

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
MUNICIPAL BUILDING
Wednesday, August 8, 2012, 7 PM**

MINUTES

Regular meeting begins at 7:30 pm or immediately following Closed Session, whichever comes last.

OPENING; ROLL CALL

The meeting was called to order by Mayor Anderson. Those present were Mr. Lance, Mr. Mach, Mr. Seal, Mr. Shoemaker, and Mayor Anderson. Also present were Township Attorney Robert Benbrook and Clerk Pizzaia.

FLAG SALUTE

The flag salute was conducted.

SUNSHINE STATEMENT

Mayor Anderson read the following statement: Notice of this meeting has been sent to two newspapers of general circulation in which notice was given of the date, time, place and general agenda in accordance with the Open Public Meetings Act.

CLOSED SESSION – Negotiations/Public Safety; Potential Litigation/Township & State Owned Property Improvement

Mr. Lance made a motion to enter into Closed Session, which was seconded by Mr. Shoemaker, with all members in favor.

WHEREAS, the Blairstown Township Committee needs to discuss matters relating to the issues as listed above; and

WHEREAS, the Township Committee believes it to be in the best interest of the public to discuss these matters in Closed Session;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Blairstown, County of Warren, State of New Jersey that it shall meet in Closed Session to discuss only the subjects mentioned above, the results of which may be made public immediately thereafter or at a later date.

Dated: August 8, 2012

Attest:

Phyllis E. Pizzaia, RMC
Municipal Clerk

RESULTS OF CLOSED SESSION

Mr. Shoemaker made a motion to come out of Closed Session, which was seconded by Mr. Lance, with all members voting in favor.

Mayor Anderson said that with regard to the property owned jointly by the State of NJ and Blairstown Township, the Township Engineer will be drafting a letter to the NJ DEP regarding options on the buildings and property at the Jones Farm.

With regard to the public safety issue, Mayor Anderson said that the township will be sending a letter to Hardwick Township with respect to future fire service.

PUBLIC COMMENT – up to 5 speakers/3 minutes each

Brianna Johnson, spokesperson for the Moms' Club, said that she has met with Mr. Shoemaker at Sycamore Park to go over the site chosen for the children's playground. Mr. Shoemaker said that he has comments and suggestions on this matter, which he will speak about during his report at the end of the meeting.

Joseph Wargo, Cooke Road, said that he is having a problem with neighbors who walk around in the nude within feet of his property. Mr. Wargo contacted the police, who said there is no local ordinance against this. Mr. Wargo said that he found a State Statute which he believes might apply to this issue.

Mr. Wargo has spoken to the neighbor, who feels that he is not doing anything illegal. With regard to the State Statute mentioned by Mr. Wargo, Mr. Benbrook said that it is a section of the NJ Criminal Code. Mr. Gara, Police Director, said that the citation specifically deals with lewdness. Mr. Wargo was asked to speak with Mr. Gara, who will determine if the State Statute in question is applicable to this problem. Mr. Benbrook said that Mr. Wargo has the option of dealing with this as a civil matter under common law nuisance laws.

MINUTES

July 11, 2012 – Regular Meeting Minutes and Closed Session Minutes (Mr. Shoemaker was absent.)

Mr. Seal made a motion to approve the Regular and Closed Session minutes, which was seconded by Mr. Mach.

Roll call vote: AYE – Lance, Mach, Seal, Anderson
 ABSTAIN - Shoemaker

CONSENT AGENDA INCLUDING RESOLUTIONS

- 1 – R.2012-086** Authorization to Pay Bills
- 2 – R.2012-087** Redemption of Certification of Tax Sale No. 2011-05
- 3 – R.2012-088** Refund of 2012 Overpayments
- 4 – R.2012-089** Extension of 3rd Quarter 2012 Property Tax Payment Grace Period
- 5 – R.2012-090** Authorization to Refund Police Fees
- 6 – R.2012-091** Authorization of Expenditures for Road Improvements
- 7 – Application for Blue Light Permit** – Calvin M. Inscho, Blairstown Hose Company No. 1

Mr. Shoemaker made a motion to approve the Consent Agenda, which was seconded by Mr. Lance.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

DEPARTMENT REPORTS

Clerk – July Report
Finance – Fuel Report
Police Department – July Report
Tax Collector – July Report
Municipal Court of North Warren – June Report
Warren County Health Department – July 6, 2012

Mr. Mach made a motion to accept the Department Reports, which was seconded by Mr. Lance.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

UNFINISHED BUSINESS

- 1 – Service Electric Cable TV – letter sent to SECTV; SECTV is investigating extension of service
Mr. Mach said that the public hearing for the contract renewal has been advertised in the NJ Herald and will be held during the regular meeting on September 12, 2012.

Mr. Benbrook said that he will be contacting a representative of the Public Utilities Commission to determine what actions the township can take in order to get the extended service that has been requested on several occasions.

- 2 – Hazardous Obstructions at Blairstown Airport – waiting for map from State
No action taken.
- 3 – Review of Recreation Ordinance – Fair Share Reimbursement
No action taken.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Richard T. Burke, Warren County Prosecutor, re: Resident Restrictions for Convicted Sex Offenders

Mayor Anderson explained that this correspondence is requesting that the township repeal its local ordinance regarding resident restrictions for convicted sex offenders, as it is preempted by Megan's Law. Mr. Benbrook will review this and will draft an ordinance to repeal our local ordinance for the September meeting.

GENERAL CORRESPONDENCE (See attached sheet)

There were no comments or questions on the General Correspondence list.

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook said that there is no ongoing litigation at the time to report on. Tax foreclosures will be filed on behalf of the township in the near future.

Due to problems in the past, the township decided to require any sellers contracting with the township for COAH units to provide title insurance binders. Mr. Benbrook said that a recent search has shown a problem with the title. This has delayed the closing, but Mr. Benbrook feels that the problem can be worked out satisfactorily.

FROM THE TOWNSHIP CLERK

There was nothing to report.

FROM THE TOWNSHIP COMMITTEE

COMMITTEEMAN LANCE

Mr. Lance said that the Blairstown tax rate went down very slightly. He said that most of the tax rates in municipalities he is aware of went up.

The parking lot at Sycamore Park has been paved and is a big improvement.

Mr. Lance said that he was approached a couple of months ago by St. John's Serbian Orthodox Church Camp in Hope regarding a national soccer festival. Hope Township is allowing them to use their fields in exchange for the township making money on the concession stands. Mr. Lance suggested that Blairstown rent two fields for use on September 1st for this festival. Pat Sagan, Recreation Director, has spoken with the festival representatives and they have agreed to pay the township \$300.00 per field for a total of \$600.00. The two fields are located in Sycamore Park. Certificates of insurance have been provided. Mr. Lance made a motion to rent the two fields to St. John's Serbian Orthodox Church Camp on September 1, 2012, for a total of \$600.00. The fields will be used for their soccer festival and the monies will be placed in the Recreation Trust Account. Mr. Seal seconded the motion.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

Robert Haberstadt, Blairstown Ambulance Corps, suggested that the festival representatives contact the ambulance personnel for stand-by coverage if they are not supplying their own coverage. Mr. Lance said that he will convey this message to Mrs. Sagan.

Mr. Lance said that the NJ State Department of Transportation is requiring the resolution awarding the job of Safe Routes to Schools project administrator to indicate that three quotations were solicited. Mr. Lance said that three bids were, in fact, solicited and that Ted Rodman of Rodman Associates supplied the lowest responsible bid. Mr. Lance made a motion to award the job of SRTS Project Administrator to Ted Rodman of Rodman Associates at a rate of \$121.00 per hour. Mr. Mach seconded the motion.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

COMMITTEEMAN MACH

Mr. Mach said that the police contract negotiations are still on-going. He summarized the Police Department Report for the month of July, 2012. Mr. Mach remarked that there has been a spike in the number of domestic disturbances. He asked the Police Director to comment on this. Mr. Gara said that this hinges on many factors, the major ones being stress brought on by money problems

and the downturn in the economy. Mr. Gara said that the summer months also seem to find an upsurge in domestic disturbance calls.

Mr. Mach said that a letter was received from the Department of Environmental Protection, Division of Fish and Wildlife, thanking our police officers for their assistance in apprehending a felon who illegally killed a bear.

Mr. Mach said that our COAH funds are protected for this year. Mayor Anderson has signed the certification required by the State that indicates that none of our COAH money will be seized by the State. There is \$87,000 that needs to be committed into COAH units by next year. It appears that enough people have responded to the last letter of interest mailed to residents so that the township will be able to commit the necessary amount to the affordable housing program.

Mr. Mach reminded everyone that the Service Electric Cable TV public hearing will be held during the next meeting on September 12th.

The township made a presentation to the Warren County Municipal Charitable and Conservancy Trust Committee asking for \$266,000.00 for the rehabilitation and renovation of the Paulina Dam. Mr. Mach thanked Paul Avery for his assistance in preparing the presentation. Mr. Mach believes that the presentation went well. There is also a low interest loan available through the Bureau of Dam Safety. Mr. Rodman will be making application for this loan in the event that the trust money is not awarded to Blirstown.

COMMITTEEMAN SEAL

Mr. Seal said that there is job overlap at the Water Company between the DPW and the water operator. Mr. Seal said that there needs to be a differentiation in duties. He and Mr. Lance will be working on this problem.

Mr. Seal said that the Recreation Director is having a problem finding a location for one of her programs. She is getting resistance from the fire department in locating this program at the Mohican Road fire hall. Mr. Seal asked Mr. Shoemaker to intercede in this problem.

COMMITTEEMAN SHOEMAKER

Mr. Shoemaker said that there is a large pile of stones at the water company that might be able to be used at the Paulina Dam site. Mr. Mach asked Mr. Shoemaker to inform Mr. Rodman about this so he can find out if the stone is usable at that site.

The filmmakers of "April Grace" have asked Mr. Shoemaker if there would be any objection to having a sign in their film that reads "Blirstown – Population 80." Mr. Benbrook said that there is no legal issue and the Committee had no objections.

Mr. Shoemaker said that he met with members of the MOM's Club to choose a location for the children's playground. The location decided on is situated between the DPW building and the concession stand. The area is 50 ft. by 135 ft. in size. Mr. Shoemaker recommended that the township have some say in the type of equipment that is placed on township property. He also would like a time limit imposed on the club to have the playground in place by a certain date. After discussion, the Committee agreed that a five year time limit would be acceptable. It was also

agreed that the design and equipment should be contingent upon Committee approval. Mr. Shoemaker made a motion to dedicate a piece of property, the specific area to be determined and outlined by stakes or other monumentation, to the MOM's Club for use as a children's playground. Mr. Lance seconded the motion.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

Mr. Shoemaker said that the township borrowed steel plates from the county for road repair. The county needs the plates back but the township finds that there is still a need for them. Instead of removing the plates, Mr. Shoemaker is recommending purchasing new plates for the County. Mr. Shoemaker made a motion to authorize the DPW to spend up to \$750 to replace the steel plates for Warren County. Mr. Lance seconded the motion.

Roll call vote: AYE – Lance, Mach, Seal, Shoemaker, Anderson

Mr. Shoemaker and the DPW Foreman will be riding around various streets to look at potholes that have been reported around the municipality.

JB Landscaping has mowed the grass at the former Ascenza building. The township will send a letter of thanks to them.

MAYOR ANDERSON

Mayor Anderson said that the matter of fire department coverage is ongoing and he is asking for an equitable solution between the municipalities.

Mayor Anderson thanked Mr. Mach for his work on the presentation to the Warren County Municipal Charitable and Conservancy Trust Committee. Mr. Mach responded that Mr. Avery and Mr. Rodman did a great deal of the work on this project.

Mayor Anderson complimented Debbie Waldron, Land Use Board Chair, on asking her members to educate themselves on the large scale solar issues going on. Mayor Anderson said that we should be examining the benefits as well as the problems at this point.

FROM THE PUBLIC

Rosalie Murray, Heller Hill Road, asked about pension and medical benefits for township employees. She wanted to know if this is outlined in our personnel policy. She was told that these benefits are outlined in the township's personnel policy.

Mrs. Murray asked if the animal control officer received benefits from the township. Mayor Anderson said that the animal control officer does receive benefits, but this was negotiated years ago. Mr. Mach said that he believes that his salary is reduced in order to receive the benefits. Mrs. Murray suggested that the cost of the animal control officer's benefits be split with the other municipalities he serves.

Gina Trish, East Avenue, asked Mr. Shoemaker about the vacant lot where the Community Center used to stand. Mrs. Trish presented plans to the Committee last year for a garden on this site, which the Committee approved. Mr. Shoemaker said that the township is waiting for the

contractor to advise when the property will be graded. After that work is completed, plans for the garden can move forward.

Kevin Doell, Heller Hill Road, asked if thought was given about police protection and clean-up during and after the soccer festival. Mr. Lance said that the festival is responsible for the clean-up, and the police department will be on duty during their regular hours.

ADJOURNMENT

As there were no further comments or questions from the public, Mr. Mach made a motion to adjourn, which was seconded by Mr. Lance, with all members in favor. The meeting was adjourned at 9:08 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk