) 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.**
- (13) 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.

- (14) **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.
- (15) **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.
- (16) **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.
- (17) **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.
- (18) **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 September 12, 2007, that an Executive Session closed to the public shall be held on September 12, 2007 at 9:15 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 Mr. Appleby.

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

**Return to regular session at 9:49pm.**

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

**Mrs. Oakley made a motion to adjourn at 9:50 pm, which was carried by all.**

**Respectfully Submitted,**

**Dena Hrebenak**