

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
MUNICIPAL BUILDING
Wednesday, July 13, 2011, 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. Lascari, and Mr. Seal. Also present were Township Attorney Robert Benbrook and Clerk Pizzaia. Mr. Anderson and Mr. Lance were absent.

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 – Litigation/83 Union Brick Road; Possible Litigation/Soil Remediation; Professional Services/Wastewater Management; Personnel

Mr. Seal made a motion to enter into Closed Session, which was seconded by Mr. Lascari, with all members voting 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: July 13, 2011

Attest:

Phyllis E. Pizzaia, RMC
Municipal Clerk

RESULTS OF CLOSED SESSION

Mr. Seal made a motion to come out of closed session, which was seconded by Mr. Lascari, with all members voting in favor.

Mayor Mach reported that there are no results from Closed Session.

PUBLIC COMMENT – up to 5 speakers/3 minutes each

Anthony and Frederika Bergamo, Hope Road, spoke about a problem they are having with a neighbor. Mr. Bergamo distributed a letter to the Township Committee, which he read. Mr. Bergamo stated that he appeared before the Committee on June 8th regarding what he perceives as a zoning and traffic violation. His neighbor has mounted several flags on his fence, which Mr. Bergamo states causes a sight problem leaving his driveway. He said that the Police Department and the Zoning Official have not helped him.

Mr. Benbrook said that it is Mr. Bergamo's right to file a complaint with the Police Department if he feels that Officer Losey has acted improperly. Mr. Benbrook feels, however, that Officer Losey is correct that this matter is a civil matter and not a criminal matter and that he has no authority to become involved. With regard to the Zoning Official, Mr. Benbrook said that he will make sure that Mr. Anderson has spoken with Mr. Diehl to ascertain the status of this complaint. Mr. Benbrook also stated that Mr. Bergamo does not have to work through the Zoning Official to deal with his problem. Mr. Benbrook said that Mr. Bergamo can file a zoning complaint in municipal court. This is a relatively inexpensive alternative and Mr. Benbrook strongly suggested that Mr. Bergamo consider this option.

Kevin Doell, Environmental Commission member, spoke regarding fracking. Mayor Mach had requested that the Commission make a recommendation on whether the township should enact a fracking resolution. Mr. Doell stated that based upon investigation by the Environmental Commission, the members feel that Blairstown is not a likely location for drilling. With regard to enacting a resolution, the Commission is recommending a resolution that supports strong regulation by the Delaware River Basin Commission to prevent pollution of water supplies, supports the NJ statewide ban on natural gas development involving fracking, and calls upon congressional representatives to support the Frack Act. Mr. Doell distributed the resolution in question for the Committee to review.

Mr. Doell also stated that the Commission will be submitting two (2) names to the Committee for consideration as alternate members. Mayor Mach directed Mr. Doell to submit these names in writing to the Clerk, who will forward them a Citizen Leadership application.

David Kramer of Zandrak Productions and Herman Shoemaker spoke about a movie called *April Grace* that is being proposed for filming on Main Street. Mr. Kramer said that they plan on filming on the night of July 22, the day of July 24, the morning of July 31, and between August 6 and 8, weather permitting. They will be filming in front of stores on Main Street on these dates. Mr. Lascari said that the Police Department should be made aware of the shooting schedule. Mr. Kramer said that he will have this in writing for the police. Mr. Lascari made a motion to authorize Zandrak Productions to film on Main Street in Blairstown Township on the dates specified and to authorize the Mayor to sign the required authorization. Mayor Mach seconded the motion, with all members voting in favor.

Mr. Benbrook requested a certificate of insurance. Mr. Kramer said that he will provide this.

Paul Avery and Herman Shoemaker, Fourth of July Celebration Committee, said that the celebration was a tremendous success and estimated that 3,000 people were in attendance. There were 65 vendors and all have expressed a desire to participate again next year.

Helen Parisi, Historic Preservation Commission Chair, stated that she feels that the Committee is passing an ordinance to change the commission to a committee based on false accusations. She said that remarks about mismanagement of funds are not true. Mrs. Parisi said that she feels that bids for spending of grant monies were done properly. She is asking for a public apology from the Township Committee. She would also like for the Committee members to meet with the Commission members to work out their differences. Mrs. Parisi said that she was told that Mayor Mach was not willing to speak with the commission members. Mayor Mach stated that at no time did he say he would not meet with the Historic Commission members. Mr. Lascari clarified that Mayor Mach was willing to talk to the Commission, but did not feel it was necessary to have a separate meeting for this purpose.

Mayor Mach responded that Mr. Anderson and Mr. Lance have been the most vocal on this matter and he does not want to discuss this further without them present. Mayor Mach said that he replied affirmatively to Mr. Lascari when asked about meeting with the Commission members, but suggested that a subcommittee of the Township Committee be formed to meet with the Historic Preservation Commission members.

MINUTES

June 8, 2011 – Regular Meeting

Mr. Seal made a motion to approve the minutes, which were seconded by Mr. Lascari.

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

ARTHUR DUCHEK – Presentation of Check from Zerbini Family Circus, Inc.

Arthur Duchek, representing Zerbini Family Circus, presented a check in the amount of \$1,870.00 to the Blairstown Fire Company and Ambulance Squad. Mr. Duchek said that the circus was a success and he hopes to do it again next year. Bob Haberstadt of the Ambulance Squad was in attendance to accept the check. Mr. Lascari said that the circus performances were great and there were favorable comments from many people.

HISTORIC PRESERVATION COMMISSION – Grants for Paulina Dam

Mayor Mach said that Mrs. Parisi said at the last meeting that there were grants available for the dam. Mrs. Parisi said that there are four grants available at this time: the Garden State Historic Preservation Trust Grant, the Historic Preservation Revolving Loan Fund, the Emergency Grant Loan Fund, and the Cultural Trust Capital Preservation Grant, which is available if the Paulina Dam 1A and 1B reports are satisfactory. She also said that there is a Save America's Treasures Grant. Mrs. Parisi said that she named grants that are only available to commissions. Mayor Mach directed Mrs. Parisi to put this information in a written report to the Committee, stating the name of the grant, what they are for and the amount of the grant.

ORDINANCE NO. 2011 – 02 AN ORDINANCE REPEALING CHAPTER 29 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED “HISTORIC PRESERVATION COMMISSION” TO PROVIDE FOR A NEW CHAPTER 29 ENTITLED “HISTORIC PRESERVATION COMMITTEE”

Adoption, Second Reading, Committee Discussion

Public Hearing – Open/Close

Mr. Lascari made a motion to postpone the public hearing and second reading of this ordinance until the August 10th meeting. Mr. Seal seconded the motion. Mayor Mach stated that Mr. Anderson also requested that this item be postponed until he could be present.

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

ORDINANCE NO. 2011 – 04 AN ORDINANCE TO PROVIDE FOR VARIOUS EQUIPMENT AND IMPROVEMENTS FOR THE BLAIRSTOWN AMBULANCE CORPS WITHIN THE TOWNSHIP OF BLAIRSTOWN AND TO PROVIDE FOR THE FUNDING THEREOF

Adoption, Second Reading, Committee Discussion

There was no Committee discussion on this ordinance.

Public Hearing – Open/Close

Mayor Mach opened the Public Hearing on Ordinance No. 2011 – 04. Kevin Doell asked what items were involved. Mayor Mach said that the ordinance does not specifically name the equipment and improvements, but these were items brought up by the Ambulance Corps during budget preparation. As there were no further comments from the public, Mayor Mach closed the Public Hearing.

Mr. Lascari made a motion to adopt Ordinance 2011 – 04 on second reading, which was seconded by Mr. Seal.

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

ORDINANCE NO. 2011 – 05 AN ORDINANCE TO REPEAL CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN, COUNTY OF WARREN, KNOWN AS “FLOOD DAMAGE PREVENTION” AND TO REPLACE IT WITH A NEW CHAPTER 112 ENTITLED, “FLOOD DAMAGE PREVENTION”

Introduction, First Reading, Committee Discussion

Mayor Mach explained that this ordinance is required by the Department of Environmental Protection, Bureau of Dam Safety. The township was required to make certain amendments by September 15th in order for our residents to have flood plain insurance.

Mr. Seal made a motion to approve Ordinance 2011 – 05 on first reading, which was seconded by Mr. Lascari.

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

Public Comment on the Consent Agenda Items Only

There were no comments or questions on the Consent Agenda.

CONSENT AGENDA INCLUDING RESOLUTIONS

- 1 – R.2011-085 Authorization to Pay Bills
- 2 – R.2011-086 Redemption of Certificate of Sale #2010 – 04
- 3 – R.2011-087 Cancellation of Mortgage on B1201, L12
- 4 – R.2011-088 Requesting Approval of Items of Revenue and Appropriation
- 5 – R.2011-089 Appointment of Steven Sikkes to Open Space Committee

Mr. Lascari made a motion to approve the Consent Agenda, which was seconded by Mr. Seal.

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

DEPARTMENT REPORTS

- Clerk – June Report
- Finance – June Finance and Fuel Reports
- Fire Department – June Report
- Police Department – June Report
- Tax Collector – June Report
- Municipal Court of North Warren – May Report
- Warren County Health Department – June 10, 2011

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

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

UNFINISHED BUSINESS

- 1 – Route 94 traffic concerns – light installed
This will be discussed later in the evening with Ted Rodman, Township Engineer.
- 2 – JCP&L billing – Mr. Lascari has compiled a list of poles
A list is being prepared to be submitted to JCP&L for turning off certain lights.
- 3 – Main Street concerns – road striping; feral cats; sidewalks
- 4 – Review of Noise Control Ordinance – draft “Peace and Good Order” Ordinance
Mr. Lascari distributed an ordinance from Pohatcong which he feels might be a good model for Blairstown. Mr. Lascari asked the Committee for input for the August meeting. Mr. Seal feels that a decibel meter and police training is necessary for any ordinance of this kind.
- 5 – Cedar Lake Horse Farm – RFP results under review
Mayor Mach said that there has been no progress on this item.

- 6 – Service Electric Cable TV – extension of cable service
Mr. Lascari will have this for the August meeting.
- 7 – Hazardous Obstructions at Blairstown Airport – waiting for map from State
Mr. Seal said that there is nothing new on this matter.
- 8 – Snow Removal on Main Street – Mayor Mach has submitted a suggested change to the ordinance for Mr. Benbrook to review. This will be discussed at the August meeting.
- 9 – Review of Recreation Ordinance – Fair Share Reimbursement

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Dave Allen, resigning as member of the Recreation Committee
Mr. Lascari made a motion to accept Mr. Allen’s resignation with regrets, which was seconded by Mayor Mach. All members voted in favor.
- 2 – from Gov. Chris Christie – A Plan for the Abolition of the Council on Affordable Housing and Providing for the Transfer of the Functions, Powers, and Duties of the Council on Affordable Housing to the Department of Community Affairs
Mayor Mach explained this plan from the governor, which has 60 days until it becomes law. Jurisdiction for affordable housing will transfer to the Department of Community Affairs, which means that the township will have to go through another series of affordable housing plan preparation.

GENERAL CORRESPONDENCE (See attached sheet)

There were no comments on the General Correspondence list.

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook had nothing to report.

FROM THE TOWNSHIP CLERK

The Clerk reported that Brad Decker, the township’s webmaster, has not been available since May and does not respond to telephone calls or emails. The Clerk sent Mr. Decker a letter asking about his intentions to continue as the township’s webmaster but has not received a response.

Mr. Lascari made a motion to terminate Mr. Decker’s agreement with the township to serve as webmaster, which was seconded by Mayor Mach.

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

Mr. Lascari discussed a proposal from the current web host to maintain our website. The cost would be \$1,500 without meeting agenda and minutes, and \$2,500 with agenda and minutes. After discussion, the Committee agreed to look for a more competitive rate and to request that Lou Nisivoccia continue performing the maintenance on a month to month basis until a new webmaster is hired. Mayor Mach made a motion to this effect, which was seconded by Mr. Lascari.

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

FROM THE TOWNSHIP COMMITTEE

Mayor Mach reported in the absence of Mr. Anderson that police contract negotiations have been ongoing.

COMMITTEEMAN LASCARI

Mr. Lascari summarized the Police Department report for the month of June. He also commended Tom Cramer for his part in the recent apprehension of burglars on Main Street.

The sign for the high school was approved with usage conditions by the Zoning Board of Adjustment at their last meeting.

Mr. Lascari discussed the possibility of purchasing a defibrillator for the meeting room in the Municipal Building. This can be purchased or leased. Mr. Lascari had written information on this to be distributed to the Committee. The Committee can discuss this at a future meeting.

Mr. Lascari asked Robert Gara, Police Director, to explain the Nixle system, which provides instant emergency information over cell phones. It cost approximately \$1,200 for a year for the police department to have the service, which OEM has agreed to pay for this year. Residents can sign up to get this information for free. Mr. Lascari asked Mr. Gara if Mr. Anderson is in favor of this. Mr. Gara has not had the opportunity to ask him, but is bringing it before the Committee because the renewal is due by August 1st. The Committee would like to know Mr. Anderson's thoughts on this before making a commitment.

COMMITTEEMAN SEAL

Mr. Seal reported that he and Mayor Mach met with the Warren County Public Works Supervisor regarding shared services of salt for winter plowing. There are some disadvantages to this, but it is an option. Mayor Mach said that this will be discussed more when the full Committee is present.

The Recreation Director handled a situation whereby someone was advertising a privately run paid program at Footbridge Park. Also, an individual has approached the Recreation Director about putting up another 100-200 ft. of fencing at the Little League ball field close to Lambert Road. The project would be financed by donations and completed by volunteers. The Recreation Director will follow up on this project.

In response to Mayor Mach's question, Mr. Seal said that Bob DePuy is working on cost estimates for repairs to Givens Belet. He said that the problem is that local contractors have been requested to submit this information before and are now reluctant to give another quote. He will ask Mr. DePuy to do his best to get these estimates.

TOWNSHIP ENGINEER

Ted Rodman, Township Engineer, spoke about the turn signal at Lambert Road. He spoke with Debbie Hirt of the Department of Transportation, who told him that it would take approximately six (6) months for someone from the DOT to come out and look at the light. Mr. Rodman looked at the

last approvals given to the A&P. The site plan and resolution indicate no direction regarding signage exiting the A&P. The only reference is a limitation on trucks leaving the site during night time hours.

Mr. Rodman spoke to the area manager of the A&P, who was not in favor of changing the signage. Mr. Rodman feels that changing the speed limit on Route 94 from 50 miles per hour to 45 mile per hour would help alleviate the problem with pulling out from the A&P. Mr. Rodman said another option is installing a sign that reads: *Oncoming traffic has or may have extended green*. All options require approval from the Department of Transportation. Mr. Lascari asked Mr. Rodman to put his findings and recommendations in writing for the entire Committee to discuss at a future meeting.

MAYOR MACH

Robert Gara, Police Director, has submitted the name of two individuals who he would like appointed as alternate school crossing guards. Mayor Mach made a motion to appoint Steven Hendershot and Bernard Daigle as alternate crossing guards effective July 13, 2011, pending background checks. Mr. Lascari seconded the motion.

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

Mayor Mach said that the draft ordinance for the dog park has been prepared by Mr. Benbrook, but the dog park committee has requested to postpone their next appearance before the Township Committee until September.

The Ridge and Valley Conservancy will be having a trail marking at the Hemlock Ridge Reserve. They are looking for volunteers to assist in this. This event will take place on July 16th.

Mr. Lascari suggested that the Open Space Committee chair be contacted to see if some of our trails need to be cleared. The Clerk will contact Mr. McGreen regarding this matter.

FROM THE PUBLIC

Mayor Mach opened the meeting to the public.

Tom Cramer, Main Street, said that the street light near the Post Time Pub is not operating properly. There is also a tree in the area that has branches extending into the power lines. Mr. Lascari will take care of these items. Mr. Cramer said that the feral cat problem has intensified. The Committee discussed this problem and stated that it is very expensive to trap and neuter. Mr. Cramer suggested having a cat ordinance. Mayor Mach said that this would incur an enormous expense for the township.

Mr. Cramer also commented on his activities on July 3, 2011 when he reported a break-in at the Post Time Pub. He wished to commend the Blairstown Police Department, specifically Officers Bee and Abello, who responded within minutes.

Herman Shoemaker, Bingham Lane, said that he will contact the owner of Kathleen, and ask him to board up the porch access which is a feeding area for the feral cats. He also suggested that the Animal Control Officer become involved in the problem.

Mr. Benbrook said that it is possible to have an ordinance prohibiting the feeding of feral animals. The Committee directed Mr. Benbrook to look into this.

Beth Arena, High Street, asked about the Council of Unfunded Mandates and its decision regarding the Police Department. She asked what the litigation costs were involving this case. Mr. Benbrook said he did not know the exact amount.

Gladys Bellott, Union Brick Road, asked about the Union Brick Road matter that is listed on tonight's agenda. Mr. Lascari said that it is continuing and other agencies are now involved. Mrs. Bellott is concerned because she feels that the condition of this property is devaluing her house. Mr. Benbrook said that the courts are now involved and he does not know what the outcome will be. He said that for the township to try to remedy this problem on its own would be cost prohibitive.

Rosalie Murray, Cobblewood Road, spoke about the use of open space monies for the cleanup of the contamination at the Community Center. She has reviewed the records she has received and wanted it stated for the record that she is pursuing this questioning on her own and is doing it because of her love of open space. Mrs. Murray said that she has many questions, but will wait until the August meeting when Mr. Anderson and Mr. Lance are in attendance.

ADJOURNMENT

As there were no further comments from the public, Mr. Lascari made a motion to adjourn the meeting, which was seconded by Mayor Mach, with all members in favor. The meeting was adjourned at 10:09 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk