

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
Wednesday, June 11, 2014, 6:45 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. Those present were Mr. Anderson, Mr. Avery, Mr. Lance, Mrs. Price and Mayor Shoemaker. Also present were Clerk Pizzaia and Attorney Robert Benbrook.

The **FLAG SALUTE** was conducted.

SUNSHINE STATEMENT

Mayor Shoemaker 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 –Contract Negotiations; Potential Litigation

Mr. Lance made a motion to enter into Closed Session, which was seconded by Mr. Avery.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

WHEREAS, the Blirstown 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 subjects in Closed Session;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Blirstown, 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: June 11, 2014

Attest:

Phyllis E. Pizzaia, RMC
Municipal Clerk

RESULTS OF CLOSED SESSION

Mr. Lance made a motion to close the Closed Session meeting. Mr. Avery seconded the motion.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

Mr. Lance made a motion to authorize Mr. Benbrook to formalize an agreement with the Blirstown Hose Company No. 1 to cancel the lease to occupy the bottom portion of the Mohican Fire Hall. The township will authorize the expenditure of \$25,000 for air packs for the Blirstown Hose Company. The Township will also forgive back insurance payments due to the township from the fire company in the approximate amount of \$4,800.00. Mayor Shoemaker seconded the motion.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

PUBLIC COMMENT – up to 5 speakers, 3 minutes each

Sylvia Zika, Four Corners Road, spoke about drainage problems on Four Corners Road. Mrs. Zika said that she spoke to Mr. Rodman at the end of the May meeting and was told that there would be a solution to the drainage problem by this meeting. Mrs. Zika reiterated that the Township Committee recognized the safety issue involved in this matter and is waiting for the Committee’s response. Mr. Benbrook said that he is prepared to speak about this issue but it will take longer than the three minutes allowed in this portion of the meeting, so he will address her during the public portion at the end of the meeting.

MINUTES

May 14, 2014 – Regular Meeting and Closed Session Minutes

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

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

CERTIFICATE OF RECOGNITION presented to Tyler Johnson

Dr. Fogelson was present to introduce Tyler Johnson, a North Warren Regional High School student, who was instrumental in getting assistance for a teacher who was experiencing a medical emergency. Mayor Shoemaker presented Mr. Johnson with a Certificate of Recognition for his heroic actions.

ORDINANCE 2014 – 03 AN ORDINANCE TO AMEND CHAPTER 190 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED “WATER” TO ESTABLISH NEW WATER CHARGES

Adoption, Second Reading

Mayor Shoemaker explained that this ordinance creates a per unit charge for water for multiple housing units with one water meter.

Public Hearing

Mayor Shoemaker opened the public hearing. Robert Haberstadt, owner of a building on Main Street, said that his building has two residential units and two commercial units. He said that this ordinance will raise his water bill significantly.

Sylvia Zika, Four Corners Road, asked for clarification on this ordinance. Mr. Avery explained the purpose of this ordinance is to make the water charges more equitable for all water users.

As there were no further comments on Ordinance 2014 – 03, Mayor Shoemaker closed the public hearing.

Mr. Lance made a motion to adopt Ordinance 2014 – 03 on second reading, which was seconded by Mr. Avery.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

ORDINANCE 2014 – 04 AN ORDINANCE REVISING CHAPTER 29 ENTITLED “HISTORIC PRESERVATION COMMITTEE”

Adoption, Second Reading

Mayor Shoemaker explained that this ordinance amends the maximum membership total from seven (7) to 25, 75 percent of which must be Blairstown residents.

Mr. Lance stated that the membership was being expanded to 25 members in order to allow for more out of town residents to participate on the Committee.

Mayor Shoemaker expressed concern about the wording of Section I, Paragraph 29-2 A. (1). He would like it clear that the Mayor is responsible for the appointment of all members, not just the 75% of those who are residents. Mr. Benbrook said that he would rewrite that section and that the ordinance could be adopted tonight as this is a very minor change.

Public Hearing – Open/Close

Mayor Shoemaker opened the public hearing. As there were no comments from the public, Mayor Shoemaker closed the public hearing.

Mayor Shoemaker made a motion to adopt Ordinance 2014 – 04 on second reading with the modification as discussed. The motion was seconded by Mr. Lance.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

ORDINANCE 2014 – 05 BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$851,000 FOR VARIOUS IMPROVEMENTS IN AND BY THE TOWNSHIP OF BLAIRSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$623,450 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION Introduction, First Reading

Mayor Shoemaker said that this bond ordinance is necessary in order to finance the repair of certain roads. Mr. Lance added that the roads being looked at are Sand Hill Road, Heller Hill Road, Belcher Road, Mud Pond Road, Kishpaugh Road, Vail Road, and Maple Lane. The purchase of a police vehicle will also be included in this bond ordinance.

Mr. Lance made a motion to approve Ordinance 2014 – 05 on introduction, which was seconded by Mr. Anderson.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

ORDINANCE 2014 – 06 AN ORDINANCE TO PROVIDE FOR THE REPLACEMENT OF VARIOUS GUIDE RAILS FOR THE TOWNSHIP OF BLAIRSTOWN AND TO PROVIDE FOR THE FUNDING THEREOF Introduction, First Reading

Mayor Shoemaker remarked that the replacement of guide rails is planned for various areas along Cobblewood Road. The total amount for the project is approximately \$40,000.00.

Mayor Shoemaker made a motion to approve Ordinance 2014 – 06 on introduction, which was seconded by Mr. Avery.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

CONSENT AGENDA

- 1 – R.2014 – 069 Authorization to Pay Bills
- 2 – R.2014 – 070 Approval of 2014-15 Liquor Licenses
- 3 – R.2014 – 071 2013 Audit Review
- 4 – R.2014 – 072 Redemption of Certification of Sale No. 2014-005

- 5 – R.2014 – 073 Cancellation of Driveway Escrows
- 6 – R.2014 – 074 Cancellation of Purchase Orders
- 7 – R.2014 – 075 Authorizing the Mayor to Sign Agreement with Nisivoccia Consulting LLC for Redesigning Website
- 8 – R.2014 – 076 Appointment of Richard Mach to Land Use Board
- 9 – R.2014 – 077 Authorizing the Mayor to Sign Proposal by Mumford-Bjorkman Associates, Inc. to Perform ROV Evaluation on Water Standpipe at Water Company
- 10 – Approval of Business Directional Sign for Blirstown Dog Park, to be located at Route 94 and Lambert Road

Regarding R.2014 – 071, 2013 Audit Review, Mrs. Price wanted it noted that the affidavit that the Committee is required to sign refers to the members having read the “General Comments” and “Recommendations”. The audit however, does not have a section titled Recommendations.

Mayor Shoemaker thanked Mrs. Price for noticing minor wording inaccuracies dealing with accounting practices. These have been corrected by the auditor. Mayor Shoemaker said that the firm of Ardito and Ardito has been the township’s auditor for many years and that he has complete confidence in their abilities.

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

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

PUBLIC HEARING on subordination of reverter requirements and use restrictions contained in the Deed from the Township of Blirstown to the Blirstown Ambulance Corps

Mr. Benbrook explained that this public hearing is being required by the bank lending money to the Blirstown Ambulance Corps. He said that this subordination of reverter agreement does not affect the township financially. Mr. Benbrook said that he is working with the bank on a slight modification regarding a time frame issue, and that the motion to approve will encompass this modification.

Mayor Shoemaker opened the public hearing. As there were no comments from the public, Mayor Shoemaker closed the public hearing.

Resolution 2014 – 078 Authorizing Subordination of Reverter Requirements and Use Restrictions Contained in the Deed from Township of Blirstown to the Blirstown Ambulance Corps

Mr. Lance made a motion to approve R.2014 – 078 with the modification on the time frame, which was seconded by Mr. Anderson.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

Mr. Benbrook reported that the agreement for a shared court with Knowlton Township has been approved by the State with minor changes. Mr. Benbrook is requesting approval of the amended agreement tonight, along with authorization for him to notify Hope Township of Blaiirstown's intent to leave the Joint Court of North Warren as of December 31, 2014.

Mrs. Price made a motion to approve the amended agreement and to authorize Mr. Benbrook to make notification to Hope Township. Mr. Anderson seconded the motion. Mr. Anderson stated that Knowlton Township is being required to purchase a bullet proof door for the judge's chamber. Mr. Anderson would like the Committee to approve \$500.00 towards the purchase of this door. Mrs. Price amended her motion to include funding of the door. Mr. Anderson seconded the motion.

Roll call vote: AYE – Anderson, Avery, Price, Shoemaker
 ABSTAIN – Lance

DEPARTMENT REPORTS

Clerk – May Report
Finance – May Finance and Fuel Reports
Fire Department – April and May Reports
Police Department – May Report
Tax Collector – May Report
Municipal Court of North Warren – April Report
Warren County Health Department – May 11, 2014

Mrs. Price asked about the situation at 83 Union Brick Road. The Clerk informed the Committee that Kevin Cavotta of the Warren County Health Department informed her that Mrs. Davenport's son was sent a summons but it was returned. Mr. Cavotta said that the court will be issuing the summons to Mr. Davenport. Mr. Cavotta will keep the Committee informed on any progress.

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

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

UNFINISHED BUSINESS

1 – Service Electric Cable TV – SECTV is preparing draft ordinance for franchise renewal

Nothing new to report.

COMMITTEE CORRESPONDENCE for information and possible action

1 – from Rebecca Seamon, President, Blaiirstown Dog Park, regarding the addition of a pavilion at the dog park site

Ms. Seamon explained the plans to improve the park, which include the planting of trees and the addition of an open sided pavilion. Ms. Seamon said that this would be funded by the Dog Park Committee. There was a discussion on the flight zones affecting Sycamore Park and whether this would be allowable by law. Mr. Benbrook said that this is a statutory issue that he will research. The Committee agreed to table this matter until Mr. Benbrook can advise.

Ms. Seamon requested the placement of a handicap parking sign somewhere on the fence line. Mr. Rodman advised that the sign could be placed at this location. Mayor Shoemaker said that he will ask the DPW Foreman to take care of this matter.

2 – from Patricia Sagan, Recreation Director, re: Request for Purchase of Baby Changing Table

Mayor Shoemaker said that this is a request for a baby changing table at the women's restroom at the concession stand at Sycamore Park. The approximate cost is \$250.00.

Mr. Avery made a motion to approve this request, which was seconded by Mr. Lance.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

3 – from Joel McGreen, Open Space Chair, regarding open space projects

Mr. McGreen stated that there was some confusion regarding what was required for the open space land purchase he has been working on. At this point, all he needs from the Committee is a resolution in support of the Open Space Committee's application to the Warren County Municipal and Charitable Trust Fund Committee to purchase the Kostenbader property.

Mr. Lance made a motion to approve this request, which was seconded by Mr. Avery.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

GENERAL CORRESPONDENCE

Mrs. Price had a question about correspondence regarding freshwater wetlands. Mr. Rodman responded that this was correspondence from an old permit. Mr. Rodman is looking into this to see if any action is required from the township.

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

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook had nothing to report.

FROM THE TOWNSHIP CLERK

The Clerk had nothing to report.

FROM THE TOWNSHIP ENGINEER

Mr. Rodman gave an update on bridge repairs in the township. The bridge repair at Mud Pond Road is scheduled to begin August 1st. The East Crisman Road Bridge is scheduled for either fall or next spring. The Route 94 Jacksonburg Bridge work will not begin until 2019.

FROM THE TOWNSHIP COMMITTEE

Mr. Anderson thanked everyone for their cooperation and hard work on the court issue. He believes that this is a good move for Blairstown.

North Warren Regional High School has request a special resource officer for the school. Due to budgetary constraints, the State Police will not be providing this service anymore. Blairstown is currently in negotiations with the High School for the placement of a Special Resources Officer in the school through the Blairstown Police Department. The School Board would be paying for this. The school might also be looking for two part-time officers who would be paid hourly.

Officer Bisanzio graduated from the academy last week. The newly hired Special Officer, Rocco Guirrerro, is working out well.

Mr. Anderson summarized the Police Report for the month of May.

COMMITTEE MEMBER AVERY

Mr. Avery said the Environmental Commission is not meeting during the summer.

Mr. Avery attended the Senior Citizens appreciation luncheon on May 29th. He read a certificate of appreciation given to Blirstown for their support of senior citizens. He said that Terry Lee, former County Clerk, was awarded the Senior Citizen of the Year Award.

Mr. Avery continues to write an article for The Press, outlining items of discussion at the monthly Committee meetings.

The water tower at the Water Company will be scheduled for inspection.

The Blirstown Fourth of July celebration plans are coming along nicely. Betsy Ross and Uncle Sam will be in attendance.

COMMITTEE MEMBER LANCE

The Historic Preservation Committee continues to work on signage on Main Street. Mr. Lance commented that this is a very hard working committee.

Mr. Lance said that the Township Committee will be looking at the construction of a new recreation center now that we have been released from the contract for the Mohican Fire Hall. Mr. Lance suggested that the Open Space Tax be increased in order to fund this and other projects in the township. Mr. Lance made a motion to increase the open space tax from 1.5 cents to 2 cents. For a \$300,000 assessed home, the yearly tax increase would be about \$15.00. This increase would begin with the 2014/2015 tax period. Mr. Anderson seconded the motion.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

COMMITTEE MEMBER PRICE

Mrs. Price said that she visited the Blirstown Elementary School and donated pocket Constitution booklets. She received thank you notes from Mrs. Pfeiffer's third grade class.

Mrs. Price would like to have the insurance coverage dropped on the ladder truck below \$1M. The premium is now costing the township an additional \$1,800. If the truck were to be insured for less than \$1M, there would be no additional premium. Mrs. Price made a motion to drop the insurance coverage cost from \$1M to \$950,000. The motion was seconded by Mr. Lance.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

With regard to COAH, Mrs. Price said she and Theresa Tamburro, Municipal Housing Liaison, participated in a recent COAH webinar. Mrs. Tamburro will also be attending a COAH seminar on June 17th. Mrs. Price said that the webinar stressed the importance of getting in comments during the comment period beginning on June 2nd and ending on August 1st. Mrs. Tamburro has recommended that the Land Use Board utilize their Planner for preparing the comments.

Mrs. Price said that Mrs. Tamburro is having difficulties obtaining the amended MOU for the ARC group home, changing the matching funds from 50/50 to 80/20. Mrs. Tamburro suggested that Mr. Benbrook write the language changes being requested for the ARC agreement for submission to the ARC.

Mr. Lance said that the Historic Preservation Committee is submitting an application to the Warren County Municipal and Charitable Trust Fund Committee to receive funding for the restoration of stained glass at the First Presbyterian Church. They are asking the Township Committee for a letter of support for this project application. Mr. Lance made a motion to provide this letter, which was seconded by Mr. Avery. All members voted in favor.

MAYOR SHOEMAKER

Mayor Shoemaker asked Patricia Sagan, Recreation Director, to research prices to install a basketball court at Sycamore Park. He believes it would be used a great deal and would be relatively inexpensive and low maintenance.

Mayor Shoemaker said that with regard to COAH, there are four options available to comply with COAH and the only one that would apply to Blairstown is setting up homes for disabled persons. Mayor Shoemaker will be asking the Land Use Board Chair to discuss this with their Planner. Hopefully, comments would be available to the Township Committee for the July meeting.

Mayor Shoemaker announced that Blairstown received its Clean Communities grant monies in the amount of \$18,338.93.

Mayor Shoemaker said that he would like to support the NJ League of Municipality in its effort to hold the 2% cap on interest arbitration. A resolution was sent earlier this year on this subject. Mayor Shoemaker made a motion to send another resolution in support of this, which was seconded by Mr. Lance.

Roll call vote: AYE – Anderson, Avery, Lance, Price, Shoemaker

Mayor Shoemaker said that the township did not receive the grant to repair the second section of Sand Hill Road. Mr. Rodman said that the township was awarded \$185,000 for the first section of Sand Hill Road. He believes that he can use recycled materials to resurface the entire road with the grant monies available.

Mayor Shoemaker said that there will be a fundraiser walk on June 21st at the Paulins Kill Trail starting at Footbridge Park to benefit a gentleman with ALS.

FROM THE PUBLIC

Carol Cook, Four Corners Road, asked about the total bond debt for Blairstown. Mr. Lance responded that it is \$2,368,483.00 as of December 31, 2013. This is basically from the purchase of the Jones Farm and Gorab property.

Sylvia Zika, Four Corners Road, said that she has researched the driveway permit issue for the property on Four Corners Road through OPRA requests, and that there are no records on file.

Mrs. Zika said that she has read the driveway ordinance in effect at that time and said that a driveway permit was required at the time the driveway was constructed. She said that the issues involved are public safety and lack of enforcement of township ordinances. Mrs. Zika wanted to know what the Township Committee plans to do about the driveway issue.

Mayor Shoemaker responded that township officials have met to discuss this issue. Four Corners Road is only one of many roads that need attention. Mayor Shoemaker also said that just because the permit documents Mrs. Zika requested are not on file does not mean that the work was done illegally.

Mr. Benbrook said that the DPW Foreman and Mr. Rodman have examined the road. Mr. Benbrook added that the driveway owner has, in fact, taken corrective action and the DPW Foreman believes that it has significantly corrected the problem.

Mr. Benbrook said that the township needs to prioritize when it comes to spending funds. It is the Committee's responsibility to decide which issues need to be addressed first, and it has been determined that other roads have more serious issues than Four Corners Road.

Mrs. Zika reiterated that there are no documents to confirm that permits were properly obtained, and she feels that the driveway does not comply with township ordinances.

Richard Myron, Cobblewood Road, said that he would like the wall on Heller Hill Road repaired. He also has an issue with the placement of the mailboxes on this road. Mayor Shoemaker responded that the township is in the process of getting quotations to stabilize the wall in question and to move the stone row on the opposite side in order to widen the road.

ADJOURNMENT

As there were no further comments from the public, Mr. Avery made a motion to adjourn the meeting, which was seconded by Mayor Shoemaker. All members voted in favor. The meeting was adjourned at 10:25 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk