

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
MUNICIPAL BUILDING
Wednesday, August 11, 2010, 7PM**

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. Lascari and Mr. Seal. Also present were Clerk Pizzaia and Township Attorney Robert Benbrook. Mr. Lance was 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 – Personnel/Police Department and Possible Litigation/Police

Mr. Seal made a motion to enter into Closed Session, which was seconded by Mr. Anderson, 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 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: August 11, 2010

Attest:

Phyllis E. Pizzaia, RMC
Municipal Clerk

RESULTS OF CLOSED SESSION

Mr. Seal made a motion to enter into Closed Session, which was seconded by Mayor Mach, with all members voting in favor.

Mr. Anderson explained that because of the State ruling on the State Police issue, and due to one police officer being out on disability, the Police Department is short handed. This is causing excessive overtime. For this reason, police officer candidates have been interviewed and an officer has been chosen who has already been through the Academy and is immediately available for duty. Mr. Anderson recommended to the Committee that Patrick Abello be hired as a Probationary Officer with the Blairstown Police Department with a starting date of August 16, 2010. Mr. Anderson made a motion to this effect, which was seconded by Mr. Lascari.

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

PUBLIC COMMENT – up to 5 speakers/3 minutes each

Mayor Frank Van Horn of Knowlton Township and Bob Scheer spoke about the Tractorcade America event that will be held on October 10, 2010. The parade will start at Blue Ridge Lumber and end up at the Mohican Fire Hall. Mr. Van Horn would like to be covered by township insurance for the event. Mr. Benbrook said that he checked into this and the township will be able to cover the event with insurance. Mr. Benbrook asked Mayor Van Horn to put the details of the event in a letter for Mr. Benbrook to forward to the insurance company. This is a charity event, with the proceeds going to Blairstown Hose Company No. 1. Mr. Lascari made a motion to approve the Tractorcade event to be held in Blairstown on October 10, 2010, contingent upon the receipt of the necessary insurance. The motion was seconded by Mr. Seal.

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

Larry Becker, Queen Anne Drive, spoke to the Committee regarding snow plow reimbursement. He said that Queen Anne Drive is a private road. He has been paying the snow plowing bills for the past several years, which has become very expensive. He asked if it is possible to be reimbursed by the township without forming a private homeowners association. Mr. Benbrook responded that the formation of the homeowners association is required by State Statute. Mr. Benbrook said that he is willing to speak to Mr. Becker at another time to explain the procedure for qualifying as a private homeowners association.

Nicholas Mohr, Kishpaugh Road, spoke about the Skylands Music Festival scheduled for August 20, 21, and 22. He told the Committee that the festival is progressing, with the necessary inspections and permits being taken care of.

Peter McKenna, Mohican Road, asked how much money was given for the garden to be located at the Blairstown Elementary School. Mayor Mach answered that \$5,000 has been allocated for the garden. Mr. McKenna was concerned about the price submitted to the Committee. Mayor

Mach said that the Committee was also concerned, and at the July meeting, the Blirstown Elementary School representative was requested to submit an amended plan. This will be discussed later tonight.

MINUTES

July 14, 2010 – Regular Meeting and Closed Session

Mr. Seal made a motion to approve all minutes, which was seconded by Mr. Anderson.

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

July 21, 2010 – Special Meeting and Closed Session (Mr. Lascari and Mr. Seal absent)

Mayor Mach made a motion to approve the minutes, which was seconded by Mr. Anderson.

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

DISCUSSION – Viridian Energy

This discussion has been postponed.

ORDINANCE NO. 2010-04 AN ORDINANCE TO AMEND CHAPTER 150, SECTION 6 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED “PUBLIC RECORDS” Adoption, Second Reading Committee Discussion

Mayor Mach explained that this ordinance changes the fee for public records from \$0.75 per page to \$0.05 per page. This change is mandated by the State.

Public Hearing – Open/Close

Mayor Mach opened the Public Hearing. As there were no comments or questions from the public, Mayor Mach closed the Public Hearing. Mr. Lascari made a motion to adopt Ordinance 2010-04 on final reading, which was seconded by Mr. Anderson.

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

ORDINANCE NO. 2010-05 AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “CHAPTER 186, VEHICLES MOTORIZED” Adoption, Second Reading Committee Discussion

Mr. Lascari asked Mr. Benbrook if lawn equipment was excluded from this ordinance, as discussed at the July meeting. Mr. Benbrook responded that the ordinance does not include lawn and landscaping equipment. Mayor Mach asked if reference to “noise” meant only noise from motorized vehicles and not noise generated by people. Mr. Lascari answered that this ordinance only deals with noise generated by motorized vehicles.

Public Hearing – Open/Close

Mayor Mach opened the Public Hearing. Mary Flynn, Conrad Court, asked what this ordinance was about. Mr. Lascari stated that there have been problems regarding excessive noise from ATV's and other such off-road, unlicensed vehicles and this ordinance is meant to address this. Mrs. Flynn asked how enforceable the ordinance would be. Mr. Lascari said that this ordinance would serve as a first warning. Any continuing problem could be addressed by the Zoning Officer.

Carol Cook, Four Corners Road, asked about the noise ordinance brought up by Beth Arena at the July meeting. Mr. Lascari said that that is a separate issue from this ordinance and will be addressed in future meetings.

Mayor Mach closed the Public Hearing. Mr. Lascari made a motion to adopt Ordinance 2010-05 on final reading, which was seconded by Mr. Anderson.

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

ORDINANCE NO. 2010—06 AN ORDINANCE TO PROVIDE FOR ROAD IMPROVEMENTS ENUMERATED WITHIN FOR THE TOWNSHIP OF BLAIRSTOWN AND TO PROVIDE FOR THE FUNDING THEREOF Adoption, Second Reading

Committee Discussion

Mayor Mach explained that this ordinance is for the improvements to Union Brick and Hoagland Roads.

Public Hearing – Open/Close

Mayor Mach opened the Public Hearing. As there were no comments or questions from the public, Mayor Mach closed the Public Hearing. Mr. Lascari made a motion to adopt Ordinance 2010-06 on final reading, which was seconded by Mr. Anderson.

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

Public Comment on the Consent Agenda Items Only

There were no comments or questions on the Consent Agenda from the public.

CONSENT AGENDA INCLUDING RESOLUTIONS

- 1 – R.2010-108** Authorization to Pay Bills
- 2 – R.2010-109** Cancellation of Lien on Property, B2203, L7.09
- 3 – R.2010-110** Cancellation of Lien on Property, B1503, L2
- 4 – R.2010-111** Cancellation of Lien on Property, B1503, L8.13
- 5 – R.2010-112** Authorization to Refund Overpayment Due to State Tax Court Judgment
- 6 – R.2010-113** Authorization to Extend 3rd Quarter Property Tax Payment Grace Period
- 7 – R.2010-114** Authorization to Release Certain Escrows

- 8 – R.2010-115** Authorization to Submit Municipal Alliance Grant Application
- 9 – R.2010-116** Fixing the Salaries and Wages of Officials, Appointees and Employees

Mr. Seal questioned whether R. 2010-116 reflected the salary reduction to the Committee. Mr. Seal made the motion to approve the Consent Agenda, with the correct salary listed for the Committee members. Mr. Anderson seconded the motion.

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

DEPARTMENT REPORTS

- Clerk – July Report
- Finance – July Report
- Police Department – July Report
- Public Works Department – July Fuel Report
- Tax Collector – July Report
- Warren County Board of Health – July 9, 2010 Report

Mr. Anderson made a motion to accept the Department Reports, which was seconded by Mr. Seal, with all members in favor.

UNFINISHED BUSINESS

- 1 – Route 94 traffic concerns – State approval received for left hand turn signal at Lambert Rd
Mr. Lascari said that we are trying to get a firm date on when this will take place.
- 2 – JCP&L billing – Mr. Lascari has completed input of data; to go to Environmental Commission for input
- 3 – Main Street concerns – road striping; feral cats; sidewalks
- 4 – Review of Noise Control Ordinance – model ordinance received from county
- 5 – Cedar Lake Horse Farm – RFP results under review
Mayor Mach sent letters to Senators Peterson and DiMaio stating that the RFP is out and that the Cedar Lake Horse Farm is further falling into disrepair. He would like them to put some pressure on the State to get this project moving.
- 6 – Service Electric Cable TV – extension of cable service
Mayor Mach said that he met with the mayors from surrounding municipalities and found that we have the largest franchise of all the townships. Mr. Lascari said that we should try to time our renewal date with other municipalities in order to gain some leverage with the cable company.

- 7 – Skylands Music Festival –timeline of events leading up to festival received from Mark Clifford
Nick Mohr gave a report on this earlier.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Victor Camporine, WC Recycling Coordinator, re: Recycling Regulation Requirement

No action needs to be taken by the Committee at this time. The Planning Board will take action at the Master Plan level, after which the Committee will take action by ordinance.

- 2 – from Kimberley Harrington, Blairstown Elementary School, re: Proposal for Blairstown Elementary School Garden, Revised Submission

Ms. Harrington has submitted an invoice for various trees and plants in the amount of \$963 for the Learning Garden. Mayor Mach made a motion to pay the bill. The motion was seconded by Mr. Anderson. Mr. Lascari reminded Mr. Anderson that they abstained from the original vote because of relatives working for the school system. Mr. Seal also abstained for the same reason. Mr. Benbrook said that since only Mayor Mach was eligible to vote, the matter needed to be tabled until the next meeting.

- 3 – Sample resolution: Resolution Calling on the State Legislature and the Governor to Enact Property Tax Reform with Passage of the “Municipal Toolkit” and Mandates Relief

Mayor Mach asked the Committee to support this by passing the resolution. Mr. Lascari made a motion to pass this resolution, which was seconded by Mayor Mach.

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

- 4 – from Jane B. MacNeil, President, Turn the Towns Teal, Inc., requesting permission to tie ribbons in center of town

Ms. MacNeil would like permission to tie teal ribbons in the center of town during September for Ovarian Cancer Awareness month. Mayor Mach said that permission was granted last year for this. Mr. Lascari made a motion to approve this request, which was seconded by Mr. Anderson, with all members in favor.

- 5 – from David B. Hicks, County Engineer, to Ron Fischer, Blairstown Business Association Chairman, granting permission to close Main Street on August 13, 2010

This request to close Main Street was withdrawn by the Blirstown Business Association. Mr. Shoemaker said that there would be bus activity going up to the camp from Main Street so the Business Association withdrew the request for road closure.

- 6 – from Robert Miller, Asst. Commissioner, Planning and Development, NJ State Division of Aeronautics, re: Hazardous Obstructions to Aircraft Using Blirstown Airport

Mayor Mach read the letter, which stated that there is tree obstruction to the runways and that the State would like local zoning regulations in place to dictate the removal of the obstruction. There was a discussion on the history of this problem. Mr. Seal feels that the private property owners should be cited by our Zoning Official to take care of this. Mr. Benbrook said that this is a State Statute issue and not governed by local zoning ordinances, and he does not understand why the township would become the enforcing agency. Mr. Benbrook and Mr. Seal will work together in contacting Robert Miller to settle this matter.

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 there were no issues except for the litigation matters discussed earlier.

FROM THE TOWNSHIP CLERK

The Clerk had nothing to report.

FROM THE TOWNSHIP COMMITTEE

COMMITTEEMAN ANDERSON

Mr. Anderson summarized the July Police Report, which was highlighted by the Blirstown Police Department assisting the State Police in solving a juvenile issue.

The Environmental Commission has recommended Robert Merrifield as a new member of the Commission. Mr. Anderson read Mr. Merrifield's resume. Mr. Anderson made a motion to appoint Robert Merrifield as a member of the Environmental Commission as an Alternate, which was seconded by Mayor Mach.

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

COMMITTEEMAN LASCARI

Mr. Lascari said that the fire company has asked for permission to hold a drill at the Community Center before the building is razed. He believes the drill involves drilling holes in the roof. Mr. Lascari made a motion to give permission to Blirstown Hose Company No. 1 to drill at the Community Center with the proper insurance approval. The motion was seconded by Mayor Mach.

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

Mr. Lascari would like permission to have the Historic Preservation Commission store their items in the back room of the Construction Office on an interim basis. Mr. Lascari has discussed this with the DCA and has not received any objections from them. Mr. Lascari made a motion to allow this move, which was seconded by Mr. Seal.

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

Mr. Lascari said that our new website is up and running and there have been a great number of hits so far.

COMMITTEEMAN SEAL

Mr. Seal said that he has a quote from Stothoff to put a 100 GPM test pump in the second well to determine the yield. If this is workable, the well might be dug deeper and could become a back-up well. Mr. Seal made a motion to allow Stothoff to perform this work for a cost not to exceed \$7,000, contingent upon Mr. Lance’s approval. The motion was seconded by Mayor Mach.

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

Mr. Seal reported that Benton Road will be closed on August 18th and 19th for repaving.

Three swings were stolen from Footbridge Park. Replacement swings are on order.

Regarding the roof repair on the Municipal Building, Mr. Seal reported that only one quote has been received.

MAYOR MACH

Mayor Mach distributed a handout from Greener by Design which is in reference to installation of solar panels. The township is looking into solar energy for this building, which could be expanded to be a revenue producing entity. The hand-out is a proposal for a 100 kilowatt system expandable to a 1 megawatt system for the township to become a power producing authority. The proposal is divided into five tasks, with a quote of \$130,000 to complete Tasks 1 through 4. This includes the preparation and management of the RFP. Task 5 is \$10,000 per month while installation is being put in place. Mayor Mach would like the Committee’s permission to change the system to a smaller scale. He is suggesting an RFP for a 100 kilowatt system for the Municipal Building. Mayor Mach said that the power producing authority aspect could be on hold until the details are all sorted out. Mayor Mach believes that the smaller system could be expandable at some point.

Mayor Mach said that an energy audit is the first step in the process. There is a 75% grant available from the Division of Local Government Services for the audit, but we have to use an audit company approved by the DLGS. After the audit is complete, an RFP would be made for the design and installation of the 100kw solar system. The Committee was in agreement to take this course of action.

Mayor Mach distributed two letters from the League of Municipalities addressed to our Senator and the Senate Appropriations Committee asking them to go forward with the 33 toolkit items necessary to fulfill the ability to have a 2% CAP. Mayor Mach would like these letters sent to Senator Doherty and the Senate Appropriations Committee, as recommended by the League of Municipalities. The Committee was in agreement to send these letters.

The NJ Council of Mayors is holding a Fall Summit. Mayor Mach and Mr. Lascari would like to attend. Mr. Lascari made the motion to authorize the payment of \$60.00 to cover the attendance cost for Mayor Mach and Mr. Lascari to attend the seminar.

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

Mayor Mach discussed the Department of Transportation grant for a bikeway. The Committee has previously discussed having a bikeway from North Warren Regional High School to possibly the Paulins Kill Trail. Mayor Mach would like to authorize Ted Rodman, Township Engineer, to submit the necessary paperwork to apply for this grant. The Committee was in agreement to have this grant application submitted.

The National Parks System is conducting meetings on August 17, 18 and 19 regarding power lines proposed to be erected. There are seven alternate routes being proposed, three of which go through Blirstown. Mayor Mach intends to attend all three meetings.

Mr. Benbrook said that a decision to the Step 2 Grievance filed by Police Officer Kyle Dalrymple is due tonight. The grievance dealt with an alleged contract violation regarding staffing. Mr. Benbrook said that although the contract calls for two men on duty, there is an emergency clause. Mr. Benbrook asserts that the current position of the State of NJ regarding State Police qualifies as an emergency, and based on this, there has been no violation of the contract. Mr. Benbrook is recommending that the Committee, in their capacity as Controlling Authority, deny this grievance. Mr. Anderson made a motion to deny Officer Dalrymple's grievance, which was seconded by Mayor Mach.

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

FROM THE PUBLIC

Peter McKenna, Mohican Road, asked if the township would be able to receive some kind of grant for the solar energy project. Mayor Mach said that there are grants available for homeowners, but the Committee will be looking into anything available to the municipality.

Carol Cook, Four Corners Road, said that perhaps larger stores might be interested in having satellite stores located in some of the empty buildings in the township. This could also be an attraction for tourists.

Herman Shoemaker, Bingham Lane, reported that the Planning Board has discussed design standards to address box stores and to make sure Blairstown maintains its look.

Mr. Shoemaker distributed drawings of signs being proposed for the downtown Main Street area.

Mr. Shoemaker said that the Blairstown Business Association is holding a Blairstown Street Festival on August 13th from 5pm to 8pm.

Mary Flynn, Conrad Court, questioned why certain sections of the new website are absent. Mr. Lascari said that some portions, such as the Zoning Board and Planning Board, are under construction and will be up at a later date. Mrs. Flynn expressed concern about the lack of information on local businesses and events on the website. Mr. Lascari said that he will meet with Mrs. Flynn to discuss her ideas for the website.

ADJOURNMENT

As there were no further comments from the public, Mr. Lascari made a motion to adjourn the meeting, which was seconded by Mr. Anderson, with all members in favor.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk