

**TOWNSHIP OF BLAIRSTOWN  
REGULAR COMMITTEE MEETING  
MUNICIPAL BUILDING  
Wednesday, December 8, 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. Lance, Mr. Lascari (arrived at 7:03 pm) and Mr. Seal. Also present were Clerk Pizzaia and Township Attorney Robert Benbrook. Mr. Anderson 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 –Possible Litigation – The Last Frontier; Possible Litigation – State Police Issue; Personnel**

Mr. Lance 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: December 8, 2010

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. Lance, with all members voting in favor.

Mayor Mach stated that there is nothing to report on the closed session matters.

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

Josh Bryant, Hardwick, explained an Eagle Scout project that he is proposing at Sycamore Park. He would like to install a flag pole and patio near the entrance for the use of the baseball teams. It would be near the sign at the entrance to the park. This would be funded by donations and fundraising projects and would incur no cost to the township. The Committee was in favor of this Eagle Scout project and asked Mr. Bryant for a sketch of the area, which includes the lighting involved.

Rebecca Seeman, Jacksonburg Road, representing the Bark Park, asked the Committee if there has been a decision on a possible location for the park. She stated that the park committee still feels that Sycamore Park is the best location for the dog park. Mr. Lance said that he is in the process of contacting Elliot Gott of the State Parks Department, but he is sure that a dog park would not be approved for location at the Jones property. Mr. Seal feels that Sycamore Park is maxed out on activities located in the park and is concerned about the clear zone for the airport. He said that nothing is to be located in the clear zone, and a fence would qualify as a structure.

Mr. Lascari suggested Vail Park over the left field fence. The dog park could use the existing fence and form a triangle to fence in the dog park. He said that an advantage to this location would be adequate parking spaces. It would also save them money since part of the fencing is already in place. Ms. Seeman feels that this area would be too small for the dog park.

Mayor Mach summarized that the best option is the Jones property, but it is unlikely it would be approved by the State. The Committee will look into this further at a future meeting.

Peter McKenna, Mohican Road, was concerned about funding for the dog park and the skate park. Mayor Mach said that the dog park people have already stated that they would be funding the park through their own fundraising, and Mayor Mach said that the same will have to be done by the skate park supporters. Mr. McKenna asked about liability. Pat Sagan, Recreation Director, stated that the township's insurance carrier has indicated that neither project would impact the township's insurance.

Andrew Lagomarsino, Artist View Lane, spoke about his road being a private road. Mayor Mach explained that his road will not be accepted as a township road unless it is upgraded to township standards. Mr. Lagomarsino reiterated his position that the government is responsible for plowing his road. Mayor Mach again explained to Mr. Lagomarsino that the township has options according to State Statute, and the township is fully in compliance with law.

George Kays, Gwinnup Road, spoke about the left hand turn signal at Lambert Road, which was requested of the State about six years ago. He said that this is a dangerous situation and he would like it rectified as soon as possible. He urged the Committee to contact our elected officials to expedite the project. Mr. Lascari said that he has contacted Debbie Hirt from the Department of

Transportation. She indicated that the project is at the Electrical Department and the estimated work date is April of 2011. Mr. Lascari said he will again contact the state for the possibility of expediting the work.

Mr. Kays also complained about signs near the edge of the road near the Rite Aid. They are a hazard as they block visibility when pulling out. These are mostly handmade signs advertising dinners, etc. Mr. Seal said that these signs are illegal and violate our township code. Mr. Lascari said that this matter will be referred to our Zoning Official.

Paul Avery, Mohican Road, spoke about the Fourth of July Committee. He would like the Committee formally recognized by the Township Committee. Mr. Avery will submit a list of committee names for approval.

## **MINUTES**

November 10, 2010 – Regular Meeting and Closed Session

Mr. Lance made a motion to approve the November 10<sup>th</sup> regular and closed session minutes, which was seconded by Mr. Seal. All members voted in favor.

### **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”** Second Reading, Final Adoption

Mayor Mach explained that this ordinance changes the licensing month for dog licenses from March to January.

Public Hearing – Mayor Mach opened the hearing to the public. As there were no questions or comments from the public, Mayor Mach closed the public hearing.

Mr. Lascari asked if the public was aware of this change. Clerk Pizzaia stated that all dog owners received notification by mail of this change.

Mr. Lance made a motion to adopt Ordinance 2010-08 on second reading, which was seconded by Mr. Seal.

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

### **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”** Second Reading, Final Adoption

Public Hearing – Mayor Mach opened the hearing to the public. As there were no questions or comments from the public, Mayor Mach closed the public hearing.

In response to Mr. Lascari's question, Clerk Pizzaia confirmed that Blair Academy was notified about the change in the water rates. Mr. Lascari was concerned about all customers being notified about the change in the water rates. The Clerk stated that the ordinance was published in full in the New Jersey Herald.

There was a discussion regarding the best way to notify the water users regarding the increase in water rates. An insert in the bill is not an option as the water bill is in the form of a postcard. Mayor Mach stated that a possibility is to have the Public Works employees deliver a copy of the ordinance when the meters are read. Mr. Lascari made a motion to have the Public Works employees deliver a copy of the ordinance to water users at the time the meters are read, which was seconded by Mr. Lance.

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

Mr. Lance made a motion to adopt Ordinance 2010-09 on second reading, which was seconded by Mr. Lascari.

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

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

#### **CONSENT AGENDA INCLUDING RESOLUTIONS**

- 1 – R.2010-147** Authorization to Pay Bills
- 2 – R.2010-148** Redemption of Certification of Sale No. 2010-08
- 3 – R.2010-149** Refund of 2010 Overpayment
- 4 – R.2010-150** Authorization to Cancel Lien on Property, B1402, L50
- 5 – R.2010-151** Authorization to Release Escrow Fees
- 6 – R.2010-152** Resolution to End State Diversion of Municipal Revenues and Demand Compliance with State Laws
- 7 – Application for Blue Light Permit** – Patrick Sheehy and John Wehrle, Blairstown Ambulance Corps

Mayor Mach made a motion to approve the Consent Agenda, with the exception of R.2010-152. Mr. Lascari seconded the motion.

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

Mayor Mach made a motion to approve R.2010-152, which was seconded by Mr. Lance. Mayor Mach read the resolution in full. Mayor Mach explained that the energy tax has been reduced year after year and this resolution is to request that the State stop this practice.

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

## **DEPARTMENT REPORTS**

Clerk – November Report  
Finance – November Report  
Police Department – November Report  
Public Works Department – November Fuel Report  
Tax Collector – November Report

Mr. Lance made a motion to accept the Department Reports, which was seconded by Mayor Mach. All members voted in favor.

## **UNFINISHED BUSINESS**

- 1 – Route 94 traffic concerns – Electrical review at NJ DOT  
This was discussed earlier in the meeting.
- 2 – JCP&L billing – Mr. Lascari has compiled list of poles  
Mr. Shoemaker and Mr. Lascari have made a list of pole numbers. Mr. Lascari will compile a list of lights that should be turned off for submission to JCP&L.
- 3 – Main Street concerns – road striping; feral cats; sidewalks
- 4 – Review of Noise Control Ordinance – draft “Peace and Good Order” Ordinance
- 5 – Cedar Lake Horse Farm – RFP results under review  
Mayor Mach said that there has been no progress on this matter.
- 6 – Service Electric Cable TV – extension of cable service
- 7 – Hazardous Obstructions at Blirstown Airport

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

- 1 – from McCabe & Associates, Inc. – Phase 1-A Archaeology and Intensive Level Architectural Survey of the Paulina Lake Dam and Proposed Improvements to the Dam  
Mayor Mach said this was for information only. This report was requested by the Bureau of Dam Safety in conjunction with the work that needs to be completed on the dam. The report points out that the dam is of historical significance.
- 2 – from Michaeline Wozniak, Assistant Treasurer, re: Retirement  
Mr. Lascari made a motion to accept this resignation, with regrets. The motion was seconded by Mr. Lance.  
  
Roll call vote: AYE – Lance, Lascari, Seal, Mach  
ABSENT - Anderson
- 3 – from John DiMaio, Assemblyman, re: 2011 Trails Funding  
Mayor Mach said that there is money available for developing trails. There is a 20% matching funds required by the township. Mayor Mach is requesting any ideas on this.

- 4 – from Joel McGreen, Open Space Chair, regarding proposal for 2011 Trails Funding application  
Mr. McGreen had submitted Jones Farm as a possible location, but has since discovered that the property is mostly wetlands and would not be suitable.

**GENERAL CORRESPONDENCE (See attached sheet)**

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

**FROM THE TOWNSHIP ATTORNEY**

Mr. Benbrook wanted everyone to know that George Kays recently organized a fundraising event for the First Aid Corps, and donated a significant amount of his own money towards the event. The Committee was in agreement that Mr. Kays should be commended for his contributions.

Apart from the litigation matters discussed in Closed Session, Mr. Benbrook had nothing further to report.

**FROM THE TOWNSHIP CLERK**

The free Rabies Clinic will be held on Saturday, December 11, 2010 between 9am and 12 Noon.

The Reorganization meeting will be held on Wednesday, January 5, 2011 at 6:30 pm.

**FROM THE TOWNSHIP COMMITTEE**

**COMMITTEEMAN LANCE**

Budget meetings will begin on January 14<sup>th</sup>. Mr. Lance and Mayor Mach will be meeting with the department heads on the budget.

Mr. Lance said that last month the employees were asked to keep spending at a minimum. This request was successful, as spending during the last month was low.

Mr. Lance spoke about a piece of property on Mt. Vernon Road that is divided and the parcels do not abut each other, causing a gore in the property. The owner, Herman Kleindienst, does not want the small triangular piece and will not be paying the tax on it. This piece is .2 acres. He is willing to donate this property to the township. This will save the township money by not having to go through the foreclosure process. Mr. Lance made a motion to have Mr. Benbrook conduct a title search and, with Mr. Benbrook's recommendation, accept this donation from Mr. Kleindienst. Mr. Lascari seconded the motion.

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

Mr. Lance said that an in rem foreclosure list has been submitted by the Tax Collector. The Committee was in agreement that the Tax Collector should prepare a resolution for the January meeting to foreclose on these properties.

Mr. Lance made a motion to sell an old police vehicle to Port Murray Auto Salvage for \$400.00. This is a 2002 Chevy Impala. Other quotations were received and Port Murray Auto Salvage offered the highest amount of money for the vehicle. Mr. Lascari seconded the motion.

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

COMMITTEEMAN LASCARI

Mr. Lascari said that Robert Halberstadt, Vice President, Blairstown Ambulance Corps, sent him a communication stating that the New Jersey Highway Traffic Safety Act of 1987 requires the township to acknowledge that the Blairstown Ambulance Corp is the primary emergency medical service response organization for the township. Mr. Lascari suggested passing a resolution from the Township Committee stating this. The Committee was in agreement that a resolution would be placed on the agenda of a future meeting.

The fire truck has arrived. Mr. Lascari will give tours to anyone interested in seeing the truck.

Mr. Lascari asked about the status of the installation of lights at the Stillwater Fire House. Mr. Seal said that it is his understanding that the installation is in progress.

The painting of the caboose has been completed. The Historical Preservation Commission has expressed interest in selling their Christmas ornaments on eBay. The CFO is looking into whether this is permissible. The Committee has no objections if the auditor states that it is allowed.

Mr. Lascari would like to advertise for the position of assistant treasurer. Mr. Lascari read the advertisement proposed to be published in the newspaper. Mr. Lascari made a motion to authorize this advertisement, which was seconded by Mayor Mach. Mr. Lance said that he would like to see a cost savings with a part-time assistant treasurer before anyone is hired.

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

Mr. Lascari read highlights from the Police Department report for the month of November. Police contract discussions have been ongoing and will carry over into 2011.

Mr. Lascari said that Scott Johnsen is due for a step increase from Class IV to Class III Officer. This move has been recommended by Sergeant Losey. Mr. Lascari made a motion to approve the step increase for Officer Johnsen to Step III. Mayor Mach seconded the motion.

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

Officer Nicholas Falccichio is due for a step increase from Class III to Class II Officer. This has been recommended by Sergeant Losey. Mr. Lascari made this motion, which was seconded by Mayor Mach.

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

#### COMMITTEEMAN SEAL

With regard to the Department of Public Works, the salt spreaders have been installed and are ready to operate. The snow flake decorations in Main Street have been installed.

#### MAYOR MACH

At the last Planning Board meeting, Roger Thomas, the board attorney, recommended investigating a stay from COAH, which would put off implementing the plan we have in place. This will be discussed further when Mr. Thomas returns to the board with his recommendations following his investigation. Our position, at this time, is to move forward at a very slow pace.

With regard to the Best Practices list that municipalities were being required to complete, Blairstown was able to check off 77 of the 88 possible points, which means that our last energy tax installment will not be decreased. In total the State was able to hold back over \$99,000.00 from the municipalities.

With regard to a question about the Warren County Mosquito Commission and the status of the Paulins Kill, Mayor Mach said that Kevin Doell researched this and has found that the desnagging project has been completed.

#### FROM THE PUBLIC

Peter McKenna, Mohican Road, asked if the police department contract would be held to the 2% salary increase put into the effect by Governor Christie. Mr. Benbrook said that the Committee has to deal with a contract already in place, which was not affected by Governor Christie's directive. It is not certain at this point if a new contract could be held to the directive.

Herman Shoemaker, Bingham Lane, stated that the tree lighting on Main Street will take place this Friday at 5pm. Santa will be making an appearance. He thanked Mayor Mach for supplying the Christmas tree.

Paul Avery, Mohican Road, presented the Committee with a letter in request of a formal appointment of a subcommittee to organize the Fourth of July Celebration. This subcommittee will consist of Paul Avery, Herman Shoemaker and John Burke. Mayor Mach made a motion to approve this subcommittee and members, which was seconded by Mr. Lance. This is a one year appointment.

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

Kevin Doell, Heller Hill Road, spoke about a suggestion from the Environmental Commission. They would like to organize an event which would be an Earth Day program that would focus around the Paulins Kill. This event would include a canoe race from Footbridge Park to Sycamore Park. The participants would then foot race back to Footbridge Park. The Committee was in favor of this conceptual idea. Mr. Doell will keep the Committee abreast of additional details as they develop. Mr. Lascari asked Mr. Doell to check with Pat Sagan, Recreation Director, to make sure that other sports events are not planned for the same day.

**ADJOURNMENT**

As there were no further comments from the public, Mr. Lance made a motion to adjourn the meeting, which was seconded by Mayor Mach, with all members in favor. The meeting was adjourned at 9:22 pm.

Submitted by:

Phyllis E. Pizzaia, RMC  
Municipal Clerk