

**BLAIRSTOWN TOWNSHIP
PLANNING BOARD
January 16, 2012– 7:30 PM**

MINUTES

The Blairstown Township Planning Board met in regular session on Monday, January 16, 2012, at 7:30 pm at the Blairstown Municipal Building, 106 Route 94, Blairstown, New Jersey. The following members were present: Bill Seal, Debra Waldron, Jim Sikkes, Herman Shoemaker, Rosalie Murray, Paul Avery, David Keller, Kevin Doell, and Nick Mohr. Also present were: Board Engineer, Ted Rodman, Board Attorney, Roger Thomas and Board Secretary, Marion Spriggs.

SALUTE TO THE FLAG: was recited.

OATHS OF OFFICE:

Roger Thomas administered Oath of Office to new Board member, Nicholas Mohr. Messrs. Seal, Sikkes, and Shoemaker were also sworn in.

ROLL CALL: was taken.

THE SUNSHINE STATEMENT: was read aloud.

“Adequate notice of this meeting of the Blairstown Township Planning Board has been provided in accordance with the Open Public Meetings Act (Chapter 231.P.L. 1975)”.

REORGANIZATION:

Meeting was called to order by Roger Thomas.

At this time, Roger Thomas called for nominations for the 2012 Chairperson.

Mr. Sikkes was nominated by Mr. Seal and seconded by Mr. Avery.

Mr. Keller was nominated by Mr. Doell and seconded by Mr. Shoemaker.

Mrs. Waldron was nominated by Mrs. Murray. There was no second to this nomination.

There were no further nominations made for Chairperson.

A paper ballot was distributed.

Roger Thomas verified the votes with Marion Spriggs, Board Secretary, as a witness.

Action: The nomination for Mr. Keller to serve as Chairman was duly made by Mr. Doell, seconded by Mr. Shoemaker. There was no Roll Call Vote as a paper ballot was used. Mr. Thomas announced David Keller as the new Chairman.

At this time Mr. Keller, as Chairman, asked for a nomination for Vice Chairman.

Mr. Doell was nominated by Mrs. Murray and seconded by Mr. Avery.

Mr. Sikkes was nominated by Mr. Shoemaker and seconded by Mr. Seal.

There were no further nominations made for Vice Chairman. A paper ballot was distributed.

Roger Thomas verified the votes with Marion Spriggs, Board Secretary, as a witness.

Action: The nomination for Mr. Doell to serve as Vice Chairman was duly made by Mrs. Murray, seconded by Mr. Avery. There was no Roll Call Vote as a paper ballot was used. Mr. Thomas announced Mr. Doell as the new Vice Chairman.

At this time Mr. Keller, as Chairman, asked for the following nominations:

Action: The nomination for Roger Thomas, of Dolan & Dolan, to serve as Planning Board attorney, was duly made by Mrs. Waldron, seconded by Mrs. Murray. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, Doell, Sikkes and Mohr – yes.

Action: The nomination for Ted Rodman, of Rodman Associates, to serve as Board Engineer, was duly made by Mrs. Waldron, seconded by Mr. Seal. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, Doell, Sikkes and Mohr – yes.

Action: The nomination for Marion Spriggs to serve as Board Secretary, was duly made by Mr. Shoemaker, seconded by Mrs. Waldron. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, Doell, Sikkes and Mohr – yes.

Action: The nomination for Darlene Jay, of Maser Consulting, to be retained as Professional Planner, was made by Mr. Shoemaker, seconded by Mrs. Waldron. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, Doell, Sikkes and Mohr – yes.

It was clarified that this is on an “on call” basis, and at the same rate as last year - \$110. per hour.

Resolution Complying with the Open Public Meetings Act

Action: A motion was duly made by Mrs. Murray, seconded by Mr. Shoemaker, and unanimously carried, to adopt the Resolution for the Schedule of Meetings and designation of The New Jersey Herald and Star Ledger, as Official Newspapers, complying with the Open Public Meetings Act. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, Doell, and Sikkes - yes. Mohr – abstained.

MINUTES: (As distributed prior to the meeting date.)

Minutes of December 19, 2011 regular meeting were approved, as corrected.

Action: A motion was duly made by Mr. Waldron seconded by Mr. Shoemaker, to approve the December 19, 2011, regular meeting minutes, as corrected. Roll call vote: Seal, Waldron, Shoemaker, Murray, Avery, Keller, and Sikkes - yes. Doell and Mohr – abstained.

PB DEADLINE DATES:

Information supporting applications must arrive at Town Hall **10 calendar days** prior to meetings.

RESOLUTIONS:

None

COMPLETENESS:

None

PUBLIC HEARING:

None

CORRESPONDENCE:

BOA Minutes 12/13/11

NJ Planner Nov. 2011

Ltr. dtd. 1/9/12 from D. Jay, PP, of Maser Consulting, Re: Planning Services Fee for 2012

OTHER BUSINESS:

Roger Thomas stated he will get in touch with the Mayor to confirm that this Board has a budget, and when so advised, he will be more than happy to work on those projects that have been delayed due to fiscal issues from last year. He notified Chairman Keller he would then be in touch with him to report the status.

RECYCLING ORDINANCE

This matter will be carried.

COAH

Mr. Shoemaker commented that at the last meeting the Mayor indicated that the State sent a letter suggesting that perhaps all of our COAH funds were at risk if not spent between June and July 2012.

Roger Thomas stated that some action has to be taken by the Twp. Committee, hopefully in conjunction with Planning Board, to decide what's going to be happening with money. He said the issue that needs to be clarified is whether or not Blairstown's overall COAH Trust Fund would be confiscated by the State, or just those funds collected in 2008. He explained it is a 5 year period. He said the question becomes whether or not it is all, or just what was collected in that year, that is at risk.

He referred to a memo from Theresa Tamburro, MHL, which indicated local planning services is interpreting the legislation to mean any unexpended funds from July 2008, not the entire balance of the Fund. Assuming that is correct, he said, is good news.

He will be following up with Sean Thompson, Head Planner of COAH, even though effectively, COAH doesn't exist. He revealed they are still involved in making comments.

Roger Thomas will be trying to get a verification to assure that the funds are only up through 2008. He commented that Blairstown needs a plan to assure that the COAH funds are not confiscated by the State.

Chairman Keller declared that will be a high priority item on the Agenda.

SOLAR ORDINANCE – compliance with State Ordinance

This matter will be carried.

Land Development Ordinance Review

Mr. Shoemaker pointed out that at the last meeting he said that he would be distributing a memo listing the Ordinances that PB thought should be reviewed, and items on the What To Do When There is Nothing To Do List. He showed a copy to the Chairman, who then asked each member to review the information and develop an Agenda on where to go with those 2 areas in the upcoming meetings.

NEW BUSINESS:

Balbi Recycling Center

Debra Waldron, BOA Chairman, commented that Mr. Balbi appeared before the Board of Adjustment (**ZB03-11 Joel & Claire Balbi**) and received a Class A approval for his proposed recycling center. She said he sent a memo and newspaper article, including items not in

compliance. As a result, Mr. Dech, Warren County Planner, called him on the non-compliant items.

Roger Thomas responded, that he is aware this is a BOA matter. He pointed out that Mr. Balbi is engaging in a Class D Recycling Center which includes electronic equipment waste, which was not authorized by the Zoning Board.

Assuming that these facts are true, Roger Thomas recommended that Ted Rodman get in touch with David Diehl, Zoning Officer, attaching related correspondence, indicating it is a clear violation, therefore appropriate action should be taken via fines. He said that Mr. Dech should inform Mr. Balbi to cease and desist. He commented if he plans to proceed with that activity. Mr. Balbi would have to come back before the Board of Adjustment.

Ted Rodman pointed out there is another letter from Mr. Balbi to him, with an application form to the County for that. He feels Mr. Balbi is willing to do whatever is necessary.

Debra Waldron pointed that the BOA will send a letter to Mr. Balbi that he has to come back to the Blirstown BOA to be approved as a Class D facility. She suggested that perhaps Mr. Balbi thinks once he makes application to the County, it is finalized.

Roger Thomas stated in that case, Ted Rodman should get in touch with him and inform him he is not authorized to operate a Class D facility and he should cease and desist that activity until he makes an amended application and gets approval from the Township of Blirstown Board of Adjustment. Ted Rodman responded that he will contact Mr. Balbi.

Mr. Sikkes added that the equipment that comes in, can't be damaged, or it will be rejected. Everything is stacked and neat.

Mr. Seal left the meeting at 8:07 pm.

Nick Mohr pointed out, with the current value of precious metals, electronics are shredded and melted down for tremendous profit. There are firms that conduct these processes.

Federal Road Sign Standards

Mr. Shoemaker received an e-mail from NJLM, regarding new requirements for road signs going up. It says that the new standards ordinances should be adopted by 1/22/12.

Roger Thomas pointed does not pertain to the Board of Adjustment or the Planning Board.

Ted Rodman pointed out that these are modifications to the Uniform Standard Traffic Code.

A-3908, S-2765

Mr. Shoemaker spoke of proposed legislation requiring state, regional and local authorities' boards and commissions to establish an internet website and post information related to the

entities' mission, finances, meetings and employees. This can be created on another governmental entities' site.

Roger Thomas pointed out that Township has its own website. It is utilized by BOA & PB.

There was a question as to whether this has been passed yet.

Nick Mohr volunteered to research it.

PUBLIC PORTION:

There were no members of the public present.

VOUCHERS:

Action: A motion was duly made by Mrs. Waldron, seconded by Mr. Avery to approve all escrow and general vouchers, as presented. Roll call vote: Waldron, Shoemaker, Murray, Avery, Keller, Doell and Sikkes – yes. Mohr – abstained.

ADJOURNMENT:

There being no further business, a motion was duly made by Mrs. Waldron, seconded by Mrs. Murray, and unanimously carried, to adjourn at 8:19 pm.

Respectfully submitted,

Marion C. Spriggs, Secretary