

MANSFIELD TOWNSHIP COMMITTEE MEETING

October 23, 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: Mr. Watters, Ms. Nerbak, Mr. Appleby, Mayor Baldwin

Salute to Flag was done by all.

APPROVAL OF THE MINUTES:

Ms. Nerbak made a motion to approve the minutes from the regular meeting held on October 10, 2007 with the following corrections, minutes say Nerbak stated Recreation Foundation and it should be Commission and when Mayor Baldwin asked if the Township Committee would like to send out RFPs for architects or enter into a professional services resolution for the architect there is not a vote of the Township Committee. Mr. Appleby seconded the motion to approve.

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

Nays: None

None: None

PAYMENT OF BILLS:

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

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

Nays: None

None: None

CFO REPORT:

Mr. Coppola stated that all department heads have been told that the budget requests have to be in by October 31st, and he would like to know what step the Township Committee would like to take next.

Mayor Baldwin stated that he would like for the Finance Sub Committee to meet and go over things and then the whole Township Committee could meet for a workshop meeting for the 2008 budget.

The Township Committee agreed that would be a good idea.

CLERKS REPORT:

Ms. Hrebenak stated that the directories have been printed by Staples and that the quality was not good, so they will be being printed again.

Ms. Hrebenak also asked if there was anything that the Township Committee would be requiring to come out of next year's budget so that the numbers could be put in the budget accordingly.

CAPITOL ORDINANCE:

ORDINANCE NUMBER – CA-07-09

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$5,000 FOR IMPROVEMENTS TO PUBLIC BUILDINGS

WHEREAS, there is a need for improvements to public buildings;

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

1. The amount of \$5,000 is hereby appropriated from Reserve for Public Buildings.
2. There is no debt incurred by this Ordinance.
3. This Ordinance shall take effect immediately.

Ms. Nerbak made a motion to approve Capitol Ordinance 2007-09, which was seconded by Mr. Appleby.

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

Nays: None

None: None

ENGINEERS REPORT:

Mr. Mace stated that the Wastewater Management Plan has been approved and is being published in the Register.

Mr. Mace stated that the ordinances that were suspended by Resolution needed to be placed back in effect and also that he will be reviewing the Septic Ordinance because when he wrote the Ordinance he was under the impression that the township performed CCO inspections. Which he know now that the township does not require this type of inspection on resale of property.

Mr. Mace asked the Township Committee for their approval to write a letter of thanks to the individuals from the Meadows and Applied Water for all of the work that they did on the Wastewater Management Plan and all of the hard work that was put into getting the plan approved.

The Township Committee agreed that would be a great idea.

PUBLIC PORTION:

Scott Cruts- Butler Park Fire- stated that the truck that they had received from Mansfield Twp Fire is going into service this week and the number for the truck will be 27-67.

Scott Cruts-Recreation Commission-stated that the Recreation Commission would be holding the Recreation Park entrance grand opening on Saturday from 1pm to 4pm.

RESOLUTION:

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

A RESOLUTION AMENDING THE POLICE DEPARTMENT RULES AND
REGULATIONS OF THE TOWNSHIP OF MANSFIELD

WHEREAS, the Township Committee has adopted Rules and Regulations for the Police Department; and

WHEREAS, the enabling ordinance adopting said Rules and Regulations 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 rules and regulations 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 Rules and Regulations for the Police Department be adopted.

This resolution shall take effect October 24, 2007.

Ms. Nerbak made a motion to approve Resolution 2007-96, which was seconded by Mr. Appleby.

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

RESOLUTION 2007-105
A RESOLUTION TO ADOPT VOLUNTEER POLICIES AND PROCEDURES

WHEREAS, it is the policy of Township of Mansfield to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Township Committee has determined that there is a need for Volunteer policies and procedures to ensure that employees and volunteers are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Township Committee that the Volunteer Policies and Procedures Manual is attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these Volunteer policies and procedures shall apply to all, appointees and volunteers. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Volunteers and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED that the Township Committee and all managerial/supervisory personnel are responsible for these Volunteer practices. The Township Committee and the Township Attorney shall assist in the implementation of the policies and procedures in this manual.

Ms. Nerbak made a motion to approve Resolution 2007-105 and requested that all volunteer groups be given copies of the Volunteer Policy, which was seconded by Mr. Watters.

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

2007-106

*RESOLUTION
Overpayment of Taxes
Block 1702 Lot 7*

WHEREAS, the following property has an overpayment of 2007 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 their taxes current and sold the property;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 24th day of October 2007 that the Tax Collector and Finance Officer can refund the following overpayment:

***Block 1702 Lot7
Elias Marshall
C/o Kenneth Marshall
5 Buckhorn Drive
Belvidere, NJ 07823
\$1,250.00***

Mr. Watters made a motion to approve Resolution 2007-106, which was seconded by Ms. Nerbak.

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

RESOLUTION 2007-107

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND TOWN OF HACKETTSTOWN, WITHOUT COMPETITIVE BIDDING

WHEREAS, the Township of Mansfield, Warren County and the Town of Hackettstown, Warren County desire to enter into an Agreement with respect to setting forth the terms and conditions of the Shared Services Agreement for Street Sweeping; and

WHEREAS, this Agreement is authorized under the New Jersey Interlocal Services Act, N.J.S.A. 40A: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 Agreement between the Township of Mansfield and the Town of Hackettstown setting forth the terms and conditions regarding the street sweeping equipment and manpower.**
- 2. A copy of the Agreement is on file in the office of the Township Clerk for inspection by the public.**
- 3. This resolution shall take effect upon approval.**

Mr. Watters made a motion to approve the passage of Resolution 2007-107, which was seconded by Ms. Nerbak.

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

RESOLUTION NO. 2007-108

RESOLUTION AWARDING PROFESSIONAL SERVICES CONTRACT TO
HAROLD E. PELLOW & ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING
DESIGN SERVICES FOR THE MANSFIELD RECREATIONAL PARK

WHEREAS, the Township seeks to retain professional engineering design services for the Mansfield Recreational Park; and,

WHEREAS, the Township has, pursuant to the mandates of state law, sought proposals for said professional engineering design services; and,

WHEREAS, Harold E. Pellow & Associates, Inc. ("HPA") was found to be qualified to perform said professional services and has submitted a conforming proposal found to be in the best interests of the Township; and,

WHEREAS, the Township desires to engage HPA, in a consulting capacity, to perform the required professional engineering design services for the Mansfield Recreational Park pursuant to the attached Professional Services Contract.

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

The Mayor and Township Clerk are hereby authorized and directed to execute this Professional Services Contract with HPA to enable HPA to commence the provision of the required professional engineering design services for the Mansfield Recreational Park, pursuant to the Master Plan prepared by HPA, dated January 2007, and the HPA proposal for professional engineering services, dated July 26, 2007.

Ms. Nerbak made a motion to approve the passage of Resolution 2007-108, which was seconded by Mr. Appleby.

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

Nays: None

None: None

COMMITTEE PERSON COMMENTS:

Mr. Watters stated that the Township auction will be held on Saturday at 12pm.

Mr. Appleby had nothing to report.

Ms. Nerbak stated that everyone was given a list of locations for a course that is required for one of the Committee members to take for the Township to qualify for a \$250 discount in insurance, and she believes someone should take the course. All of the listed locations are far from here, but there is a course offered at the League Conference and possibly Mayor Baldwin could attend that.

Mayor Baldwin stated that the Police substation has received its Certificate of Occupancy.

Mayor Baldwin also stated that it has been brought to his attention that there is one person that has a township issued cell phone that is excessive in usage, and he would like the opinion of the Committee as to whether or not a letter should be sent to this individual giving warning as to the usage.

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 October 23, 2007, that an Executive Session closed to the public shall be held on October 23, 2007 at 8:00PM 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.

Ms. Nerbak made a motion to approve the passage of Executive Session resolution, which was seconded by Mr. Appleby.

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

Nays: None

None: None

Return to Regular Session at 8:24pm.

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

Mr. Watters made a motion to adjourn at 8:25pm which was carried by all.