

**TOWNSHIP OF BLAIRSTOWN  
REGULAR COMMITTEE MEETING  
MUNICIPAL BUILDING  
Wednesday, October 12, 2011, 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 Attorney Kevin Benbrook and Clerk Pizzaia.

**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.

Mayor Mach announced that Township Attorney Robert Benbrook has recused himself from tonight's meeting and that Attorney Kevin Benbrook will be taking his place.

**PUBLIC COMMENT**

Martin Manney, Mount Vernon Road, spoke to the Committee about his mailbox that was damaged by a DPW worker on June 8, 2011. Mr. Manney wrote a letter to the Committee about this, asking for compensation for the mailbox. Mr. Manney said that Mr. Seal came to his house to look at the mailbox and told him that he would be reimbursed. Mr. Seal said that he did not say this, but told Mr. Manney that there was a resolution in place that states that reimbursement will be made only in a case where the mailbox is directly hit by the township equipment. Mr. Manney presented pictures of the damage and after discussion, it was agreed that Mr. Manney should be reimbursed for the mailbox.

Mr. Lance made a motion to reimburse Mr. Manney for his mailbox to the extent allowed by the township resolution. This motion was seconded by Mr. Lascari.

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

Helen Parisi, Historic Preservation Commission Chair, read a letter signed by the Commission members, tendering their collective resignations. Mrs. Parisi said that this is due to what she feels is a lack of support for their efforts from the majority of the Township Committee.

Mr. Lance made a motion to accept the resignations of Helen Parisi, Gary McGowan, Michael Foster, Richard Foster and Deborah Tencza. Mr. Anderson seconded the motion.

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

Fred Cook, Four Corners Road, asked a series of questions regarding the recent flooding situation. In response to who was in charge of the Emergency Management team and where he was located during the flooding, Mayor Mach stated that Jeff Jablon was in charge and that he or the assistant coordinator was at this building or on the road, available to respond at all times. Mr. Cook asked who declared a state of emergency and who was supposed to notify the schools. Mayor Mach responded that the Emergency Management Coordinator declared the emergency and he was responsible for notifying the schools.

In response to Mr. Cook's question on whether the police personnel had all necessary equipment to handle the situation, Mr. Anderson said that they did. Mr. Cook wanted to know if response was hampered by cuts in the police and DPW personnel. Mr. Anderson said that he believes that it was not a factor and that there were many volunteers assisting throughout the ordeal. Mr. Cook asked for total amount of overtime hours for police and DPW personnel and other township employees. Mr. Gara said that there were approximately 170 hours of overtime for police personnel. No office personnel worked overtime, and the total amount of hours for DPW would be similar to the police. In response to Mr. Cook's request for the total amount spent on overtime for the emergency, Mayor Mach said he believes it is somewhere around \$12,000.00, but exact figures can be obtained from the CFO. Mr. Cook asked if an additional hire in both the police and DPW would have helped, Mr. Anderson said that it is a matter of what the township can afford.

Mr. Cook asked about the rumor that pumps were available at Blair Academy but were never requested from the township. Mayor Mach responded that this is a false rumor started by a resident.

Jeanette O'Brien, East Avenue, spoke for the residents of the village area, who are requesting a special meeting with the Committee to discuss flooding issues. She presented a petition with signatures of residents and business owners. Mayor Mach said that he feels that such a meeting would be a good idea. It was decided that this meeting will be held on November 18<sup>th</sup> at 1pm to be held at the same time as the budget workshop.

Diane Sare, Bergen County, spoke to the Committee about H.R. 1489, which is a bill calling for the reinstatement of Glass-Steagall. Ms. Sare said that Glass-Steagall is the Banking Act of 1933, which would provide greater security to banking deposits and would limit risks to Americans.

Glass-Steagall was repealed in 1999, and she is asking the Committee to pass a resolution in favor of its reinstatement. After discussion, the Committee felt that this matter is not

appropriate for local municipal action, and it was suggested to Ms. Sare that this be brought to the League of Municipalities for discussion.

Mr. Lance introduced members of Boy Scout Troop 140, who are in the audience to earn their badges in citizenship.

Mr. Lascari asked if an issue involving the ambulance corps could be discussed now rather than waiting until the end of the meeting. The Committee agreed to this and ambulance members Joe DiGrazia, Scott Durlister, and Susan Lothian came forward to address the Committee. Mr. Lascari discussed a plan review he has written to assist the Ambulance Corps in their progress towards having a new building.

Mr. Lascari said that one idea is to lend monies to the Corps in order to construct their new building. He said that an option is to use the current building as collateral. It has been determined that the current building can be used for other purposes, contrary to what was previously believed. Mr. Lascari also included the idea of having the Corps move into the DPW building and to build a new DPW building behind this building. Mr. Lascari emphasized that these are only concepts at this time.

Mr. DiGrazia explained that the Corps appears to be unable to get a loan because they do not own the property they plan to build on. Mr. DiGrazia emphasized that the Corps is extremely appreciative of all the assistance the Committee has given them, but they are at a point where they are on hold because of the lack of finances.

Mr. Benbrook asked the Committee if they might be in favor of selling the property to the Corps. The sale would be for a nominal fee, with an appropriate deed restriction and a reversion to the township if the Corps were to abandon the property. After discussion and on the advice of Counsel, Mr. Anderson made the motion to convey a portion of municipal building property for use of a new ambulance facility, subject to their obtaining commercial financing. The property to be sold shall be with the same plot plan as the existing lease. Mayor Mach seconded the motion.

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

## **MINUTES**

September 14, 2011 – Regular Meeting and Closed Session

Mr. Lascari made a motion to approve the regular and closed session minutes of the September 14<sup>th</sup> meeting. The motion was seconded by Mr. Lance.

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

Mr. Lance made a motion to approve the expenditure of up to \$5,000.00 in order to obtain two appraisals on the Doug Race farm. Mr. Seal seconded the motion.

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

**PROCLAMATION OF OCTOBER 2011 AS COMMUNITY PLANNING MONTH**

Mayor Mach explained that this is a proclamation honoring those residents who volunteer their time on planning and zoning boards. Mayor Mach read the proclamation in full and presented it to Herman Shoemaker, Planning Board Chair. Debra Waldron will be given this same proclamation as Chair of the Zoning Board of Adjustment.

**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

Mr. Benbrook said that in view of the mass resignation of the Historic Preservation Commission earlier this evening, it is important that this ordinance be resolved since a commission must be filled statutorily but a committee is not required to be filled.

Mayor Mach opened the public hearing on Ordinance 2011-02. Mary Flynn, Conrad Court, said that she is saddened that the membership resigned since she feels they were a good group of people.

Carol Cook, Four Corners Road, also expressed sadness at the loss of the historic commission members. She said they were a hard working group.

Rosalie Murray, Heller Hill Road, asked the Committee to reconsider the acceptance of the Historic Preservation Commission members. She feels that the disagreement between the Commission and the Township Committee can be worked out.

As there were no further comments from the public, Mayor Mach closed the public hearing on Ordinance 2011-02. Mr. Lance made a motion to approve the ordinance on second reading, which was seconded by Mr. Anderson. Mr. Lascari commented that he feels that there was a lack of communication between the two boards and he is sorry at the loss of the Historic Preservation Commission membership.

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

**ORDINANCE NO. 2011 – 06    AN ORDINANCE ESTABLISHING THAT A BUSINESS ENTITY WHICH MAKES POLITICAL CONTRIBUTIONS TO MUNICIPAL CANDIDATES AND MUNICIPAL AND COUNTY POLITICAL PARTIES IN EXCESS OF CERTAIN THRESHOLDS SHALL BE LIMITED IN ITS ABILITY TO RECEIVE PUBLIC CONTRACTS FROM THE TOWNSHIP OF BLAIRSTOWN IN WARREN COUNTY, NJ**

Adoption, Second Reading

Mayor Mach opened the public hearing on Ordinance 2011-06. As there were no comments from the public, Mayor Mach closed the public hearing.

Mr. Lance made a motion to approve Ordinance 2011-06 on second reading, which was seconded by Mr. Anderson.

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

**ORDINANCE NO. 2011 – 07 AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 184 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED “VEHICLES AND TRAFFIC”**

Adoption, Second Reading

Mayor Mach opened the public hearing on Ordinance 2011-07. As there were no comments from the public, Mayor Mach closed the public hearing.

Mr. Anderson made the motion to approve Ordinance 2011-07 on second reading. Mayor Mach seconded the motion.

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

The Committee discussed the wording for the signage supporting this ordinance. It was agreed that the signs will read: *Snow Emergency Parking Permitted Monday, Wednesday, Friday, and Sunday* on one side of the road. The other side will read: *Snow Emergency Parking Permitted Tuesday and Thursday and Saturday*. On the bottom of both sides it will read: *As per Ordinance 2011-07*.

**Public Comment on the Consent Agenda Items Only**

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

**CONSENT AGENDA INCLUDING RESOLUTIONS**

- 1 – R.2011-115** Authorization to Pay Bills
- 2 – R.2011-116** Refunding Overpayment of 2011 Taxes
- 3 – R.2011-117** Approval to Submit Grant Application and Execute Grant Contract with the NJDOT for the Reconstruction of Sand Hill Road Project
- 4 – R.2011-118** Authorization to Provide Municipal Funding for the Purchase of Two Appraisals for the Potential Preservation of Farm Owned by D. Race
- 5 – R.2011-119** Authorization to Provide Funding Share for the Purchase of Development Rights to the Race Farm Owned by C. and J. Race
- 6 – Approval of Application for Blue Light Permit for Blairstown Ambulance Members –**  
Misty Mott and Laura Durlerster
- 7 – Approval of Application for Red Light/Siren Permit for Blairstown Ambulance Member –**  
Scott Durlerster

Mr. Lance made a motion to approve the Consent Agenda, with the exception of No. 4, R.2011-118, which was passed earlier this evening. Mr. Lascari seconded the motion.

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

### **DEPARTMENT REPORTS**

Clerk – September Report

Finance – September Finance and Fuel Reports

Fire Department – September Report

Police Department – September Report

Tax Collector – September Report

Zoning Official – 3<sup>rd</sup> Quarter Report

Municipal Court of North Warren – August Report

Warren County Health Department – September 9, 2011

Mr. Lascari made a motion to accept the Department Reports, which was seconded by Mayor Mach, with all members voting in favor.

### **UNFINISHED BUSINESS**

- 1 – Route 94 traffic concerns – T. Rodman to check light  
Mr. Rodman will be reminded to check with the State on this matter.
- 2 – JCP&L billing – list submitted to JCP&L – waiting for response  
Mr. Lascari will check with the Assistant Treasurer on the status of the billing.
- 3 – Main Street concerns – road striping; feral cats; sidewalks  
No update
- 4 – Review of Noise Control Ordinance – draft “Peace and Good Order” Ordinance  
The Committee discussed the draft and was in agreement to change the times in Section 143.2 B. (6), Construction and demolition, to “between the hours of 10pm and 6am.”  
Mr. Lascari made a motion to approve Ordinance 2011-08, Peace and Good Order, on first reading, which was seconded by Mr. Lance.

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

- 5 – Service Electric Cable TV – Mr. Lascari drafting letter to SECTV regarding extension of service
- 6 – Hazardous Obstructions at Blairstown Airport – waiting for map from State
- 7 – Review of Recreation Ordinance – Fair Share Reimbursement  
This will be reviewed by Mr. Lascari, Mr. Seal and the Recreation Director and a draft ordinance will be presented to the Committee.

### **COMMITTEE CORRESPONDENCE** for information and possible action

- 1 – from Robert Van Wattering, Blairstown Rotary Club, requesting permission to hold “Annual Halloween Parade” on Monday, October 31, 2011  
Mr. Lance made a motion to approve the preferred route as outlined by the Blairstown Rotary Club, which was seconded by Mayor Mach.

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

- 2 – from Jon Thomas Cramer, tendering his resignation from Historic Preservation Commission, Blairstown Shade Tree Committee and the Blairstown Neighborhood Watch effective December 31, 2011.

Mayor Mach made a motion to accept Mr. Cramer’s resignation from the Historic Preservation Commission immediately, and from the Shade Tree Committee as of December 31, 2011. Mr. Lance seconded the motion.

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

- 3 – from James S. Simpson, Dept. of Transportation, regarding Fiscal Year 2012 Federal Aid Safe Routes to School Program

Mayor Mach explained that there is a deadline of December 30, 2011 to file an application. Mayor Mach would like this letter sent to the superintendents of both Blairstown Elementary School and the North Warren Regional High School for their recommendations on this. The Committee was in agreement to forward this to the schools for their input.

- 4 - from French & Parrello, re: Proposal for Informal Visual Inspection of Paulina Lake Dam, and Proposal for Informal Visual Inspection of Pedestrian Bridge

Mayor Mach explained that this was approved by him due to the flood emergency. Mr. Lance made a motion to approve the expenditure of \$1,350.00 for the visual inspection of the Pedestrian Bridge and \$1,350 for the visual inspection of Paulina Lake Dam. Mr. Anderson seconded the motion.

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

**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 reminded everyone that Election Day is November 8<sup>th</sup> and that the polls are open from 6am to 8pm. All five voting districts are in the Municipal Building.

**FROM THE TOWNSHIP COMMITTEE**

**MR. ANDERSON**

Mr. Anderson reported that the Environmental Commission held an event through Sustainable Blairstown. The Freecycle Day was a success. Anyone interested in the details can view a video available on the Sustainable Blairstown website.

Mr. Anderson summarized the Police Report for the month of September 2011. Mr. Anderson said that the department continues to do a good job for the residents.

Mr. Anderson will be working with the senior citizens group shortly, who will be making preparations for their Christmas luncheon.

**COMMITTEEMAN LANCE**

Mr. Lance said the pension contributions are now final. The PERS contribution will be decreased by \$1,200, but the Police and Fire Pension contributions will be down approximately \$24,000.00, for a total of over \$25,000 in pension contribution savings.

Mr. Lance has made inquiries for a pump as discussed at the September meeting. He is pursuing the purchase of a pump along with used fire hose. He will report more on this at the November meeting.

Mr. Lance made a motion to pay the CFO as utility collector for the water department at a rate of \$2,500.00 per year. Mr. Anderson seconded the motion. Mr. Seal feels that the position should be posted because he knows that other employees may be interested in this position. Mr. Anderson said that he believes that the position belongs with the CFO because of her knowledge in the area. Mr. Lascari objected to this because it is a personnel matter, which he is liaison to. Mr. Lascari strongly objected to this position being filled by the CFO without going through proper procedures through the personnel policy.

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

**COMMITTEEMAN LASCARI**

Mr. Lascari reported that the TractorCade was a great success, with over 50 tractors participating.

The fire truck is now repaired and back in service.

The fire department is requesting a clothing bin to be placed at the Walnut Valley Fire House. This will be referred to the Zoning Official for his approval.

Mr. Lascari asked about Clean Communities Day. The Clerk responded that it will be held on November 12<sup>th</sup>.

Mr. Lascari attended a meeting between mayors and JCP&L. The major complaint was JCP&L's lack of communication and slow response. BPU was in attendance and there will be a formal hearing at a future date.

Mr. Lascari asked about the defibrillator. The Clerk responded that it has been installed and is located in the lobby next to the water fountain.

Mr. Lascari summarized the fire company report for the month of September, and wished to thank the company for the great job they do, especially during the recent storms.

Mr. Anderson reported that Sergeant Losey was recently recognized for the lifesaving actions of a child at a 200 Club meeting. The Committee congratulated Sergeant Losey for his actions.

#### COMMITTEEMAN SEAL

Mr. Seal said that he would like to have Cherokee Trail upgraded from a 2 to a 3 with regard to degree of difficulty. Mr. Seal made a motion to this effect, which was seconded by Mr. Lance.

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

Mr. Seal reported that several roads are in poor condition. Mud Pond Road is in bad need of repairs. The bank has eroded and the guiderails are not secure. This condition needs to be addressed in the near future. Mr. Seal was directed to speak to Mr. Rodman to start the process to make the necessary repairs.

Mr. Seal discussed a complaint from a resident on Maple Lane who is complaining about the residence above him that has a headwall and pipe that is jammed and collapsed. This causes the water to run down Maple Lane and it is washing out his driveway. Mr. Seal said the township will have to make repairs. After discussion, it was decided to direct the Zoning Official to inspect the site and to report his findings and recommendations to the Committee.

#### MAYOR MACH

There was a meeting of the North Warren Court. Pending changes were discussed, including a prospective new municipality joining the court system. An audit of the court system is underway.

Mayor Mach said that he has directed the OEM administrative assistant and the Township Engineer to submit a letter of intent to file for a pre-disaster mitigation plan with FEMA. We will be requesting a new pump, a new hose and a new trailer.

There was a meeting with the legislators of the 24<sup>th</sup> district. Mayor Mach emphasized the flood damage and the need for Tropical Storm Lee to be declared as a disaster for FEMA assistance.

The other topic he brought up was the need for the legislators to continue to ask the Governor to stop deferring money away from the energy tax.

### **FROM THE PUBLIC**

Robert Haberstadt, Blairstown Ambulance Corps, talked about the calls responded to by the Corps from January 2011 to date. Mr. Lascari asked Mr. Haberstadt to have a quarterly report submitted to the Committee for addition to the minutes. The entire Committee was in agreement that the Corps members are extremely dedicated individuals who put in a great deal of their time to service the community.

Herman Shoemaker, Bingham Lane, thanked the Committee for adopting Ordinance 2011-07 tonight regarding Main Street parking during snow storms. Mr. Shoemaker also reported that the feral cat issue has dissipated in the recent weeks.

Rosalie Murray, Heller Hill Road, spoke in favor of adding job postings in the township's personnel policy.

Mrs. Murray read a statement regarding the use of open space monies for the soil remediation at the Community Center (statement is attached). After reading her statement, Mayor Mach stated that Mrs. Murray's comments have been noted. Mr. Benbrook commented on some of Mrs. Murray's remarks. With regard to the open space trust fund, Mr. Benbrook said that Mrs. Murray keeps speaking about the open space monies, when they are, in fact, only one part of the trust, which also includes recreation and historic preservation. Mr. Benbrook added that there is no question in his mind from a legal standpoint that the Community Center fell into the recreation category.

Anita Ardia, Dry Road, said that she is impressed with the research Mrs. Murray has done on the open space issue.

Paul Avery, Mohican Road, said that the Fourth of July Celebration Committee has acquired materials and need a place to store them. It was suggested that Blair Academy might have a space for these materials.

Wickliffe Mott, Lambert Road, said that he was here on behalf of his brother, who would like to farm a portion of the land known as the Jones Farm. The Committee informed Mr. Mott that this property is jointly owned with the State as Green Acres land and the State prohibits this type of activity.

### **ADJOURNMENT**

As there were no further comments from the public, Mr. Lance made a motion to adjourn the meeting, which was seconded by Mr. Anderson with all members voting in favor. The meeting was adjourned at 10:29 pm.

Submitted by:

Phyllis E. Pizzaia, RMC  
Municipal Clerk