

MANSFIELD TOWNSHIP COMMITTEE MEETING

July 8, 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 the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Baldwin made a motion to approve the minutes from the regular meeting held on June 24, 2009, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Mayor Jewell asked Chief Fournier what was going on with the lease for the fire truck from Oshkosh wasn't it supposed to be that the township only paid for half.

Chief Fournier stated that this was something that was not discussed only the insurance was supposed to be deducted from the contract money.

Mayor Jewell asked how this was handled last year.

Chief Fournier stated that last year the fire company did pay half of the lease.

Mayor Jewell asked how leases are handled for the other fire trucks.

Mr. Coppola stated that all of the other leases are handled 100% by the township and that this is not specified in the contract.

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

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

Nays: None

Absent: None

Abstain: Mr. Baldwin

CFO REPORT:

Mr. Coppola stated that Mr. Sliker spoke to the Energy Audit people and worked out what needs to be changed in the report.

Mr. Coppola stated that there are some items that need to be gone over for the budget and that he would get projections for November to see if we should do an emergency appropriation. The police overtime is at \$10,000 short and there was about \$27,000 to transfer to police S&W, but after the new officers are hired the account will be at zero and the legal has \$6000 left for the rest of the year.

CLERKS REPORT:

Ms. Hrebenak stated that she wanted to remind everyone that the land auction is this Saturday at 9am if anyone is interested in attending and the yard sale is also scheduled for this weekend.

Ms. Hrebenak also stated that she had received a copy of the 2009 Master Plan Amendment for Washington Twp, Morris County which is pretty thick therefore if anyone is interested in looking at it will be on file in my office.

ENGINEERS REPORT:

Mr. Mace stated that Washburn Road is coming along well and will probably be paved next week.

Mr. Mace also stated that the appliance guy is now going to court for the third time and will be getting hit hard with fines.

Mr. Mace also stated that he has gotten many reports about Woodland Sales being out of conformance with the cars being parked outside of the fence again so this will need to be investigated again.

PUBLIC PORTION:

Frank Elacqua, spoke to the township committee in reference to the shooting range that the county is purposing putting in on Brickyard Road. Mr. Elacqua stated that he is a hunter and that he is interested in shooting and that he goes to a shooting range in Pennsylvania to shoot and will not shoot on his property to ensure peace.

John Williams, 23 Hoffman Road, also spoke of his concerns of the firing range, safety environmental impact and the decrease in property values. With the decrease in property values the taxes have not gone down. People around here pay a premium to live around here to have peace and quiet and be safe in their own yards. This is not the area for this to be placed. Everyone on Hoffman and Brickyard Roads does not want this and he asks that that Mayor and Township Committee support all of the people that are against this.

Robert Smith, Port Murray Resident, he is a member of the Land Use Board and the Warren County Board purchasing the property. The costs are going to be high with putting in the road and repairing the bridge and also protecting the property and making it able for winter shooting. There are a lot of people that are against this and he asks that the Township Committee back the will of the people. Mr. Smith had an article from Forbes magazine that stated that Warren County is #13 in the county for the tax

Robertta Cooglemayer, Brickyard Lane, stated that this situation concerns her that all of this is being pushed through without people knowing and that she was told that the Township has an issue with overtime for the Police Officers qualifying.

Mr. Baldwin explained that the Police Officers qualify at Shongum in Mansfield Township and that the only reason that there is overtime is because there are only certain days that they can qualify and there are officers that are not on duty therefore they do get overtime.

Mr. Kobert stated that the Township does not have any zoning authority and that this is something that they do not need to even come before us with a sight plan. Mr. Kobert stated that there may be an issue with the Highlands.

Mrs. Cooglemeyer asked Mr. Kobert what he meant by preemptive with the property approvals.

Mr. Kobert stated that the county does not have to gain approval from the Municipality.

Mr. Cooglemeyer stated that the section that this shooting range is to be placed in his backyard and there is no way that he will want something like this to happen. Mr. Cooglemeyer stated that he has worked very hard to clear out the area around the canal and the towpath and he allows people to come and walk along and there is no way he would allow something like this.

Mrs. Cooglemeyer stated that she and the people who have issues with this will be addressing their issues with the Freeholders.

Mr. Cooglemeyer stated that he felt that the Township Committee could do something to stop this.

Mayor Jewell stated that each of the Committee members could speak to the Freeholders and address this and if that does not help then something more formal could be done.

Mr. Elacqua stated that everyone is looking for the Township Committee to address all of these people's issues because the Committee is a bigger power than each person separately.

Mr. Williams asked again that the Township Committee should address this for the people that are concerned.

Mr. Kobert stated that the Township Committee should set up a committee to support the people's position and get some information to support the opposition.

Mr. Baldwin stated that he had a meeting with Mr. Resker next week.

Ms. Nerbak stated that she again does not feel that this property acquisition has taken place.

Mr. Baldwin explained the two committees in the county that cover the land acquisition.

Mrs. Cooglemeyer stated that a letter was sent to all of the Freeholders at their homes and they should have just received them and there has not been a response yet.

Mr. Elacqua stated that he spoke with Angelo Accetturo and he stated that this would not be something he would not want in his back yard.

Mr. Williams stated that he spoke to Mr. Gardner and that he was not for it or against it and that he seemed like the person that would listen to everyone's concerns.

Brian Hanisak, Brickyard Road, stated that he is against this shooting range going in and asked who will be taking care of this road during the year.

Ms. Nerbak stated that the roads will not be maintained by the township.

Mr. Watters stated that this would be something that the County should take care of.

Mr. Hanisak stated that the beginning of the road is maintained at this point for the access at Comcast field.

Mr. Baldwin stated that the beginning of the road is maintained only during recreation seasons because these fields are leased from Comcast for \$1 a year and this is not something that is done in the winter.

Mr. Stuart Shaw and Jennifer Green, Main Street, asked Ms. Nerbak what it was that she was told.

Ms. Nerbak stated that the land acquisition is in process and that there were issues with the property.

Mr. Smith stated that he has only been a resident of the township for 9 years and that he has seen the same people on the Township Committee and that all of the people have voted for all of the Committee members and that they were voted in because the people have trust in the members on the Township Committee and are just looking for support from the Township Committee prior to going to the County Freeholders.

Ms. Nerbak made a motion to form a subcommittee to research the firing range and oppose this land acquisition for the firing range, seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

Mayor Jewell asked that Mr. Watters go to the County meeting.

Mr. Kobert explained what the township committee should do to address these issues.

Mayor Jewell asked that Mr. Watters sit on the Subcommittee with him since Mr. Watters will be attending the meeting.

Terry Elacqua stated that she has spoken with attorneys about this.

Steve Hegeman, Hoffman Road, stated that this was great that the Township Committee will be standing behind these people and making sure that this will be addressed. Mr. Hegeman thanked the Township Committee and also stated that he asked Mr. Gardner how will this area be patrolled and asked how much all of this will cost and that Mr. Gardner stated that he was unsure because he had never been back on the property.

Drew Hegeman, Rockport Road, asked Mr. Kobert if there was anything that legally that Mansfield Township can do to stop the range being put in.

Mr. Kobert stated that there was but there was no way that he could answer that until he research further. Mr. Hegeman stated that he understood that there were other towns that had already opposed this and that maybe the subcommittee should speak with people from the other towns. How quickly could the County purchase this property.

Mr. Kobert stated that it depends on the grants that are being used and that it would probably take about 12 months.

Martha Gowdy, resident of Port Murray, this is her first time coming to a meeting she is shocked to hear what is going on and that her attendance here is small compared to other issues that have been presented tonight.

Charlie Petty, 2 acres on Hoffman Road, he just purchased the property and plans to move from Blairstown and build on the property. He asked what the timeframe is for the subcommittee will report back to these people.

Mayor Jewell stated that Mr. Watters will be attending the next county meeting and that he will be calling two of the freeholder and that Mr. Baldwin will be calling Mr. Resker and Mr. Accetturo.

Ms. Nerbak stated that there will be a report by the next meeting.

RESOLUTION:

Resolution 2009-65

On a motion made by Mr. Watters and seconded by Mr. Tomaszewski the following resolution was adopted by the Committee of the Township of Mansfield at a meeting held July 8, 2009.

RESOLUTION GRANTING THE APPROVAL OF THE PURCHASE OF THE
DEVELOPMENT EASEMENT ON THE WATTLES FARM #2 BLOCK 1505 LOT 1.01,
AND BLOCK 1506 LOT 6.01 IN MANSFIELD TOWNSHIP

WHEREAS, the Committee of the Township of Mansfield has determined that the property known as the Wattles Farm #2, located on Block 1505 Lot 1.01, and Block 1506 Lot 6.01 in Mansfield Township, consisting of approximately 99 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

WHEREAS, the tract would encourage the survivability of production agriculture in Mansfield Township, and said tract falls within a predetermined Agricultural Development Area; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, the State Agricultural Development Committee has certified the fair market value of said tract at its regular meeting held June 25, 2009.

NOW THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield as follows:

The Committee of the Township of Mansfield hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above.

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

Nays: None

Absent: None
Abstain: None

Resolution 2009-66

On a motion made by Mr. Watters and seconded by Mr. Tomaszewski the following resolution was adopted by the Committee of the Township of Mansfield at a meeting held July 8, 2009.

RESOLUTION GRANTING THE APPROVAL OF THE PURCHASE OF THE
DEVELOPMENT EASEMENT ON THE WATTLES FARM #1 BLOCK 1506 LOT 2.01 IN
MANSFIELD TOWNSHIP

WHEREAS, the Committee of the Township of Mansfield has determined that the property known as the Wattles Farm #1, located on Block 1506 Lot 2.01, in Mansfield Township, consisting of approximately 112 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

WHEREAS, the tract would encourage the survivability of production agriculture in Mansfield Township, and said tract falls within a predetermined Agricultural Development Area; and

WHEREAS, the pressures from development have significantly heightened the degree of imminence of change of land use from productive agriculture to nonagricultural uses; and

WHEREAS, the State Agricultural Development Committee has certified the fair market value of said tract at its regular meeting held June 25, 2009.

NOW THEREFORE BE IT RESOLVED, by the Committee of the Township of Mansfield as follows:

The Committee of the Township of Mansfield hereby grants permission for the purchase of the development easement by the County of Warren under the Farmland Preservation Act as set forth above.

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

RESOLUTION 09-67
TOWNSHIP OF MANSFIELD
WASHBURN ROAD REHABILITATION GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Mansfield has received \$150,000 to administer an Transportation Trust Fund Grant from the NJDOT for the reconstruction of Washburn Road and wishes to amend its 2009 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$150,000

that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent

Of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:

NJDOT Grant – Washburn Road

BE IT FURTHER RESOLVED that a like sum of \$150,000 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations – Excluded from 5% Caps Public and Private Programs Offset by

Revenues:

NJDOT Grant – Washburn Road

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Ms. Nerbak made a motion to approve the passage of Resolution 2009-67, which was seconded by Mr. Baldwin.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION 09-68
TOWNSHIP OF MANSFIELD
PLAN CONFORMANCE GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Mansfield has received \$50,000 to administer an Plan Conformance Grant from the Highlands Council and wishes to amend its 2009 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$50,000

that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent
Of the Director of Local Government Services:
Public and Private Revenues Offset with Appropriations:
Plan Conformance Grant

BE IT FURTHER RESOLVED that a like sum of \$50,000 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations – Excluded from 5% Caps Public and Private Programs Offset by
Revenues:
Plan Conformance Grant

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Ms. Nerbak made a motion to approve the passage of Resolution 2009-68, which was seconded by Mayor Jewell.

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

Nays: None

Absent: None

Abstain: None

RESOLUTION 09-69
TOWNSHIP OF MANSFIELD
INITIAL ASSESSMENT GRANT

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item thereof was not determined at the time of the adoption of the budget, and;

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Township of Mansfield has received \$15,000 to administer an Initial Assessment Grant from the Highlands Council and wishes to amend its 2009 Budget to include a portion of this amount as a revenue

NOW, THEREFORE, BE IT RESOLVED that the Township of Mansfield hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2009 in the sum of \$15,000

that is now available as revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent
Of the Director of Local Government Services:
Public and Private Revenues Offset with Appropriations:
Initial Assessment Grant

BE IT FURTHER RESOLVED that a like sum of \$15,000 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations – Excluded from 5% Caps Public and Private Programs Offset by Revenues:

Initial Assessment Grant

BE IT FURTHER RESOLVED, that the Municipal Clerk forward two copies of this resolution to the Director of Local Government Services.

Mr. Watters made a motion to approve Resolution 2009-69, which was seconded by Mr. Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

CAPITAL ORDINANCE:

Second Reading

Mayor Jewell opened the floor for public comment on Capital Ordinance 09-07, seeing as there were no comments the public comment period was closed.

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.

Mr. Baldwin made a motion to approve the passage of CA-09-07, which was seconded by Mayor Jewell.

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

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

Mayor Jewell introduced Ordinance 2009-12:

ORDINANCE 2009-12

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 (2-6 grade township team or 7/8 grade area travel team).
 - ii. \$30 for all others who are not or have never been registered in a Mansfield field hockey league program or clinic.

Section 2

This ordinance shall take effect immediately after passage.

Section 3

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

Ms. Nerbak made a motion to introduced Ordinance 2009-12 and requested that the public hearing be advertised for July 22, 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

Mayor Jewell introduced Ordinance 2009-13:

ORDINANCE NO. 2009-13

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:

| | |
|--------------------------|-----------|
| Smoke Detector Inspector | \$1500.00 |
|--------------------------|-----------|

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

NOW, THEREFORE, BE IT FURTHER ORDAINED, the Chief Financial Officer shall be hereby authorized to pay the foregoing salary commencing as of Jan. 1, 2009.

Ms. Nerbak made a motion to introduce Ordinance 2009-13 and requested that the public hearing be advertised for July 22, 2009 at 8:00 pm, which was seconded by Mayor Jewell.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak stated that she had nothing to report.

Ms. Nerbak stated that the DARE officer was awarded a national award for his accomplishments and that she felt that the Committee should recognize this.

Mr. Baldwin made a motion to recognize Officer Hydock for all of his accomplishments at an upcoming meeting, which was seconded by Ms. Nerbak.

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

Nays: None

Absent: None

Abstain: None

Mr. Baldwin stated that he had asked Ms. Nerbak would attend the Route 57 meeting because he has a Shared Services meeting the same night. And that at the last meeting there was some concern over zoning and they would like for the township to support them with some changes to make this a scenic byway.

Mr. Tomaszewski had nothing to report.

Mr. Watters had nothing to report.

Mayor Jewell stated that the only thing that he had he spoke to Mr. Mace about Woodland Auto Sales and that this would be being addressed by Mr. Mace and Kevin Hahn.

Mr. Baldwin stated that the school requested that the DPW help them with the paving in the parking lot and the DPW will be helping them with this work.

Mayor Jewell stated that the letter was received from Mr. Clancy about his retirement.

Mayor Jewell stated that he was questioned by Becky Harm the Tax Collector about the extension of the tax grace period whether it could be extended prior to a meeting so that the bills can be mailed out.

Mr. Kobert, Esq. stated that there should be a resolution prior to the tax bills going out.

Mayor Jewell made a motion to take a break at 8:52

Return from break at 9:00.

All members present.

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:

- (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.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on July 8, 2009, that an Executive Session closed to the public shall be held on

July 8, 2009 at 9:05 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

Mr. Kobert asked that the township committee make a motion to accept the settlement for the Cavannaugh Lawsuit which was purposed by Mr. Greenbaum for \$15,000.

Mr. Watters made a motion to approve the settlement for the Cavannaugh lawsuit, which was seconded by Mr. Tomaszewski.

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

Mr. Kobert, Esq. stated that he would let the other attorney know that the Township Committee is not interested in settling.

Mr. Tomaszewski stated that a letter was received from Chief Ort about the promotions from within the police department and read the letter that stated that the Chief's Association would not be able to perform the oral exams for promotions without a fee and that the cost for the oral exam would be \$3250 if all of the officers took the board and the written would be \$2100 and that any additional questions would be \$1000 more. Chief Ort feels that we could do the promotions like they do in Washington Twp and the Chief would make recommendations to the Township Committee and the Committee could also give an oral exam so that the Township would not incur costs.

Mr. Tomaszewski stated that in the past what happened is that the Chief of Police make recommendation only on the time served and gave points for this.

Mr. Tomaszewski stated that he felt that this was not something that should be done due to the issues in the Police Department. He spoke with two of the Sergeants and asked for three names of whom they feel would be best for this promotion and then take Chief Orts recommendations for the time served and military time which is the way that this was done in the past with the previous Chief.

Ms. Nerbak stated that in the past a written test was given and then there were points given for time served and for the oral interview with the Township Committee, so there were three scores that each person got.

Mayor Jewell asked what if we had all of them give resumes with all experience and that the Police Commissioner and his assistant go through them and make a decision.

Ms. Nerbak stated that she feels that doing this will cause issues in the Police Department.

Mr. Kobert stated that the Chief's recommendations should still be received.

Mr. Baldwin stated that we have been in contact with Hackettstown to do all of the inspections for all life hazards and smoke detectors right now Allamuchy is part of this agreement and Mr. Baldwin thought that this was a good thing, but he spoke with Mr. Griffith and that there are some reservations wit doing this.

Mr. Baldwin made a motion to adjourn at 10:00, which was carried by all.