

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
MUNICIPAL BUILDING
Wednesday, February 17, 2010, 6:30 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 (arrived at 6:40 pm), Mr. Lance, Mr. Lascari (arrived at 6:50 pm) 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.

**CLOSED SESSION – Township Liability Insurance; Wastewater Management – Possible Litigation;
Lease of Municipal Property – Contracts**

Mr. Seal made a motion to enter into Closed Session, which was seconded by Mr. Lance, 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 such 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 matters mentioned above, the results of which may be made public immediately thereafter or at a later date.

Dated: February 17, 2010
Attest:

Phyllis E. Pizzaia, RMC
Municipal Clerk

Mr. Lance made a motion to come out of Closed Session, which was seconded by Seal, with all members in favor. Mayor Mach announced that there were no results to report from Closed Session.

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

Livia Coleman, Bridge Street, commented about water run-off in her area. Mayor Mach said that the County will begin construction work in the area this spring. Ms. Coleman also asked about water quality at her house. Mr. Lance said that he has spoken with Ray Hughes, Blairstown's Water Operator, who has indicated that there is no problem with water quality.

Mark Clifford, operator of Skylands Music & Arts Alliance, spoke about relocating the music festival to Blairstown. He said that a change from Knowlton to Blairstown would have many advantages. He is seeking a commitment from the Committee to allow the festival to take place in Blairstown. Mayor Mach suggested that Mr. Clifford wait until the end of the meeting since this will take more than the three minutes allotted during this portion of the meeting.

Peter McKenna, Mohican Road, asked if Ray Davis, former Committeeman, has made any payments as required by the court for restitution. Mr. Lance said that Mr. Davis has made two payments so far, one for \$900.00 and the second for \$600.00.

Diane Zdrodowski, Bingham Lane, asked if the Committee is considering limiting the number of dogs a resident can own. Mayor Mach said that this subject has been discussed, but at this point, the Committee probably will not introduce an ordinance to this effect.

MINUTES

January 13 – Regular Meeting

Mr. Lance made a motion to approve the minutes, which was seconded by Mr. Seal, with all members voting in favor.

January 25, 2010 – Special Meeting

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

Robert Goltz, Chairman, Warren County Chamber of Commerce, regarding Spirit of Americana Celebration

Mr. Goltz is appearing before the Committee to clarify the situation regarding non-profit vendors at the Spirit of Americana Celebration on July 4th. Mr. Lance

said that he had numerous complaints last year regarding the vendors and also felt that township organizations, such as the Historic Preservation Commission, should not be charged to sell items at a table.

Mr. Goltz explained that by only allowing not-for-profit vendors at the event, the Chamber of Commerce is being put into a legal bind. They would be essentially restricting businesses, which goes against their mission statement. Mr. Goltz said that the boy scouts, which were the biggest complainers last year, actually ran out of food and they were assisted by the for-profit vendors last year. He feels that the fact that they ran out of food is evidence that they were not hurt by the for-profit vendors. He also feels that better planning of what the vendors sell will alleviate any clash between for-profit and not-for-profit organizations. Mr. Goltz also said that waiving the fee for organizations such as the Historic Preservation Commission would be acceptable.

Mr. Goltz said that he is here tonight because he needs to know if this celebration as planned will be moving forward with no objections from the Township Committee.

Mr. Lascari said that Mr. Goltz and the Chamber of Commerce have run this event very successfully over the past couple of years and he would like to see the event continue. To this end, Mr. Lascari made a motion to allow the Chamber of Commerce to hold this event on the Fourth of July, and to waive the fee of the Historic Preservation Commission. Mayor Mach seconded the motion.

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

PRESENTATION by Quin Martin, Metro Energy – Renewable Energy

Mr. Martin introduced his associates, Mark Judson and Mike Dougherty. Mr. Judson gave an overview of Metro Energy. It is a New Jersey company that is capable of providing local support. The company covers all aspects of energy conservation, including solar and water. Mr. Judson and Mr. Martin distributed a hand-out to the Committee on their services, which they spoke about in detail. (A copy of this presentation is attached to the minutes.)

Mr. Martin explained the steps involved for a municipality to implement an energy performance contract. The municipality must have an independent audit or they can have it done internally. The next step is to design a plan according to the results of the audit. The municipality would then send out RFP's for the desired system components. Mr. Martin said that the best part of this project is that no capital expenditure is required.

Mayor Mach asked Mr. Martin to explain the process involved in getting things going. Mr. Judson said the first step is a full assessment of the township's

facilities. This will show what technologies fit the needs of the township. The next step is finding the proper vehicle to implement the findings, whether it is an RFP for an energy services provider, or to bond for the municipality to become its own provider. In response to Mr. Benbrook's question, Mr. Judson said that there are consultants who can be hired to oversee the entire process. Mr. Martin stated that the law is that anyone who performs the energy audit cannot be awarded the energy performance contract. For this reason, many companies will not perform the energy audit. Mr. Martin feels that Blairstown would be able to perform its own audit.

After the audit, an RFP will be written. Mr. Martin said that Metro Energy has several sample RFP's that they will make available to the Committee. He emphasized that there is no capital expenditure required by the township. After a contract is awarded, this company is responsible for putting the plan into action, which includes installing and maintaining equipment, and the hiring of employees and finding the funding.

Mayor Mach thanked the representatives from Metro Energy Solutions for making this presentation and answering the Committee's questions.

Public Comment on the Consent Agenda Items Only

Mr. Shoemaker asked what a TWA was in R.2010-032. Mr. Anderson replied that it is a treatment works application. There were no further questions or comments from the public on the Consent Agenda.

CONSENT AGENDA INCLUDING RESOLUTIONS

- 1 – R.2010-029** Authorization to Pay Bills
- 2 – R.2010-030** Redemption of Certification of Sale No. 2009-03
- 3 – R.2010-031** Award of Bids for Various Supplies and Items
- 4 – R.2010-032** Consent to Submission of TWA for Lane Enterprises, Inc.
- 5 – R.2010-033** Adoption of Personnel Policies and Procedures
- 6 – R.2010-034** Resolution to Affirm Blairstown Township's Civil Rights Policy
- 7 – R.2010-035** Redemption of Certification of Sale No. 2007-04
- 8 – R.2010-036** Authorization to Transfer Funds
- 9 – Application for Special Permit for Social Affair** – to American Legion Post #258 on Memorial Day, 10am to 10pm, Footbridge Park
- 10 – Application for Special Permit for Social Affair** – to North Warren Midget Football League on March 13, 2010 from 6pm to 11pm, 12 Mohican Road

Mr. Seal 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 – January Report
Construction – January Report
Finance – January Report
Fire Department – December, 2009
Police Department – January Report
Public Works Department – January Fuel Report
Tax Collector – January Report
Warren County Health Department – January 8, 2010 Report
Animal Control – 3rd and 4th Quarter, 2009

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; Sen. Doherty's Office has been in contact with State

The Clerk reported that Senator Doherty's office called to report that they have been in contact with Debbie Hirt of the NJ Department of Transportation and was told that this item is a priority. Senator Doherty's office will follow up with Ms. Hirt and report back to the Committee.

- b. engine braking – sample ordinance from Hope Township

- 2 – JCP&L billing – Mr. Lascari has completed input of data; to go to Environmental Commission for input

Mr. Lascari said that this can be a part of the energy audit if the Committee decides to go forward with it.

- 3 – Main Street concerns – road striping; feral cats

The Committee was in agreement that the alternate side of the street parking during the recent snow storm was very successful. As far as road striping is concerned, this is on hold until the County is finished with the storm drain repair project.

- 4 – Review of Noise Control Ordinance – model ordinance received from county

Mr. Lascari will prepare this for an upcoming meeting.

- 5 – Cedar Lake Horse Farm – one (1) proposal received

Mayor Mach said that one (1) proposal was received and we are waiting for the results of this.

- 6 – Repairs to Givens Belet building – to be addressed during budget preparation

Mr. Lance said that this was discussed to some extent in the budget meetings and he will elaborate more during his report.

- 7 – Service Electric Cable TV – extension of cable service

Mr. Lascari is working on this.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Dolores Lascari, rescinding her acceptance of position of Chair for the Recreation Committee

This is for informational purposes only and requires no action.

- 2 – from Barbara Emery, CFO, re: Health Benefits

Mr. Lance said that with the recent changes in Trenton, it will be mandated to cover State employees who work 25 hours or more per week with health coverage. He feels that this change in the personnel policy will bring the township in line with State regulations. Mr. Lance said that Ms. Emery is the only employee who falls into this category. Mr. Lascari said that this would be a benefit enjoyed by any current full-time employees who may be made part-time due to budget constraints. This coverage is for single coverage only, with the option of the employee paying for family benefits out-of-pocket.

Mr. Lance made a motion to make a change in the personnel policy whereby part-time employees who work 25 hours or more per week will be offered single coverage health benefits with the option of paying for family coverage out-of-pocket. Mr. Lascari seconded the motion.

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

Mr. Anderson made a motion to start single coverage health benefits for Barbara Emery on March 1, 2010. Mr. Lance seconded the motion.

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

- 3 – from John Kerkendall, requesting permission to farm the Gorab property

Mr. Seal said that the Recreation Committee would like to hold back 15 acres, but otherwise has no objections to Mr. Kerkendall farming the remaining 45 acres. They want this acreage for driveway access and also for the thermometer near Route 94. Mr. Lance felt that the Recreation Committee did not need 15 acres for this purpose. Mr. Seal said that perhaps the Recreation Committee wants to hold back 15 acres for the purpose of establishing sod in preparation of holding fundraising events in the near future. Mr. Anderson said that Mr. Kerkendall would be cooperative and flexible with whatever the Recreation Committee needed, but he also felt that the Recreation Committee would not be ready to start any construction this season. After a lengthy discussion on the acreage to be allowed to Mr. Kerkendall, Mayor Mach made a motion to give permission to Mr. Kerkendall to farm the Gorab property this season, minus 15 acres to be laid out by the Recreation Committee, at a pro-rated amount. Mr. Seal seconded the motion.

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

- 4 – from Planning Board, re: Draft Blairstown Sustainable Land Use Resolution
Mayor Mach asked Kevin Doell of the Environmental Commission to explain this resolution. Mr. Doell said that this resolution is essentially outlining the township's commitment towards smart growth. The Planning Board has reviewed this resolution and has made amendments. The Planning Board has forwarded it to the Committee for approval. Approval of this resolution is worth 10 points towards Sustainable Blairstown.

Mayor Mach made a motion to adopt this resolution, which was seconded by Mr. Lance.

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

- 5 – from Lopatcong Township, re: Resolution Requesting the Warren County Freeholders to Place a Freeze on the Collection of Open Space Tax for the Year 2010

Mr. Lance spoke in favor of this action and made a motion to adopt this resolution. Mr. Anderson seconded the motion. Mayor Mach felt that if the Committee votes in favor of this, then they should be looking to do the same on the municipal level. Mr. Lance agreed and said that he has asked the CFO to provide him with actual costs for the open space tax so we know what our bottom line is.

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

6 – from Mark Clifford, Skylands Music & Arts Alliance, re: Hosting of the Skylands Music & Arts Festival

The Committee continued its discussion with Mark Clifford regarding the possibility of Blairstown hosting the Skylands Music Festival. The festival would be held on August 20, 21 and 22, rain or shine. Mr. Lance asked where exactly the festival would be held. Mr. Clifford said that it would be located at the very back section of Sycamore Park behind the DPW Building. Parking would be ample and he is hoping for permission to park at the high school.

Mr. Clifford said that it is an ideal location for the festival. He has spoken to several members of the Recreation Committee, who are in favor of having the festival at Sycamore Park. He does not see any possibility of damaging the existing ballfields.

Mr. Clifford explained that Knowlton has supported this endeavor financially in the past but recently pulled their support and no longer wants the event held in Knowlton. Mr. Clifford believes that it is a great cultural and financial benefit for Blairstown if the Committee decides to grant permission for location at Sycamore Park. He said that it has the potential to greatly benefit the Recreation Committee, the Ambulance Corps and the Fire Company financially.

Mayor Mach asked what assistance Mr. Clifford would need from the township. Besides a site, Mr. Clifford would need some help from the Department of Public Works with regard to fencing and traffic barriers. He will need Police Department assistance to cover the festival. He also needs approval of a beer and wine license. He is not asking for any financial assistance.

Mr. Lance asked about the hours of operation. Mr. Clifford said that typically, the festival runs from 6pm to midnight on Friday, and from 11am to midnight on Saturday and from 11am to 6pm on Sunday. He said that attendance runs from 4,000 to 6,000.

Mr. Seal asked Mr. Clifford if he would consider eventually moving to the Gorab Park property when it is ready. Mr. Clifford said it would be possible and even thought that camping could be possible on that property. Mr. Seal is concerned about the safety zone at the airport that is very close to the Sycamore Park area in question. Mr. Seal said that it would be a liability if the township approved an event located in the airport safety zone.

The Committee decided that Ted Rodman would meet with Mr. Clifford regarding the airport safety zone. Mr. Lance made a motion to grant permission to use Sycamore Park for the location of the 2010 Skylands Music Festival contingent upon review of the airport safety zone by the Township Engineer. The festival will take place on August 20, 21, and 22, 2010. Mr. Lascari seconded the motion.

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

- 7 – from Helen Parisi, Chair, Historic Preservation Commission, regarding appointments

The Committee agreed to table this until the March meeting.

- 8 – from Richard Motyka: letter sent to farm assessed property owners regarding farm assessment requirements

Mayor Mach explained that this is a letter sent to farmland assessed property owners by the Tax Assessor explaining assessment requirements and upcoming inspections to ascertain if the property owners are meeting these requirements. A meeting took place on February 16th and Mr. Motyka and a representative from the State Department of Agriculture answered questions on the subject.

Ted Rodman, Township Engineer, spoke to the Committee regarding to the bridge on Route 94 over the kill and the trail. The funding from the DOT is in place and work will begin shortly. According to the description from the architect, the design should be similar to the existing bridge.

Mr. Rodman also discussed a letter received from the Department of Environmental Protection regarding the Paulina Dam. Our preliminary proposal has been accepted. The State has a deadline date for an application permit of August, 2010. Mr. Rodman will review the proposal and have the necessary paperwork ready for Committee discussion at the next meeting.

Mr. Rodman spoke about the change in the lease for the Blairstown Ambulance Corps. He would like the Committee to approve the revised lease at tonight's meeting. Mayor Mach made a motion to approve the revised lease, contingent upon attorney review. The new lease referred to is Robert Berry's proposed revised description of metes and bounds dated January 9, 2010. This is subject to attorney review. The motion was seconded by Mr. Anderson.

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

GENERAL CORRESPONDENCE (See attached sheet)

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

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook left the meeting at 9:30pm.

FROM THE TOWNSHIP CLERK

The free rabies clinic scheduled on February 6th was postponed due to the weather. The new date is February 20th. The clinic will be held at the Public Works Garage from 9am to 12 noon.

FROM THE TOWNSHIP COMMITTEE

COMMITTEEMAN ANDERSON

Mr. Anderson said that the Environmental Commission held their Reorganization Meeting. Roger Gutzwiller was elected chair and Kevin Doell vice-chair.

Mr. Anderson summarized the highlights of the Police Department report for the month of January.

COMMITTEEMAN LANCE

Mr. Lance stated that the budget meetings have been ongoing. All department totals are down from last year. The next year looks very tight, with reductions in school aid and anticipated reduction in the energy tax.

Mr. Lance would like to look into the possibility of using the Open Space tax money to make repairs to the Givens Belet building. He would like permission to have Mr. Benbrook research this to make sure that these expenses can be taken from the Open Space tax money.

COMMITTEEMAN LASCARI

Mr. Lascari would like to represent Blairstown to go to other towns such as Frelinghuysen and Hardwick to ask for contributions towards the fire department operating budget. The Committee agreed to this. Mayor Mach will accompany Mr. Lascari at these meetings.

Mr. Lascari would like the Committee to take action on the website proposal discussed at the January 25th meeting. Mr. Lascari made a motion to accept the proposal of Brad Decker to redesign the township website and to authorize the mayor to sign the contract. The motion was seconded by Mr. Lance. Mr. Lance stated that he wants our website to have links to activities and events in the community.

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

COMMITTEEMAN SEAL

Mr. Seal said that his report on the Recreation Committee was already covered tonight in earlier discussions.

Mr. Seal said that the DPW Supervisor has a new software program that will be very helpful in detailing a breakdown in the time spent by public works personnel on various projects.

There is a request by a Cherry Tree Lane resident to have the road upgraded to a higher degree of difficulty. The Committee decided to have three (3) opinions on whether to make this upgrade. Mr. Seal will ride with two members of the DPW and Mr. Seal will make a report at the March meeting.

MAYOR MACH

The Planning Board did not have a meeting this month.

With regard to the Council on Affordable Housing, Governor Christie imposed a 90 hiatus on COAH, but municipalities are still required to collect residential COAH fees.

FROM THE PUBLIC

Mayor Mach opened the meeting to the public.

Herman Shoemaker, Bingham Lane, spoke about the alternate side of the street parking on Main Street. He said that with a few exceptions, it seemed to go well.

Mr. Shoemaker also said that he feels that the feral cat problem is on the rise. There is one individual who is feeding the cats. Mr. Lascari said that by law, if he feeds the cats, he owns the cats. The Committee was in agreement that a letter from the Animal Control Officer would be the proper way to proceed. Mr. Shoemaker will supply the Clerk with the name and address of this individual for Allan DeCarolis.

Kevin Doell, Heller Hill Road, spoke about Sustainable Blairstown initiative. There are ten people who have signed up to volunteer in this effort. Mr. Doell said that there have been changes made to the Sustainable Jersey program this year. The point structure has been changed, whereby 150 points are required. However, there are more activities available which makes it easier to attain the goal.

The Sustainable Blairstown members are attempting to organize activities around Arbor Day. They plan on having a "reading ring," a set of trees around the gazebo at the Warren County Library. This will be coordinated with the Shade Tree Committee of Warren County. Mr. Doell questioned if donations for trees to be purchased for this project could be collected through the township.

Mayor Mach said that the Shade Tree has done this in the form of a trust fund. The CFO can direct Mr. Doell on what needs to be done. Since the trees will be planted on County property, permission from the county will be required.

Mr. Doell also has the name of an individual that the Environmental Commission would like to have appointed to their Commission. Mr. Doell was directed to have the individual's resume available to the Township Committee for placement on the March agenda.

Mr. Doell reported that one of the main focuses of the Environmental Commission this year will be updating the Environmental Resource Inventory. It will be reviewed with the Planning Board.

Robert Goltz, Warren County Chamber of Commerce, spoke about the Warren Morris Shared Services. They have brought in a company to work with municipalities to develop a low cost energy program audit and also to deal with cable companies when negotiating a cable franchise agreement. Mr. Goltz thought that these two items might be of interest to Blairstown. The Warren Morris Shared Services group will be soliciting new membership in the near future.

The Chamber of Commerce has been conducting an audit of Blairstown business and property. The audit is approximately 50% finished at this time and should be completed in about two months.

Mary Flynn, Conrad Court, spoke in favor of the changes being planned for the website. She would like a community calendar added to the website. Mr. Lascari said that there will be a calendar on the new website.

As there were no other questions or comments from the public, Mr. Seal made a motion to adjourn the meeting, which was seconded by Mr. Lascari with all members voting in favor. The meeting was adjourned at 11:10 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk