

## MANSFIELD TOWNSHIP COMMITTEE MEETING

June 24, 2009

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. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell

Salute to flag was done by all.

### APPROVAL OF THE MINUTES:

Mayor Jewell made a motion to approve the minutes of the regular meeting held on June 11, 2009, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

### PAYMENT OF BILLS:

Mr. Watters asked about on page 11 the road opening permit fee for New Jersey American Water.

Mr. Mace explained that this was for the tie in for the water company.

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

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

Nays: None

Absent: None

Abstain: None

### CFO REPORT:

Mr. Coppola stated that each committee member was given a copy of the overtime report.

Mr. Coppola also stated that Mr. Sliker and Mr. Baldwin will be meeting with the energy audit people next week to go over the preliminary report.

Mr. Coppola stated that the next pay will be June 29 and that the first pay in July will be handled by the new payroll company so that this will start out the new quarter.

Mr. Tomaszewski asked which company we would be going with.

Mr. Coppola stated that we would be using Paychex.

Mr. Kobert explained what had happened with Ameripay and the tax withholding that was not paid.

#### CLERKS REPORT:

Ms. Hrebenak stated that a letter was received from Mt. Bethel Fire to request awards for the fire fighters and asked if the Township Committee would like her to prepare the awards.

The Township Committee all agreed that the clerk could prepare the awards and asked that the clerk get the notification to the fire departments for the second meeting in July.

Ms. Hrebenak also stated that there was a letter that was received from Warren County Purchasing Department about the County Auction.

The Township Committee agreed to let the County know that we would be interested in participating in the auction that the county will be holding.

Ms. Hrebenak also stated that there was a report that was received from Warren County Department of Public Safety and will be on file in the Clerks office.

Ms. Hrebenak stated that the Animal Control Agreement was received from Independence Township and will need the Mayor's signature.

Ms. Hrebenak also stated that the contract was received for the HVAC contractor for this year's maintenance the prices are the same as last year and there have been no changes made to the contract.

Mr. Baldwin made a motion to approve the contract signing for AJ Celiano, which was seconded by Mayor Jewell.

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

Nays: None

Absent: None

Abstain: None

#### ENGINEERS REPORT:

Mr. Mace stated that drainage work began on Washburn Road.

Mr. Mace also stated that Magnum Auto Sales has kept the number of cars down to 10 cars.

Mr. Mace stated that things have not gone as well with the appliance guy and that he is planning on sending summons again for the cars and the appliances being left out and the fences not being removed.

PUBLIC PORTION:

Mayor Jewell opened the floor for public comment.

Mrs. Kathy Todd asked what is with the house up the street from the appliance person that is up on braces.

Mr. Baldwin explained that this house has a permit and that the building department is involved.

RESOLUTION:

RESOLUTION NO. 2009-63

APPOINTMENTS TO CERTAIN MUNICIPAL OFFICES AND POSITIONS FOR THE YEAR 2009:

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

Public Works-Recreation Summer Help                      Ian Bensco

BE IT FURTHER RESOLVED, that the above listed employees would be hired at a salary of \$10.00 per hour for 40 hours per week from June 26, 2009 through August 28, 2009.

Mr. Baldwin made a motion to approve Resolution 2009-63, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

CAPITAL ORDINANCE:

First Reading

Mayor Jewell introduced Capitol Ordinance 09-07;

ORDINANCE NUMBER – CA-09-07

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY,  
APPROPRIATING \$2,590 FOR EMERGENCY EQUIPMENT

WHEREAS, there is a need to purchase equipment for the emergency squad per its contract with the township;

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

1. The amount of \$2,590 is hereby appropriated form the Capital improvement Fund.
2. There is no debt incurred by this Ordinance.
3. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Ms. Nerbak made a motion to introduce Capitol Ordinance 2009-07 and to set a public hearing for July 8, 2009 at 8:00pm, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Second Reading

Mayor Jewell opened the floor for public comment on Capitol Ordinance 09-03;

#### ORDINANCE NUMBER – CA-09-03

#### AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$16,550 FOR IMPROVEMENTS TO PUBLIC BUILDINGS

WHEREAS, there is a need for improvements to be made to township facilities including a computerized fuel management system;

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

1. The amount of \$16,550 is hereby appropriated from capital surplus in the general capital fund for improvements to public buildings.
2. There is no debt incurred by this Ordinance.
3. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Ms. Todd asked what this was for.

Mr. Coppola stated that it was for the computerized fueling system.

Mr. Baldwin stated that he met this vendor in Atlantic City and that the price was \$16,000 less than the previously quoted price from another vendor.

Ms Nerbak made a motion to approve the passage of Capitol Ordinance 09-03 and requested that the results be advertised, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mayor Jewell opened the floor for public comment, seeing as there were no comments from the public the public hearing was closed.

#### ORDINANCE NUMBER – CA-09-04

#### AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$700 FOR OFFICE EQUIPMENT

WHEREAS, there is a need to purchase new office equipment including a typewriter;

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

1. The amount of \$700 is hereby appropriated from capital surplus in the general capital fund for office equipment.
2. There is no debt incurred by this Ordinance.
3. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Ms. Nerbak made a motion to approve the passage of Capitol Ordinance 09-04 and requested that the results be advertised, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mayor Jewell opened the floor for public comment on Capitol Ordinance 09-05, seeing as there were no comments the public hearing was closed.

#### ORDINANCE NUMBER – CA-09-05

#### AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$9,530 FOR POLICE EQUIPMENT

WHEREAS, there is a need to purchase various new police equipment including a typewriter;

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

1. The amount of \$9,530 is hereby appropriated from capital surplus in the general capital fund for police equipment.
2. There is no debt incurred by this Ordinance.
3. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Mr. Baldwin made a motion to approve the passage of Capitol Ordinance CA-09-05 and requested that the results be advertised, which was seconded by Mayor Jewell.

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

Nays: None

Absent: None

Abstain: None

Mayor Jewell opened the floor for public comment on Capitol Ordinance 09-06;

#### ORDINANCE NUMBER – CA-09-06

#### AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY, APPROPRIATING \$100,000 FOR ROAD CONSTRUCTION AND RECONSTRUCTION

WHEREAS, there is a need to improve various township roads;

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

1. The amount of \$19,000 is hereby appropriated from capital surplus in the general capital fund.
2. The amount of \$81,000 is hereby appropriated form the Capital improvement Fund.
3. There is no debt incurred by this Ordinance.
4. This ordinance shall take effect immediately after final passage, approval and publication as provided by law.

Ms. Todd asked what roads that this was for.

Mayor Jewell explained that this was for various road throughout the township for the various repairs.

Ms. Nerbak made a motion to approve the passage of Capitol Ordinance 2009-06 and requested that the results be advertised, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Mr. Tomaszewski had nothing to report.

Mr. Watters reported that there will be a meeting at Mansfield School on June 25 with an executive session first.

Mr. Baldwin asked if Mr. Mace received a copy of a letter from Chief Ort in reference to Point Mountain Road. Chief Ort has received requests from the County for a sign to let trucks know that trucks can not travel on Point Mountain Road over the bridge. The location of the sign should be prior to the farm so that the trucks can turn around if they do not see the first sign.

Mr. Mace stated that the sign should be posted so that the sign is visible.

Mr. Mace stated that he is saying that there should possibly be two signs so that it is visible from Route 57.

Ms. Nerbak stated that she was not able to attend the Open Space Meeting.

Mayor Jewell stated that he received a phone call in reference to the county purchasing property on Brickyard Road in Mansfield Township and had questions in reference to them turning the property into a firing range.

Ms. Nerbak stated that the Old Brickyard is in negotiations for purchase by the County and that there is talk that they would like to start a firing range there and that the main idea of the purchase is the length of the Morris Canal that runs through the property, but it has not transpired and that the Freeholders would have to make a decision first.

Mr. Coppola stated that the resolution for Sergeant Clancy's retirement would accelerate his time for him to leave early.

RESOLUTION 2009-64

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF  
NEW JERSEY, AUTHORIZING THE EXECUTION OF A  
SEPARATION COMPENSATION AGREEMENT

**WHEREAS, the Township of Mansfield (hereafter the "Township"), Mansfield Police Sergeant Michael Clancy (hereafter "Sergeant Clancy"), and Fraternal Order of Police Lodge No. 157 (hereafter the "F.O.P.") wish to enter into a Retirement Compensation Agreement to confirm the terms and conditions of Sergeant Clancy's final year of employment with the Township of Mansfield Police Department, culminating with Sergeant Clancy's retirement, effective May 1, 2010.**

**WHEREAS, THE Township CFO, Chief of Police and Sergeant Clancy have confirmed the accuracy of the accrued leave time set forth in the attached Retirement Separation Agreement and all parties to the Retirement Separation Agreement have accepted its terms and conditions.**

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

- 1. The Mayor and Township Clerk are hereby authorized to finalize and execute the attached Retirement Separation Agreement with respect to Sergeant Michael Clancy.**
- 2. This resolution shall take effect upon approval.**

Mr. Baldwin made a motion to approve Resolution 2009-64, which was seconded by Mr. Tomaszewski.

Ayes: Mr. Tomaszewski, Mr. Watters, Mr. Baldwin, Ms. Nerbak, Mayor Jewell  
Nays: None  
Absent: None  
Abstain: None

Mr. Kobert explained the new Comcast proposal.

Mr. Baldwin made a motion to approve the Comcast contract for 15 years, which was seconded Ms. Nerbak.

Ayes: Mr. Baldwin, Ms. Nerbak, Mayor Jewell  
Nays: Mr. Tomaszewski, Mr. Watters  
Absent: None  
Abstain: None

Mr. Kobert explained the letter that was drafted to Warren Village for the Municipal Restoration Act.

Mr. Baldwin and Mayor Jewell will be on the Committee for the Warren Village request.

Mayor Jewell made a motion to take a five minute break at 8:20, which was carried 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:

- (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.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on June 24, 2009, that an Executive Session closed to the public shall be held on June 24, 2009 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.

Mayor Jewell made a motion to go into executive session, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Return to regular session at 8:59.

All members present.

Mayor Jewell stated that he and Mr. Baldwin should meet with Mr. Layton possibly the third Wednesday in July if Mr. Layton is available.

Mr. Baldwin stated that he is no longer a part of the Planning Board and that he did not feel that he should still be involved that this meeting should be with Mayor Jewell and Mr. Watters because they are both on the Planning Board.

Mr. Watters stated that he was not familiar with the COAH regulations and that Mr. Baldwin had been a part of these meetings with Mr. Layton in the past.

Mayor Jewell stated that he thought that Mr. Baldwin should still be part of these meetings.

Mr. Watters agreed.

Mr. Kobert stated that they should see if Mr. Layton could provide a copy of other towns' reports for Third round and that this could be something that we could model ours from.

Mr. Tomaszewski stated that Mr. Tate stated that there was a need for a sprayer for the walking trails.

Mr. Baldwin stated that he would speak with Mr. Sliker.

Mr. Baldwin made a motion to adjourn at 9:04pm which was carried by all.