

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
MUNICIPAL BUILDING
Wednesday, January 13, 2010, 7:30 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 Mach. Those present were Mayor Mach, Mr. Anderson, Mr. Lance, Mr. Lascari and Mr. Seal. Also present were Clerk Pizzaia and Township Attorney Robert Benbrook.

FLAG SALUTE

The flag salute was conducted.

SUNSHINE STATEMENT

Mayor Mach 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.

PUBLIC COMMENT (up to 5 speakers/3 minutes each)

John Sartori, Gayle Drive, explained the problem he has with the constant barking of his neighbor's dogs. He said that the township ordinances do not address this problem and he has come before the Committee in the hope that something can be done about it. His neighbor has approximately 13 dogs, which she breeds and sells. In effect, she is running a kennel and the township has no kennel ordinance which prohibits this activity in a residential area.

Mr. Benbrook said that many municipalities put limits on the number of dogs owned by one resident. Blairstown does not. The Committee requested that Mr. Benbrook look into this matter, specifically running a kennel in a residential area. Mr. Benbrook will research this matter and report to the Committee and give his recommendations in the next couple of months.

Erin Siple, Millbrook Road, Hardwick, came before the Committee to request the use of the Givens Belet facility to house 15 members of a drum corps overnight. She has the required certificate of insurance. The drum corps, known as the Cavalleros, will be travelling from Harrisburg, PA and need a place to sleep overnight. Mr. Seal stated that the Givens Belet building would not be suitable and asked why the North Warren Regional High School was not being

asked. Ms. Siplely said that the group would be staying at the school overnight some of the nights and she didn't want to overextend the staff at the high school.

The Committee discussed various locations and suggested that Ms. Siplely try some of the local camps and churches.

MINUTES

December 9, 2009 – Regular Meeting and Closed Session (Mr. Seal absent)
Mr. Lance made a motion to approve the minutes, which was seconded by Mr. Anderson.

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

January 4, 2010 – Reorganization Meeting
Mr. Lance made a motion to approve the minutes, which was seconded by Mr. Seal.

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

PRESENTATION by Ted Rodman, Township Engineer – County Project: Restoration of Bridge Street

Mr. Rodman explained that this is a county project being funded by Warren County. The first part of the project consists of installing a new drainage system from the top of Bridge Street all the way down Main Street, across Main Street to Blair Creek. They will also be milling and overlaying Main Street from the bridge to Bridge Street. Bridge Street will be reconstructed with new sidewalks and curbing.

Specifications for this project will go out in February with an opening date sometime in March. The County anticipates this project starting in April and finishing in June. There will be detours and rerouting of traffic, which will be announced by the County in the near future. There will be an attempt to minimize interference with the Main Street businesses.

The Committee asked Mr. Rodman to communicate with the Main Street businesses regarding details of this project when they are formalized by the County.

Mayor Mach thanked Mr. Rodman for his explanation of this project.

Mr. Benbrook stated that the agreement between Levitt and Solondz has been completed and the next step is to record the deeds. Mr. Benbrook said that Mr. Rodman is not satisfied with the property descriptions. The engineer who

created the subdivisions on this property told Mr. Rodman that he would create new, more accurate descriptions for \$800.00. Mr. Benbrook asked Levitt and Solondz to pay for half of this cost, which they agreed to. Mr. Lance made a motion to pay \$400.00 for the preparation of legal descriptions for the Sand Hill property, which was seconded by Mr. Seal.

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

Mr. Benbrook spoke about an email from Mr. Rodman dealing with the wastewater management plan required by the State and the consequences of not complying. Our informal position to date has been that if someone comes along that wants to put in a system that requires more than 2,000 GPD per day, we would negotiate with them to help pay for the wastewater management plan. Although this plan is due soon, there is legislation pending that would extend the deadline for another two to three years.

Mr. Benbrook spoke about our recent attempt to sell the water company and that one of the bidders had requested a Phase I Environmental Audit. In anticipation of trying to sell the water company again in the near future, the Committee asked Whitman Company for a proposal to conduct a Phase I Environmental Audit. Whitman Company made a proposal to prepare this audit for \$3,500.00. Mr. Benbrook felt this price was too high, so he negotiated a price of \$3,000.00. Mr. Skoultchi of Whitman Company said that he thinks this is a good idea, but the Committee should be aware that this audit is valid only for six (6) months. Due to this fact and due to the change in price from \$3,500 to \$3,000, Mr. Benbrook recommended pulling the resolution awarding the contract to Whitman and holding it until a rebidding of the water company is in sight. The Committee agreed to pull Resolution R.2010-022 from the agenda.

PRESENTATION by Michael Sylvester, Whitman Company – Green Energy/Solar Panels

Mr. Skoultchi, CEO/President of Whitman Company, gave a presentation on solar renewable energy systems. He spoke about the driving force behind installing solar systems and explained the basics of photo-voltaic (PV) systems, its components and installation.

Mr. Skoultchi also talked about market conditions and the costs involved in the system components. He reviewed the federal and state incentives available, as well as how the system can be funded. The system can be purchased through power purchase agreements, whereby no capital outlay is required and the system is owned and operated by another party. The municipality can also purchase the system directly, and would own and operate the system. The most probable way for a municipality to purchase the system would be through bonding.

Mr. Skoultchi spoke about the various solar system projects his company has been involved with. A copy of the Whitman presentation is attached to the minutes.

There was a lengthy discussion on different scenarios for providing solar power to other locations and entering into a partnership with Blair Academy and the public schools. Mr. Skoultchi answered questions from the Committee regarding the installation of a solar system and newer panels that have a more attractive appearance. Mayor Mach thanked him for an informative presentation.

Mr. Lascari asked how long it takes to get approvals and the design in place after signing an agreement. Mr. Skoultchi said that this would be approximately three (3) months.

Mr. Skoultchi suggested that he bring his partner with him to Blairstown to review the township's utility bills. At that time, Whitman could give a recommendation on the best system for the municipality.

PRESENTATION by Theresa Tamburro, MHL – Status of Blairstown's COAH Housing Program

Theresa Tamburro gave a brief history of Blairstown's involvement in COAH, leading up to our being granted substantive certification at the July, 2009 meeting of the Council on Affordable Housing. She has been working towards meeting the goals set forth by COAH. These include advertising in the publications dictated by COAH, and seeing that our checklist is in place. Applications are now available for the public and completed applications have been coming in.

In 2009, we were supposed to have 3 market to affordable units and 2 more in 2010. As of December 2009, we have 1 firm commitment for a market to affordable 3 bedroom unit, 1 market to affordable 2 bedroom unit, 1 3-bedroom accessory apartment and 1 2-bedroom accessory apartment. The 2 bedroom accessory apartment owner is willing to discuss renting to very low income. Ms. Tamburro feels we are in good shape with regard to keeping with the schedule. The next step is to have the building inspector make inspections on these units to certify that they are habitable according to code. She will send a copy of the deed restriction form to Mr. Benbrook for his input and approval.

There are some use group homes that may wish to participate in the program. Ms. Tamburro plans to research this aspect further.

The operation manual has been completed and sent to COAH as required by their regulations.

Mr. Benbrook stated that the new governor has indicated that changes will be made to the COAH program. He recommended doing the minimum required

to keep us in compliance until it is made clear what direction COAH will be headed. Mayor Mach added that we are six months into the two year period, after which COAH will be looking into the status of Blairstown's progress. At that point we will have to be at the 10% target. Ms. Tamburro said it is also her recommendation to proceed slowly until the future of COAH becomes clearer. The Committee was in agreement that this is the course of action to take.

Public Comment on the Consent Agenda Items Only

CONSENT AGENDA INCLUDING RESOLUTIONS

- 1 – R.2010-019** Authorization to Pay Bills
- 2 – R.2010-020** Refund of 2009 Tax Overpayment
- 3 – R.2010-021** Contracting for Professional Services with Competitive Bidding in Accordance with Local Public Contracts Law – Bond Counsel
- 4 – R.2010-022** Authorize Mayor to Sign Contract with Whitman Company
- 5 – R.2010-023** Promotion of Officer Nicholas Falcicchio to Class 3 Officer
- 6 – R.2010-024** Promotion of Officer Scott Johnsen to Class 4 Officer
- 7 – R.2010-025** Authorization for the Transfer of Funds
- 8 – Application for Blue Light Permit** – Ed Belcher, John Browning, and Misty Mott of Blairstown Ambulance Corps
- 9 – Application for membership in Blairstown Hose Company No. 1** – David Peck

Resolution R.2010-022 was pulled from the Consent Agenda.

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

Roll call vote: Aye – Anderson, Lance, Lascari, Seal, Mach

DEPARTMENT REPORTS

- Clerk – December Report
- Construction – December Report
- Fire Company – September, October and November Reports
- Finance – December Report
- Police Department – December Report
- Public Works Department – December Fuel Report
- Tax Collector – December Report
- Zoning Official – 4th quarter Report
- Warren County Health Department – December 11, 2009 Report

Mr. Lance made a motion to accept the department reports, which was seconded by Mr. Lascari, with all members voting in favor.

UNFINISHED BUSINESS

- 1 – Rte. 94 traffic concerns:

- a. left hand turn signal at Lambert Rd. – State in process of approving
 - b. engine braking – sample ordinance from Hope Township
 - c. in-street pedestrian sign – in process/paperwork sent to State
- 2 – JCP&L billing – Mr. Lascari has completed input of date; to go to Environmental Commission for input
Mr. Lance said that there is a proposal from an aggregator who claims to be able to save us \$1,300 a month based on current rates. The proposal is for a three year agreement.
 - 3 – Main Street concerns – road striping; feral cats
 - 4 – Review of Noise Control Ordinance – model ordinance received from county
Mr. Lascari reported that he is working on this. He hopes to have a draft ready for the February meeting.
 - 5 – Cedar Lake Horse Farm – request for proposal due date extended to December 18th
Mayor Mach reported that one (1) submission was received.
 - 6 – Repairs to Givens Belet building – to be addressed during budget preparation
Mr. Lance reported that Mr. DePuy is compiling this for discussion at his budget meeting.
 - 7 – Service Electric Cable TV – extension of cable service
Mr. Lascari is working on this.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Patricia Sagan, Recreation Director, requesting Committee to proceed with Green Acres Loan

Tabled resolution R.2009-166 Green Acres Enabling Resolution

Mr. Seal made a motion to approve this resolution which was seconded by Mr. Lascari. Mr. Lance said that this resolution is unnecessary since there will not be a 2/3 affirmative vote to adopt a bonding ordinance which is required for the Green Acres loan. Mr. Seal and Mr. Lascari wished to go ahead with this resolution.

Mayor Mach stated that at last month's meeting, Mr. Benbrook said that the Committee could conduct a straw poll vote wherein the Committee members would vote as they would on second reading of the bond ordinance. The purpose of this vote is to ascertain if there is a possibility of the ordinance passing with a 2/3 affirmative vote. If not, there would be no reason to spend the approximate \$1,000 to have the bond prepared.

Mr. Benbrook added that the procedure is to take a straw vote, and if the determination is that there is not a 2/3 vote, then the ordinance will be tabled. Mayor Mach called for the straw vote.

Mr. Lascari reminded the Committee that there was a motion on the floor to vote on R.2009-166 – Green Acres Enabling Resolution. Mayor Mach called for a vote on this motion.

Roll call vote: AYE – Lascari, Seal, Mach
 NAY – Anderson, Lance

Mayor Mach called for a straw vote to determine whether there would be a two-thirds (2/3) affirmative majority vote on second reading of the bonding ordinance.

Roll call vote: AYE – Lascari, Seal, Mach
 NAY – Anderson, Lance

Mr. Benbrook reiterated that the lack of a 2/3 affirmative vote on this straw vote means that the introduction of a bonding ordinance to accept the Green Acres loan has been tabled.

There was a discussion on alternate means by which the Recreation Committee could get the necessary funds for the building of this park. Mr. Anderson and Mr. Seal both stated that the Recreation Committee has been working towards receiving donations. They are in the process of getting the necessary approval from the Zoning Officer to place a donation thermometer on the site and are requesting approval for a park name so they can move forward with a 501-C.

- 2 – from Patricia Sagan, Recreation Director, re: Naming of Gorab Property
This memorandum is a request by the Recreation Committee to name the proposed park on the Gorab Property as Blair Meadow Park.

Mr. Lascari made a motion to approve the name of the park property, which was seconded by Mr. Seal.

Roll call vote: AYE – Anderson, Lascari, Seal, Mach
 NAY – Lance

- 3 – from Patricia Sagan, Recreation Director, re: Preliminary Assessment
This involves paying T&M Associates \$4,000 for a preliminary assessment for the property.

Mr. Anderson made a motion to table this request, which was seconded by Mr. Lance.

Roll call vote: AYE – Anderson, Lance, Seal, Mach
NAY – Lascari

- 4 – from Ralph Price, Construction Official, requesting appointment as Electrical Inspector
This communication is from the Construction Official requesting to be named as Electrical Inspector to act in the absence of the current inspector, with no pay associated with the appointment.

Mr. Lascari made a motion to make this appointment, which was seconded by Mr. Seal.

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

- 5 – from Barbara Emery, CFO, re: Health Benefits
Mr. Lance asked if granting Ms. Emery single coverage benefits would impact other part-time employees. Mr. Lascari said that it could potentially affect other employees. Mr. Lascari requested that this be tabled, and that Ms. Emery submit an analysis to the Committee indicating the cost to the township and a list of employees who could be eligible for the same single coverage benefit. Mr. Lascari said that he would prefer to treat this matter as a personnel policy change rather than a single exception to the current policy. The Committee was in agreement to table this request until an analysis of the financial impact to the township is received in writing from Ms. Emery.
- 6 – from Thomas Krisak, Police Director, re: Officers Falcicchio and Johnsen
Mr. Anderson read the memorandum from Director Krisak, recommending the promotions of Officer Falcicchio to Class III Officer and Officer Johnsen to Class IV Officer. Mr. Anderson wished to express his appreciation for the fine work these officers do, as well as the rest of the Police Department.
- 7 – from Robert Margosiak, requesting permission to park a trailer at Sycamore Park during off-season
The Committee was in agreement that they need more detailed information on the operation Mr. Margosiak is involved with. Mr. Margosiak will be asked to appear before the February meeting to explain the details regarding his request. They would also like a letter of introduction from St. Judes Children's Research Hospital with a contact name and number.

- 8 – from Fred Bauer, regarding Snow Removal Agreement for Mountain Terrace

Mr. Benbrook said that he and Mr. Anderson met with Mr. Bauer before tonight's meeting. Mr. Anderson said that it has been established that the proper document is in place to accept Mountain Terrace as a qualified Homeowners Association in order to receive reimbursement for snow plowing costs. Mr. Anderson asked Mr. Seal to go with the DPW to establish a grade rating for the road. Mr. Anderson made a motion to accept Mountain Terrace as a qualified Homeowners Association for the purpose of being reimbursed for snow plowing as of this date, which was seconded by Mr. Lance.

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

- 9 – from Victor Camporine, County Recycling Coordinator, re: Recycling Coordinator Certification

Mayor Mach explained that this communication is to announce that Gov. Christie has signed into law a bill delaying the time by which municipalities would have to name a certified recycling coordinator from January 13, 2010 to January 13, 2012.

- 10 – from State of NJ, Dept. of Agriculture, regarding fall gypsy moth egg mass survey

Mayor Mach announced that the Department of Agriculture has determined that no significant infestations have been detected in Blairstown and that no spraying will be recommended.

GENERAL CORRESPONDENCE (See attached sheet)

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

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook said that the Mountain Terrace snow plowing issue has been settled, but there is another road requesting similar designation as a qualified association. Mr. Benbrook said that Alexander Lane residents wish to be accepted as a qualified Homeowners Association. He has reviewed their submitted paperwork and he will be asking them for a Certificate of Incorporation and a Certificate of Good Standing. When he gets this paperwork, the Committee can move forward on acceptance of Alexander Lane.

FROM THE TOWNSHIP CLERK

The Clerk announced that the Rabies Clinic is scheduled for February 6, 2010 from 9am to 12 noon at the Public Works Garage. The snow date for the clinic is February 20th.

FROM THE TOWNSHIP COMMITTEE

COMMITTEEMAN ANDERSON

Mr. Anderson said that the Police promotions and Homeowners Association issue have already been addressed tonight.

Mr. Anderson summarized the highlights of the December Police Report.

COMMITTEEMAN LANCE

Budget meetings will start this Friday.

Mr. Lance said that at last month's meeting, the Committee agreed to communicate with Robert Goltz of the Warren County Chamber of Commerce, stating that the Committee would like not-for-profit entities given priority as vendors at the Spirit of Americana event at Footbridge Park.

Mr. Lance said that this is a problem for the Chamber of Commerce and Mr. Lance feels that they are ready to pull out of this event. Clerk Pizzaia said that Mr. Goltz contacted her office and requested to speak at the February meeting. The Committee agreed to have Mr. Goltz come before the Committee at the February 10th meeting.

COMMITTEEMAN LASCARI

The Blairstown Ambulance Corps had their annual recognition dinner last week. They are moving forward with their site plan application with the Board of Adjustment. They are planning fundraising events to raise money for their new building.

The Fire Department had their reorganization meeting last Tuesday. They received the work order for the fire tanker, which should be completed by next August.

The fire company has submitted an application for a social affairs permit to sell alcohol on March 6th. Mr. Lascari made a motion to approve the application, which was seconded by Mayor Mach.

Mr. Lascari has received four (4) quotes for the township website. Mr. Lascari will be prepared to present these at the February meeting.

Mr. Lascari would like to arrange a meeting with committee members from Frelinghuysen and Hardwick Township. The Committee agreed to hold this meeting on January 25th at 7pm. Clerk Pizzaia will make arrangements with the other municipalities.

Mr. Lascari discussed vouchers received from the Historical Preservation Commission in the amount of \$659.57 for their Christmas dinner at the Inn at Mill Race Pond. Mr. Lascari questioned whether they were authorized to incur this expense. Mr. Anderson said that as the liaison, he was not consulted on this matter. Mr. Lascari said that the Commission chair said that this has been approved in the past and was not an issue. Mr. Lascari said that despite past practice, he is not comfortable approving tax money to pay for this. After a discussion on this matter, the Committee decided to have Mr. Lance discuss this matter with the Commission chair at the budget meeting this Friday.

COMMITTEEMAN SEAL

Mr. Seal said that a resident has a recurring water problem, which he feels is a problem with the pipes on her property and not a water quality problem. Mr. Lance said that it is the policy of the township that the pipes for individual house service are the responsibility of the homeowner. The Committee said that it is unfortunate but there is nothing that the township can do.

MAYOR MACH

Mayor Mach asked if the Committee would like Renew Hydro to give a price for an assessment on hydroelectric power at Paulina Dam. The Committee agreed to this.

The Planning Board will be working on the Master Plan review. There is a build-out analysis that has been completed and is being forwarded to the Township Committee.

Mayor Mach thanked the DPW workers for the good work on snow removal.

FROM THE PUBLIC

Herman Shoemaker, Bingham Lane, said that the Blirstown Business Association is being reformed. They are in the process of assigning officers.

Rosalie Murray, Heller Hill Road, spoke about references tonight about the Recreation Committee stating that they would abandon Sycamore Park. Mrs. Murray said that the Recreation Committee has no such intention. Mr. Anderson said that he believes that the intended field to be abandoned is the Sunoco field and that if in fact Sycamore Park was said, it was a mistake. Mrs. Murray said that the park should be built on the Gorab property because that was the intent when the property was purchased.

Lorraine Meister, Briar Hill Lane, asked if the Recycling Center was being permanently closed. Mayor Mach replied that this is a strong possibility. She also asked if there would be a clean-up this year. Mayor Mach said there will probably be one planned for the spring.

As there were no further questions or comments from the public, Mr. Lance made a motion to adjourn, which was seconded by Mr. Seal, with all members in favor. The meeting was adjourned at 11:22 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk