

**TOWNSHIP OF BLAIRSTOWN  
REGULAR COMMITTEE MEETING  
MUNICIPAL BUILDING  
Wednesday, November 10, 2010, 7 PM**

**MINUTES**

**OPENING; ROLL CALL**

The meeting was called to order by Mayor Mach. Those present were Mayor Mach, Mr. Anderson, Mr. Lance, Mr. Lascari (arrived at 7:03 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 –Personnel – Police Department; Possible Litigation – The Last Frontier; Possible Litigation – Soil Remediation at Community Center**

Mr. Anderson made a motion to enter into Closed Session, which was seconded by Mr. Seal, 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: November 10, 2010

Attest:

Phyllis E. Pizzaia, RMC  
Municipal Clerk

## **RESULTS OF CLOSED SESSION**

Mr. Lance made a motion to come out of Closed Session, which was seconded by Mayor Mach, with all members voting in favor.

Mr. Anderson explained that Officer in Charge Losey will be taking a vacation in the near future and that a temporary Officer in Charge will need to be appointed. Mr. Anderson made a motion that he as Police Commissioner and Mr. Lascari as Deputy Commissioner be authorized to make this appointment with the recommendation of Sergeant Losey. Mr. Benbrook asked Mr. Anderson to amend this motion to authorize Mr. Anderson and Mr. Lascari to appoint an acting officer in charge. Mr. Anderson amended his motion, which was seconded by Mr. Lascari.

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

Mr. Lascari made a motion to authorize the police department to advertise for a substitute crossing guard, which was seconded by Mr. Lance.

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

Mayor Mach explained that the remediation work at the Community Center site is almost completed. The original estimate approved by the Committee for this work was \$162,667. However, more contaminated soil needed to be removed and the cost for the work was more than originally estimated. Total cost of the cleanup is \$498,747. Mayor Mach asked for a motion to approve a supplemental change order to cover additional costs by Whitman in the amount of \$144,829. Mr. Lance made the motion, which was seconded by Mayor Mach.

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

Mr. Lance made a motion to appropriate up to \$125,000 from the Open Space trust fund to complete the remediation work at the Community Center site and to begin construction on the park which was discussed at the October meeting. This is contingent upon attorney review. Mayor Mach seconded the motion.

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

## **PUBLIC COMMENT – up to 5 speakers/3 minutes each**

Terry Miller, Sand Hill Road, spoke in favor of having a skate park in Blairstown. She presented a flyer listing 11 reasons why Blairstown should have a skate park. She requested that the skate board committee be allowed to make a presentation at the December meeting. Mayor Mach said that the skate board committee will be given time to make their presentation at that time.

Andrew Lagomarsino, Artist View Lane, wished to speak about his private road, but said he would need more than three minutes. He will speak during the public portion at the end of the meeting.

## **MINUTES**

October 13, 2010 – Regular Meeting and Closed Session

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

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

**ORDINANCE NO. 2010-07 AN ORDINANCE TO AMEND THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF BLAIRSTOWN, COUNTY OF WARREN, STATE OF NEW JERSEY, SECTION 19-601E**

Second Reading, Final Adoption

Mayor Mach explained that this ordinance suggests that township property should be the first selection point for cell towers coming into the community.

Public Hearing – The meeting was opened to the public. As there were no comments from the public, Mr. Lance made a motion to adopt Ordinance 2010-07 on second reading, which was seconded by Mr. Anderson.

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

**ORDINANCE NO. 2010-08 AN ORDINANCE TO AMEND CHAPTER 62 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN, IN THE COUNTY OF WARREN, STATE OF NEW JERSEY, ENTITLED “ANIMALS”** Introduction, First Reading

Mayor Mach explained that this changes the dog licensing month from March to January of each year. Mr. Lance made a motion to approve Ordinance 2010-08 on first reading, which was seconded by Mr. Lascari.

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

**ORDINANCE NO. 2010-09 AN ORDINANCE REPEALING AN ORDINANCE CHAPTER 190 ENTITLED “WATER AND SEWERS” OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN AND ENACTING A NEW ORDINANCE ENTITLED “AN ORDINANCE ESTABLISHING REGULATIONS AND USER FEES IN CONNECTION WITH THE BLAIRSTOWN TOWNSHIP PUBLIC WATER COMPANY”** Introduction, First Reading

Mayor Mach explained that this ordinance amends the township code to remove the section on sewers, which do not exist in Blairstown. This ordinance also establishes new water rates for the water company. Mr. Lance added that this is the first time the rates have been raised since the township acquired the water company in 1987. Mr. Lance made a motion to approve Ordinance 2010-09 on first reading, which was seconded by Mr. Seal.

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

**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.2010-134** Authorization to Pay Bills
- 2 – R.2010-135** Redemption of Certification of Sale No. 2004-09
- 3 – R.2010-136** Redemption of Certification of Sale No. 2010-09

- 4 – R.2010-137 Authorization to Transfer Funds
- 5 – R.2010-138 Release of Performance Guarantee
- 6 – R.2010-139 Request for Approval of Items of Revenue and Appropriation
- 7 – R.2010-140 Cancellation of Grant Monies
- 8 – R.2010-141 Authorization to Enter into Agreement with Deer Carcass Removal Service LLC/Warren County Contract No. 1059 – Deer Carcass Removal
- 9 – Approval of Business Directional Signs to Industrial Metal, Inc.

Mayor Mach requested that Resolution 2010-140 be removed from the Consent Agenda because this resolution needs a 2/3 affirmative vote to be approved. The Committee agreed to vote separately on this resolution. Mr. Lance made a motion to approve the Consent Agenda, minus R.2010-140, which was seconded by Mr. Anderson.

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

Mr. Lance made a motion to approve Resolution 2010-140, which was seconded by Mayor Mach.

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

**DEPARTMENT REPORTS**

- Clerk – October Report
- Finance – October Report
- Fire Department – October Report
- Police Department – October Report
- Public Works Department –October Fuel Report
- Tax Collector – October Report
- Warren County Health Department – November 5th Report
- Zoning Official – 3<sup>rd</sup> Quarter Report

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

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

**UNFINISHED BUSINESS**

- 1 – Route 94 traffic concerns – Awaiting installation of left hand turn signal at Lambert Rd  
Mr. Lascari has been in touch with Debbie Hirt of the DOT, who indicated that our project is second on their list. The project is with the Engineer for electrical review. Less manpower in the State is a factor in the long amount of time this project is taking.
- 2 – JCP&L billing – Mr. Lascari has completed input of data; to go to Environmental Commission for input  
Mr. Lascari and Herman Shoemaker travelled around the township to compile a list of poles and pole numbers. Mr. Lascari will check this with the inventory list from JCP&L. Certain lights can be requested to be turned off. This should save a significant amount on a yearly basis.

- 3 – Main Street concerns – road striping; feral cats  
Mr. Lance said that the County will assist in laying out the line striping, but the township will have to do the work. Mr. Seal feels that this expense should be borne by the county, but both Mayor Mach and Mr. Lance indicated that the county will not pay for this work.
- 4 – Review of Noise Control Ordinance – model ordinance received from county  
Mr. Lascari has proposed a Peace and Good Order ordinance. However, it is Mr. Benbrook's opinion that this ordinance needs to be studied and modified in order to make it enforceable. Mr. Benbrook said that this issue is complicated since New Jersey has statutes against disorderly conduct ordinances, and also because noise is difficult to measure objectively.
- 5 – Cedar Lake Horse Farm – RFP results under review  
Mayor Mach said that this is ongoing, with no results to report.
- 6 – Service Electric Cable TV – extension of cable service  
Mr. Lascari will write a letter to Service Electric requesting contiguous service.
- 7 – Letter from DOT, Division of Aeronautics, regarding Hazardous Obstructions at Blirstown Airport  
Mr. Seal and Mr. Benbrook have been working on this. Mr. Seal said that the federal government has indicated that they will be performing an aerial survey, which will be very useful in identifying the trees that need to be removed.

**COMMITTEE CORRESPONDENCE for information and possible action**

- 1 – from Karen Palatini, regarding Skate Park  
Mayor Mach said that this will be handled at the next meeting.
- 2 – from Patricia Sagan, Recreation Director, re: Eagle Scout Project  
This letter is to commend Matthew Leoncini for the fine job he did in completing the basketball court area at Footbridge Park.
- 3 – from Leone Samilson – Blirstown Bark Park Proposal  
Ms. Samilson was not in attendance but the Bark Park Committee explained their proposal to the Committee. Also in attendance was William Cirone, Animal Control Officer from Mount Olive. The Bark Park volunteers would like a parcel of land from the township to establish a fenced-in dog park. This park would be built by the Bark Park members at no expense to the township. The volunteers would purchase the fencing, but would like the DPW employees to erect the fence. This park would be completely maintained and policed by the volunteers, with the possible exception of having the DPW employees cutting the grass. Mr. Lance was concerned about putting additional work on the DPW employees because of budget constraints and less manpower.

Mr. Cirone explained how the bark park operated in Mount Olive and indicated that there have been no major problems with regard to animals and there have been no legal issues.

Mr. Benbrook asked if only residents were allowed to use the park. Mr. Cirone said that the park is open to everyone because the land was purchased with Green Acres funds.

Mr. Seal stated that he feels that Sycamore Park is not a viable location for a dog park. He feels that the park is maxed out and he is also concerned about the proximity to the airport. He stated that the township owns other parcels that may be better suited for a dog park.

Mayor Mach said that there could be a consistency problem involved at Sycamore Park because a group came before the Committee last year in request of a soccer field. This request was turned down because of the airport safety zone.

Alan DeCarolis, Blirstown's Animal Control Officer, said that most of his concerns he has regarding the park, such as who would be responsible for maintenance and cleanup, have been answered. He asked about insurance. The volunteers responded that the township's insurance carrier has been consulted and that there is no issue in this regard.

Mayor Mach asked if the audience had any questions. Mary Flynn, Conrad Court, asked if this matter was going to be decided tonight. Mayor Mach said that this is a presentation and that there could possibly be a decision tonight. Ms. Flynn is concerned that a fence could be erected, and then abandoned if the park did not work out. She said that she thinks the dogs should be registered with the park in order to participate. She also was concerned about the possible unsightliness of the fencing.

There was a discussion on whether this type of activity could be located at the Jones Farm. The Committee was in agreement to ascertain from the Department of Environmental Protection if a dog park could be located at the Jones property, which is a Green Acres property. Mr. Lance said that he would contact Elliot Gott of the DEP to ask him about the possibility of locating the dog park on this parcel.

As there were no further comments from the public, Mayor Mach made a motion to conduct a straw poll of the Township Committee to ascertain if the Committee is in favor of the conceptual idea of the bark park, which would be funded and maintained by a dog park committee and its volunteers. The location of said park is undetermined at this time. Mr. Anderson seconded the motion.

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

- 4 – from Ted Rodman, Township Engineer, re: Community Center Remediation Costs  
This item was addressed earlier in the meeting.

#### **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 had nothing further to discuss.

## **FROM THE TOWNSHIP CLERK**

The township will hold a free rabies clinic on Saturday, December 11, 2010 between the hours of 9am and 12 Noon. The clinic will take place at the Public Works building at 25 Lambert Road.

## **FROM THE TOWNSHIP COMMITTEE**

### **COMMITTEEMAN ANDERSON**

Mr. Anderson said that the Committee has been looking into acquiring less expensive insurance. Our rates increased over 10% last year, which was the impetus for actively finding a better rate. Interviews were held with Brown and Brown, our current insurance carrier, as well as with Wells Fargo and Bollinger Insurance. Mr. Anderson explained that we are locked into our joint insurance fund for another two years, but we can change our Risk Management Consultant. After conducting the interviews, Mr. Anderson recommended that the Committee change the Risk Management Consultant from Brown and Brown to Jim Gilmore of Bollinger Insurance. The Committee was in agreement that there would be an advantage to having Mr. Gilmore as our representative because he lives in Blirstown and could offer a more personal dimension.

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

Mr. Anderson summarized the October report of the Blirstown Police Department.

Mr. Anderson stated that there are several meritorious awards that have been recommended to be given to police officers. Mr. Anderson plans to work on this for a future meeting. Mayor Mach asked Mr. Anderson to distribute the list of these awards for consideration to the rest of the committee.

Mr. Anderson said that the representatives of the Police Department bargaining unit have been meeting with members of the Township Committee to negotiate a new contract. The current contract expires at the end of 2010.

### **COMMITTEEMAN LANCE**

Mr. Lance said that the new pension figures have been received and have increased over \$46,000 from last year. The new rates for hospitalization have increased by 12.2%. Total employee benefits come to about \$80,000.00. We will probably end the year approximately \$140,000.00 over budget. Going over our expenditures, we have unexpended balances totaling \$766,000 at this point. Subtracting the total for unexpended salaries and wages, we have approximately \$520,000 in unexpended funds. Mr. Lance said that he is recommending to the Committee that a directive be distributed to all employees stating that all non-emergency spending will cease for the remainder of 2010. Mr. Lance said that by doing so, jobs could be saved next year.

Mayor Mach made a motion to send a directive to all departments to cease spending unless absolutely necessary to hold on to as much of these unexpended funds as possible. Mr. Lance seconded the motion, with all members voting in favor. The CFO will be directed to draft this memorandum, to be distributed to the employees, after approved and signed by Mayor Mach.

### **COMMITTEEMAN LASCARI**

Mr. Lascari summarized the October report from Blirstown Hose Company No. 1.

The new tanker truck should be delivered on November 14<sup>th</sup>.

With regard to the Historic Preservation Commission, Mr. Lascari said that the resignations of Len Brazaites, Marie Giuricich and Gerard Tretola have been received. Mr. Lascari made a motion to accept the resignations, which was seconded by Mayor Mach.

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

Mr. Lascari made a motion to accept Richard G. Foster and Michael Foster as members of the Historic Preservation Commission. Mayor Mach said that Michael Foster does not reside in Blirstown and questioned whether he could be a voting member since there already is a non-resident appointed to the commission. Mr. Benbrook said that the motion could be amended to state that Mr. Foster is appointed, subject to conformity to township code. Mr. Lascari amended his motion to so read, which was seconded by Mayor Mach.

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

Mr. Anderson congratulated the Mayor for his recent reelection.

#### **COMMITTEEMAN SEAL**

With regard to the horse crossing signs discussed last month, Mr. Seal contacted the State and was told that the signs are free but the municipality is required to install them.

Mr. Lance said that after investigation, it has been found that there is no reference to a Fourth of July Committee in the township code. Mr. Lance would like to meet with the individuals who have offered to organize the celebration in order to make guidelines for the event planning.

#### **MAYOR MACH**

With regard to the Planning Board, the Master Plan review has been completed.

The Blirstown Business Association is having a holiday event on December 10<sup>th</sup>. This will take place on Main Street.

There was a discussion on whether or not there will be a tree lighting ceremony this year. Mr. Lascari said that he would try to arrange something but due to money constraints and less manpower, it will not be anything close to the magnitude of past ceremonies.

#### **FROM THE PUBLIC**

Herman Shoemaker, Bingham Lane, said that everyone is welcome to attend the tree lighting ceremony being held by the Blirstown Business Association on December 10<sup>th</sup>. They are hoping to have a singing group on hand.

Paul Avery, Mohican Road, asked what the first step would be in beginning plans for the Fourth of July celebration. Mr. Lance will contact Mr. Avery regarding this. Mr. Avery has spoken to the Fire Company and the Rotary Club, and both seem interested in being a part of this celebration.

Andrew Lagomarsino, Artist View Lane, spoke about the township plowing on private roads. Mr. Lagomarsino contends that the township is responsible for plowing snow on his road. Mr. Benbrook explained to Mr. Lagomarsino that the State Statute has given the township the option to deal with private roads in the manner currently being used. The township has opted to reimburse private roads associations for the amount it would cost the township to plow these road. An ordinance was adopted which allows for a reimbursement formula. Mayor Mach added that this conforms completely to State Statute.

Mr. Lagomarsino feels that the township should be responsible for his road because it is open to public traffic. Mr. Benbrook responded that private roads have the right to keep traffic off the road and to erect signage to that effect, so Mr. Lagomarsino is incorrect in his interpretation of the law.

Mr. Lascari wished to acknowledge Robert Haberstadt of the Blairstown Ambulance Corps for the handling of a recent bus accident. Mr. Haberstadt explained the situation, which involved over 30 emergency personnel. Mayor Mach and the rest of the Committee thanked the Ambulance Corps for the fine job they perform for the community.

#### **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. All members voted in favor. The meeting was adjourned at 10:25 pm.

Submitted by:

Phyllis E. Pizzaia, RMC  
Municipal Clerk