

MANSFIELD TOWNSHIP COMMITTEE MEETING

January 13, 2010

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

Salute to the flag was done by all.

Mayor Tomaszewski asked for a motion to hire Michael Citarelli as probationary patrolman for a one year period with an annual salary \$30,000.

Mr. Jewell explained that himself and Mayor Tomaszewski interviewed applicants for the patrolman position and that he felt that Mr. Citarelli was the best qualified for the position.

Mr. Jewell made a motion to hire Michael Citarelli as a probationary patrolman for a period of one year at an annual salary of \$30,000 as of Monday January 18, 2010, which was seconded by Mr. Watters.

Ms. Nerbak stated that she has no problem with hiring a new officer, but that she is not in favor of there being interviews without the rest of the Committee know that this is being done.

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

Nays: None

Absent: None

Abstain: None

OATH OF OFFICE: Swearing in of Officer Michael Citarelli

Mayor Tomaszewski conducted the swearing in ceremony for Patrolman Citarelli.

The Township Committee congratulated Patrolman Citarelli.

Patrolman Citarelli thanked the Township Committee.

APPROVAL OF THE MINUTES:

Mayor Tomaszewski asked if there were any additions or corrections to the minutes from December 17, 2009.

Mr. Watters asked what the timeframe was for the COAH moneys being revoked.

Mr. Coppola stated that he had looked that night and that there was no date.

Mr. Jewell stated that he believes that it goes with having an approved plan which has a timeframe.

Ms. Hrebenak stated that she would call Mr. Layton tomorrow to ask him.

Ms. Nerbak stated that there is a sentence on the bottom of page eight and at the top of page nine that does not make sense.

Ms. Hrebenak stated that this is to raise the current zoning fees from 35 to 40 for residential and 50 to 60 for commercial.

Ms. Nerbak stated that this sentence is not clear and needs to be changed.

Mr. Watters made a motion to approve the minutes from the regular meeting held on December 17, 2009, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Mr. Jewell made a motion to approve the minutes from the regular meeting held on December 23, 2009, which was seconded by Mayor Tomaszewski.

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

Nays: None

Absent: None

Abstain: None

Ms. Nerbak made a motion to approve the minutes from the Reorganization Meeting held on January 1, 2010, which was seconded by Mr. Watters

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

Nays: None

Absent: None

Abstain: Mr. Baldwin

PAYMENT OF BILLS:

Ms. Nerbak asked that the bill list be held until the end of the meeting.

Mr. Baldwin asked what truck is the Skylands Bank Payment is for.

Mr. Coppola stated that this is for the ambulance.

Mr. Baldwin asked what the bill was for the police department 2368 for repairs what was included in this.

Mr. Coppola went through the repairs that were made to 28-12, 28-14, and the rest are small services and \$600 on the '03 Durango.

Mr. Jewell made a motion to approve the bill list and the addendum, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola stated that we did receive the 75% refund for the energy audit which totaled \$6255. If the township does the suggested improvements we will be eligible for the other 25% which will be \$2075.

Mr. Coppola stated that the new company for electric company whose rates are subject to change based on the market price and he explained that he had done an analysis for November and December November was about a \$7 savings and December was \$125. If the difference for December stays the same and we use about 211,000 kilowatts per year we would save about \$12,011.

Mr. Coppola stated that with the new telephone provider was about \$165 per month.

Mr. Coppola stated that the invoices were submitted to the Highlands a couple of weeks ago and we have not received anything back from them.

Mr. Coppola asked Mr. DiSessa if he was able to review the energy audit to give us an idea of what the price would be.

Mr. Baldwin explained that our present HVAC company says that we need to get rid of a lot more stuff that needed to be gotten rid of and that he would like to look into this and that we should get a price for all of this.

PRESENTATION:

Jim Travis – Sasco Insurance

Mr. Travis stated that they would like to have a chance to provide us with the service of Risk Management Consultant to the program.

Ms. Nerbak asked how does this work, how would they get paid.

Mr. Travis stated that they would be paid by PAIC to handle all of our insurance issues.

Mr. Baldwin stated that he feels that this would be a good thing for the township.

Ms. Campbell stated that she spoke with Mr. Kobert and he asked that before a decision was made see if there was any agreement presently with Brown and Brown.

CLERKS REPORT:

Ms. Nerbak made a motion to allow Mrs. Fascenelli to proceed with the town wide shredding event, which was seconded Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Ms. Nerbak stated that she seen in the Environmental Commission minutes that they are planning on doing a number of recycling events and that they should speak to Mrs. Fascenelli prior to doing these events.

ENGINEERS REPORT:

Mr. DiSessa explained that he has been transitioning things from Mr. Mace and that they had met last week to discuss things that are still going on and that he has gotten a number of items from Ms. Hrebenak to catch up with things. There are no present active zoning applications.

Mr. Jewell asked if there were office hours for zoning and how the applications are handled.

Mr. DiSessa stated that there are no present office hours, but if the Committee wished that could be addressed.

Ms. Hrebenak explained the zoning permit process.

Mr. Jewell asked how Mr. Mace did with the Ciaccia matter.

Ms. Campbell stated that the judge fined with a suspended sentence through Saturday and if this is not cleaned up there will be a fine issued and jail time is possible.

PUBLIC PORTION:

Mrs. Appleby asked why she was removed from the Open Space Committee.

Mayor Tomaszewski stated that the gentleman that he appointed was the person who wrote the book for the 250th book and that he was specialized in historical events in Mansfield.

Mrs. Appleby stated that she felt that this was done because they were in favor of the park and that there are three members up on the dais were not in favor of the park and that she feels that this was done unjustly and that she is upset that this was done.

Mayor Tomaszewski thanked Mrs. Appleby.

Mrs. Sams 100 Harts Lane, has a problem with the animal control officer because she had a dog that was after her horses. Mrs. Sams stated that she felt that she was discriminated against because she is a woman. Mrs. Sams stated that the only options that Mr. Norton gave her were catch the dog or take pictures or file a complaint with the court. Mrs. Sams stated that the dog was there again tonight and that Mr. Norton had given her a song and a dance and stated that he hoped that she was happy and Mrs. Sams stated that she feels that she was treated differently as a woman than her husband was as a man. Mrs. Sams wanted the Township Committee to address this with Mr. Norton and let him know that this was an issue and that he should be treating people better.

Mr. Jewell stated that he would talk to Mr. Norton.

RESOLUTION:

RESOLUTION No. 2010-20

FOR TRANSFER OF FUNDS

WHEREAS, there are insufficient funds in some of the 2009 budget line items; and

WHEREAS, it is permissible to transfer appropriation reserve funds before April 1, 2010.

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

FROM		TO	
Unemployment	\$110.00	Legal Services	
Tax Collector OE	\$500.00	OE	\$2,990.00
Employee Group Insurance	\$35.00		
Emergency Manage. S&W	\$15.00		
Social Security	\$1,196.00		
Fuel Oil	\$1,134.00		
Total	\$2,990.00		\$2,990.00

Mr. Jewell made a motion to approve the passage of Resolution 2010-20, which was seconded by Mr. Watters.

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

Nays: None

Absent: None
Abstain: None

RESOLUTION 2010-21
Overpayment of Taxes
Block 301 Lot 1

WHEREAS, the following property has an overpayment of 2009 property taxes;

WHEREAS, this overpayment occurred due to the granting of a Veteran's Deduction for the year 2009;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 13th day of January 2010 that the Tax Collector and Finance Officer are hereby authorized to refund the following overpayment:

Block 301 Lot 1
Penelope & Walter Atkinson III
135 Valley Road
Oxford, NJ 07863
\$250.00

Ms. Nerbak made a motion to approve the passage of Resolution 2010-21, which was seconded by Mr. Watters.

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

RESOLUTION NO. 2010-22

TOWNSHIP OF MANSFIELD
SUBMISSION OF PETITION FOR PLAN CONFORMANCE
TO THE HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
FOR LAND IN THE PRESERVATION AREA

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20-1 et seq., finds and declares that protection of the New Jersey Highlands is an issue of State level importance because of its vital link to the future of the State's drinking water supplies and other significant natural resources; and

WHEREAS, the Highlands Act creates a coordinated land use planning system requiring the Highlands Water Protection and Planning Council (Highlands Council) to prepare and adopt a Regional Master Plan for the Highlands Region; and

WHEREAS, the Highlands Act requires that within nine to 15 months after the effective date of the Regional Master Plan, September 8, 2008, each municipality located wholly or partially in the Preservation Area shall submit revisions to the municipal master plan, development regulations and other regulations, as applicable to the development and use of land in the Preservation Area, as may be necessary to conform them with the goals, requirements and provisions of the Regional Master Plan (Plan Conformance); and

WHEREAS, the Township of Mansfield is located in the Highlands Region with lands lying within the Preservation Area, as defined by the Highlands Act; and

WHEREAS, the Highlands Council prepared and distributed to the Highlands municipalities Plan Conformance Guidelines outlining the process and procedures for petitioning the Highlands Council for Plan Conformance; and

WHEREAS, the Highlands Council's Plan Conformance Guidelines also require that a Petition for Plan Conformance be filed with the Highlands Council no later than December 8, 2009, which includes a comprehensive package of planning and implementation documents that meet the requirements of the Highlands Act, the Regional Master Plan and the Highlands Plan Conformance Guidelines.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, New Jersey, hereby submits this Petition for Plan Conformance to the Highlands Council for that portion of our jurisdiction lying within the Preservation Area in accordance with the Highlands Act, the Regional Master Plan, and the Highlands Plan Conformance Guidelines.

Mr. Watters stated that he would only support it with conditions and that they are not fulfilled by the Highlands and that there is too many going back and forth on their part.

Ms. Nerbak made a motion to table this resolution, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Ms. Nerbak stated that Mr. DiSessa should research this.

Ms. Hrebenak stated that the next resolution is on for tonight's meeting because the dates on the Reorganization Resolution were incorrect for August.

RESOLUTION 2010-23

SUNSHINE LAW- MEETING DATES

BE IT RESOLVED, that the regular monthly meetings of the Township Committee be held on the 2nd and 4th Wednesday of each month at 7:30 p.m.

MANSFIELD TOWNSHIP COMMITTEE
 SCHEDULE OF 2010 MEETINGS
 LOCATION: MUNICIPAL BUILDING, 100 PORT MURRAY ROAD
 PORT MURRAY, NEW JERSEY

DATE	TYPE OF MEETING	LOCATION	TIME
January 13	Regular Meeting	Meeting Room	7:30 p.m.
January 27	" "	" "	"
February 10	" "	" "	"
February 24	" "	" "	"
March 10	" "	" "	"
March 24	" "	" "	"
April 14	" "	" "	"
April 28	" "	" "	"
May 12	" "	" "	"
May 26	" "	" "	"
June 9	" "	" "	"
June 23	" "	" "	"
July 14	" "	" "	"
July 28	" "	" "	"
August 11	" "	" "	"
August 25	" "	" "	"
September 8	" "	" "	"
September 22	" "	" "	"
October 13	" "	" "	"
October 27	" "	" "	"
November 10	" "	" "	"
November 23	" "	" "	"
December 8	" "	" "	"
December 22	" "	" "	"

Note: Caucus Work Session held at 7:15 p.m. in the executive office and immediately following the completion of the regular meeting.

Ms. Nerbak made a motion to approve Resolution 2010-23, which was seconded by Mr. Watters.

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

ORDINANCE:

Mayor Tomaszewski presented Ordinance 2010-01:

ORDINANCE 2010-01

AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING A NEW SECTION 3 SPORTS ACTIVITY REGISTRATION FEES

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of Warren and State of New Jersey:

1. Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new Section-Sport Activity Registration Fees.
2. Chapter IIIA-12. Sports registration fees for participation of children in athletic programs of the Township of Mansfield shall be as follows:
 - (a) \$65.00 for the first two (2) children in the same sport.
Third or more children will be free
 - (b) \$80.00 for football, third or more
 - (c) \$65.00 for flag football
3. This ordinance shall take effect immediately after passage.
4. Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Ms. Nerbak made a motion to approve the introduction of Ordinance 2010-01 and requested that the public hearing be held on January 27, 2010 and requested that the results be advertised, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski presented Ordinance 2010-02:

ORDINANCE 2010-02

AN ORDINANCE TO AMEND CHAPTER 19-7.11 b.1
OF THE CODE OF THE TOWNSHIP OF MANSFIELD,
WARREN COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mansfield, County of Warren, New Jersey's

1. Section 19-7.11b.1 is hereby amended as follows:
2. A new Section 19-7.11 b 1 A is adopted as follows

“The fee for said zoning permit shall be \$40.00 for residential uses and \$60.00 for all other uses.”

All ordinances inconsistent with the foregoing shall be deemed repealed by this Ordinance.

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

Mr. Watters made a motion to approve the introduction of Ordinance 2010-02 and requested that the public hearing be held on January 27, 2010 and requested that the results be advertised, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

COMMITTEE PERSON COMMENTS:

Ms. Nerbak made a motion to send a letter to the Open Space Commission and set a public hearing date of January 27, which was seconded by Mr. Jewell.

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

Nays: None

Absent: None

Abstain: None

Mr. Baldwin stated that the tanks at the old garage need to be decommissioned not removing them we asked three different companies to give us prices for this to be done. Mr. Baldwin stated that as long as we are in the process of decommissioning them then we would not receive a fine.

Chief Ort stated that the gas tanks were about 15 years old.

Mr. Baldwin stated that the property for the school board has been mapped out.

Mr. Baldwin stated that the drain on Cherry Tree Bend will be taken care of once the weather warms up.

Mr. Baldwin stated that he and Ms. Nerbak attended the Route 57 project last week.

Ms. Nerbak stated that the study is almost complete and that they will probably be asking for us to change some of the township zoning ordinances for signage and the properties that are along the Musconetcong.

Mr. Baldwin stated that they are going to do what they want to do with the Route 57 Byway.

Ms. Nerbak stated that Mansfield has the largest piece of Route 57 running through our township.

Ms. Nerbak stated that she doesn't feel that they are trying to detract from the build outs they are just trying to make sure that it is done in a certain way.

Mr. Baldwin stated that there are more avenues that the township may use for a fire prevention and there is a six to eight month timeframe to get out of the state inspections.

Mr. Jewell asked Mr. Baldwin about the sign for Cherry Tree Bend for no right turns for trucks before the DPW garage.

Mr. Jewell stated that there was an email about one of the cars making a whirring noise.

Mr. Watters had nothing to report.

Mayor Tomaszewski made a motion to make Patrick Kirchner provisional Sergeant through August 1, 2010, which was seconded by Mr. Jewell.

Ms. Nerbak asked if this was discussed with the Chief.

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

Nays: None

Absent: None

Abstain: Mr. Baldwin, Ms. Nerbak

Mayor Tomaszewski made a motion to go into Executive Session at 8:47 pm for Contractural and Personnel, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Return to regular session at 9:16pm.

All members present.

Mr. Jewell stated that the next Finance Subcommittee meeting for the budget will be before the next meeting and then after that a budget meeting will be scheduled with the whole committee.

Mayor Tomaszewski stated that he would like to make a motion to not carry over the hours from the personnel matter as per the contract, which was seconded by Mr. Watters.

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

Nays: None

Absent: None

Abstain: None

Mr. Baldwin made a motion to adjourn at 9:24pm.