

**TOWNSHIP OF BLAIRSTOWN  
REGULAR COMMITTEE MEETING  
Wednesday, December 2, 2015, 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. Those present were Mr. Anderson, Mr. Avery, Mr. Lance, Mrs. Van Valkenburg and Mayor Shoemaker. Also present were Clerk Pizzaia and Attorney Robert Benbrook.

The **FLAG SALUTE** was conducted.

**SUNSHINE STATEMENT**

Mayor Shoemaker 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.

**PUBLIC COMMENT** – up to 5 speakers, 3 minutes each

Anita Ardia, Dry Road, expressed her pleasure at having Mrs. Van Valkenburg serving on the Township Committee. Mrs. Ardia also said that she is sad to see Mr. Anderson leaving the Committee. She said that he was a great liaison to the Senior Advisory group.

Tom Dust, Cleveland Road, said that his background is in computer web design and he feels that the cost of our present webmaster is too high and suggested that the Committee solicit proposals before renewing the contract.

Rick Close, Stillwater Road, read a statement in favor of allowing NJ Fit Training to remain at their present location at the Mohican Road Fire Hall owned by the Blairstown Hose Company. He would like the township to work out the zoning issues in order to allow the business to remain at the site until the end of their agreement with the Hose Company.

Kendrya Close, Stillwater Road, read a statement in favor of NJ Fit Training, saying that the business is an asset to the community and it will cause a hardship to the business owners if they are forced to leave.

Harold Price, Alice Court and Environmental Commission Chair, expressed his dissatisfaction with the township website and asked the Committee to solicit proposals before passing the resolution to renew the website agreement.

Livia Angelone, Bridge Street, requested that the Township Committee consider enacting a noise ordinance for the Village area and would like to have township police presence after 10pm. She also said that there are some street lights that need to be replaced. Mayor Shoemaker explained to her that she should report the pole numbers of the lights in question to JCP&L directly.

Mayor Shoemaker asked Mr. Benbrook to address the NJ Fit Training issue for the benefit of the public. Mr. Benbrook said that he has been in contact with the Zoning Officer, as well as the Fire Company and the attorneys for the Fire Company and the tenant, NJ Fit Training.

Mr. Benbrook said that there are two issues involved, the first being the zoning violation and the second being insurance. The tenants apparently had been in contact with our Zoning Officer before occupying the Fire Hall but never sought the necessary zoning clearance. Mr. Benbrook said that the Committee has a responsibility to uphold the township laws and cannot control the actions of our Zoning Officer, who has been patient in this matter, but also has an obligation to enforce the township code. Mr. Benbrook said that the remedy to this problem is for the tenant to go before the Land Use Board to seek a use variance.

Mr. Benbrook said that he has been told by the Hose Company's attorney that the tenant has been asked to vacate the premises. Mr. Benbrook emphasized that this is a dispute between landlord and tenant and the township has no legal position in this dispute.

Mr. Benbrook was directed to respond to the tenant's attorney explaining the township's position on this matter.

## **MINUTES**

November 4, 2015 – Regular Meeting Minutes

Mr. Lance made a motion to approve the November 4<sup>th</sup> minutes, which was seconded by Mr. Anderson.

Roll call vote:                    AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

Mayor Shoemaker introduced Ed Smith, Warren County Freeholder, who asked to speak about snow removal and ownership of Main Street in the Village area. Mr. Smith explained that snow removal for the county is a challenge due to the equipment available and the amount of road coverage the county needs to deal with. The narrowness of the street is especially a problem for the county. There is also friction between the property owners and the county due to snow thrown on the sidewalks by their equipment.

Mr. Smith is proposing a snow removal maintenance agreement specific to Main Street, High Street, and that portion of Route 521 currently being plowed by the township. The object of the agreement would be to charge the township with plowing responsibility for Main Street and High Street, in exchange for the county being responsible for the portion of Route 521 currently being plowed by the township. He believes that having Main Street and High Street under municipal jurisdiction would be more conducive to achieving revitalization of the Village area in that the township would have control over the area. This proposal would be for snow removal only and not for road maintenance.

It was decided that Mayor Shoemaker and Mr. Avery would form a subcommittee to meet with the County Freeholders to discuss this matter in detail.

**ORDINANCE 2015 – 03 AN ORDINANCE TO AMEND CHAPTER 184 OF THE CODE OF THE TOWNSHIP OF BLAIRSTOWN ENTITLED “VEHICLES AND TRAFFIC”**  
Adoption, Second Reading

PUBLIC HEARING – Mayor Shoemaker opened the hearing to the public. As there were no questions or comments, the Public Hearing was closed.

Mayor Shoemaker made a motion to adopt Ordinance 2015 – 03 on second reading, which was seconded by Mr. Avery.

Roll call vote:                    AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

**CONSENT AGENDA**

- 1 – R.2015 – 124      Authorization to Pay Bills
- 2 – R.2015 – 125      Authorizing the Transfer of Funds
- 3 – R.2015 – 126      Cancellation of Unexpended 2015 Budget Appropriations
- 4 – R.2015 – 127      Cancellation of Reserve for Capital Outlay – Water Capital Fund
- 5 – R.2015 – 128      Authorization to Void and Reissue Outstanding Payroll Checks
- 6 – R.2015 – 129      Requesting Approval of Items of Revenue and Appropriation – Drunk Driving Enforcement Fund
- 7 – R.2015 – 130      Authorization to Enter into a Two-Year Agreement with Nisivoccia Consulting LLC for Website Hosting and Maintenance
- 8 – R.2015 – 131      Appointment of Sharon Cooper as Risk Management Consultant
- 9 – R.2015 – 132      Appointment of Fund Commissioner
- 10 – R.2015 – 133      Authorization to Void Outstanding Checks
- 11 – R.2015 – 134      Cancellation of Capital Ordinances
- 12 – R.2015 – 135      Cancellation of Various Reserves
- 13 – R.2015 – 136      Authorizing Blairstown Township to Provide Municipal Funding Share for the Purchase of Development Rights to the Croucher Farm
- 14 – Application for Blue Light Permit – Paul Arvary, Blairstown Ambulance Corps

Mayor Shoemaker made a motion to approve the Consent Agenda, which was seconded by Mr. Anderson. As Mrs. Van Valkenburg had questions on certain resolutions, Mayor Shoemaker amended his motion to approve the Consent Agenda, with the exception of R.2015-130 and R.2015-132. Mr. Anderson amended his seconding of the motion.

Roll call vote:                    AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

After discussion of R.2015-130, it was agreed to request proposals for the website hosting and maintenance. It was Mrs. Van Valkenburg’s intention to discuss R.2015-131, not R.2015-132, so Mr. Anderson made a motion to approve R.2015-132. The motion was seconded by Mayor Shoemaker.

Roll call vote:                    AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

With regard to R.2015-131, Mrs. Van Valkenburg had a question on Item 2.D, which refers to extra payment for additional services by the Risk Management Consultant. Sharon Cooper, Risk Management Consultant for Blairstown, came forward and said that she knows of no instance when

a RMC received such extra payment, and has no objection to removing this sentence from the agreement. Mayor Shoemaker made a motion to approve R.2015-131 with the above stated modification to the agreement, which was seconded by Mrs. Van Valkenburg.

Roll call vote: AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

#### **DEPARTMENT REPORTS**

Clerk – November Report  
Finance – November Finance and Fuel Reports  
Police Department – November Report  
Tax Collector – November Report  
Zoning Official – 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Quarter Report  
Animal Control Officer – 1<sup>st</sup> and 2<sup>nd</sup> Quarter Reports  
Warren County Health Department – November 9, 2015

Mr. Anderson made a motion to accept the Department Reports, which was seconded by Mr. Avery.

Roll call vote: AYE – Anderson, Avery, Lance, Van Valkenburg, Shoemaker

#### **UNFINISHED BUSINESS**

None.

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

- 1 – from Pat Sagan, Director of Recreation, re: Blirstown Dog Park

Mayor Shoemaker explained that the Dog Park group is requesting that the township enact an ordinance giving more enforcement control over the Dog Park. Currently, there is a problem with non-members using the facility, and an ordinance will allow the Police Department to enforce the rules. After discussion, the Committee agreed to draft an ordinance for consideration. Mr. Avery will work on the draft ordinance.

- 2 – from Charles Cavanagh, North Bureau of Water Compliance and Enforcement, NJDEP, re: Sanitary Survey, Blirstown Water Department, Notice of Deficiency and Notice of Violation

Mayor Shoemaker explained that the filtration plant of the Water Department was inspected and violations were found. One of the violations involved water testing that was not performed in accordance with the law. The big issue involves the lack of a second well. The township sent a letter in response and the NJDEP is aware that the township is working towards being compliant.

- 3 – from Sharon Cooper, Risk Management Consultant, regarding proposal for Blirstown Hose Company No. 1 insurance coverage

Sharon Cooper addressed the Committee regarding insurance coverage for the Blirstown Hose Company, which is currently covered under the township policy. Mrs. Cooper explained that the current coverage for the township includes the Hose Company buildings and liability for its tenants. She said that the Hose Company and the township should be added as additional insured under the tenant's insurance policy as a condition of occupying the Mohican Fire Hall.

The township should also have a hold harmless agreement that releases the township from any and all liability. Mrs. Cooper does not believe that we have this.

Mrs. Cooper distributed a handout explaining her recommendation for fire department coverage. Mrs. Van Valkenburg questioned why the township was insuring the Hose Company, and Mr. Anderson explained that this was done years ago in an attempt to help the Hose Company save money. The Committee at that time never thought that running a commercial business at the Fire Hall would be a consideration.

Mrs. Cooper explained that one option the township has is to remove the Fire Hall and its operations and putting it on a separate policy, which the township could still pay for. This would remove the additional exposure from the township policy and place it in the Hose Company policy.

After discussion, it was agreed that Mr. Benbrook would contact the attorney for the Hose Company requesting copies of any insurance coverage received by their tenant.

Mrs. Cooper said that Statewide Insurance Company wants the township to have a certificate of insurance with the Hose Company and the township listed as additional insured with a hold harmless agreement. Mr. Benbrook asked Mrs. Cooper to obtain this in writing from Statewide for our records.

Mr. Benbrook will also contact the fire company in writing, explaining the township's concerns and what will be required if, in fact, the tenants do not vacate the premises on December 19, 2015, the date by which the Hose Company has given to the tenants to vacate the building.

#### **GENERAL CORRESPONDENCE**

There were no questions or comments on the General Correspondence list.

#### **FROM THE TOWNSHIP ATTORNEY**

Mr. Benbrook expressed his appreciation to Mr. Anderson for his service to the township and said he would be missed.

Mr. Benbrook said Hope Township is requesting payment for Blairstown's last installment as members of the North Warren Court at Hope, covering a period ending on December 31, 2014. As there was a question of monies collected through tickets issued by the Blairstown Police Department, Blairstown Township requested an audit of the court before making payment. The audit was recently received and the North Warren Court is requesting a final payment of \$19,189.00. The audit will be forwarded to our CFO and recommendations for payment will be discussed at the January 2016 meeting.

Mr. Benbrook's office filed for and was granted an extension for the time in which to respond with regard to COAH. The new due date is March 31, 2016. However, a matrix form was due on December 1<sup>st</sup> and needs to be completed immediately. Mr. Benbrook said that a planner needs to be hired to complete the matrix.

#### **FROM THE TOWNSHIP CLERK**

The free rabies clinic will be held on Saturday, December 5<sup>th</sup> from 9am to 12 noon at the DPW Garage on Lambert Road. The Reorganization meeting will be held on January 4<sup>th</sup> at 6pm.

On behalf of the township employees, the Clerk wished to thank Mr. Anderson for his years of support to the staff.

**FROM THE TOWNSHIP ENGINEER**

Mr. Rodman reported that final approval on the Sand Hill Road project has been received from the NJ Department of Transportation.

The Route 94 bridge repair work appears to be on hold. He will be contacting Debbie Hirt, our contact with the NJDOT, for an update.

Mr. Rodman reported that there are problems with the guiderail on Stony Brook Road. The rail is wooden and rotted. Mr. Rodman has to check with the State to see if installing wooden replacements is acceptable, as they may not meet current specifications.

**FROM THE TOWNSHIP COMMITTEE**

**COMMITTEE MEMBER ANDERSON**

Mr. Anderson wanted the Committee to know that when the NJ Department of Community Affairs became our construction department several years ago, it was agreed that eventually they would pay a minimal amount of rent after a year. He suggested that the Committee ask for \$250.00 a month next year.

Mr. Anderson summarized the Police Department report for the month of November. He praised the department for the fine job they have been doing. Mr. Anderson recommended that Scott Johnsen be promoted to Sergeant and that Jonathan Bee be promoted to Corporal. Mr. Lance made a motion to make these promotions, effective December 1, 2015, and Mr. Avery seconded the motion.

Roll call vote:                    AYE – Anderson, Avery, Lance, Shoemaker  
                                          ABSTAIN – Van Valkenburg

Mr. Anderson read a letter from a Blairstown resident, who wished to express her thanks to Officer Bisanzio for the professional and compassionate way he handled a difficult situation involving her son.

Mr. Anderson thanked all of the present and former Committee members he has served with, and the employees and volunteers who have come together as a unit to do the right thing for the residents of Blairstown.

**COMMITTEE MEMBER AVERY**

Mr. Avery said it was a pleasure to work with Mr. Anderson on the Township Committee.

The Environmental Commission held their roadside cleanup on November 15<sup>th</sup>. The project was a great success, covering about two miles of Route 94. The December meeting has been cancelled.

The seniors Christmas party will be held on December 12<sup>th</sup> at the Knowlton Lion's Club. Their last trip to Hunterdon Hills Playhouse was successful and well attended.

The sewer ad hoc group will meet on December 14<sup>th</sup>.

The Blirstown Economic Group is working on a viable use for the Cedar Lake Horse Farm.

Jingle on Main Street, sponsored by the Greater Blirstown Business Association, will take place on December 5<sup>th</sup>. There are currently 63 vendors participating in the event.

#### COMMITTEE MEMBER LANCE

Mr. Lance thanked Mr. Anderson for the many years he has served on the Committee and have worked together.

Mr. Lance said that budget requests have gone out to the various departments and are due in the CFO's office by January 6<sup>th</sup>.

Mr. Lance would like to reduce the cost of employee health costs. He would like to form a subcommittee to look into various deductible rates in order to realize savings. Mayor Shoemaker will work on this with Mr. Lance.

The Historic Preservation Committee will be participating in the Jingle on Main Street event on December 5<sup>th</sup>. Their next meeting is next Monday, December 7<sup>th</sup>. The group is in the process of developing a five year plan and would also like to display items in the building's foyer.

#### COMMITTEE MEMBER VAN VALKENBURG

Mrs. Van Valkenburg attended the recent Open Space Committee meeting. She said that Committee is comprised of hardworking members.

Mrs. Van Valkenburg attended the Blirstown Elementary School Board of Education meeting. The new student council was introduced at that meeting.

Mrs. Van Valkenburg announced that Becky Erd passed away on November 14<sup>th</sup>. She worked at the High School for many years and was a strong member of the community.

Mrs. Van Valkenburg wished Mr. Anderson the best in his future endeavors.

#### MAYOR SHOEMAKER

Mayor Shoemaker reported that the boiler at Givens Belet will be installed in the very near future by J.K. Services.

JCP&L will be performing tree trimming on rights-of-way within the township beginning on December 18<sup>th</sup>. Property owners will be notified beforehand.

Mayor Shoemaker said that there has been a request for a speed bump on Vail Road. Mr. Rodman said that there are regulations to be considered before placing speed bumps on streets. Mr. Rodman and the DPW Foreman will look into this.

Mayor Shoemaker reported that bids have been received from planners to prepare the COAH report. Mr. Lance spoke in favor of hiring J. Caldwell Associates. He said that he has spoken to many people who hold the highest regard for this firm. Mrs. Van Valkenburg said that she was not given enough time to read the entire proposal. Mayor Shoemaker said that Maser has gotten the

township through the certification process but knows they are more expensive. Mr. Lance made a motion to hire J. Caldwell and Associates as our planning consultant services to prepare the Housing Element Fair Share Plan. The motion was seconded by Mr. Anderson.

Roll call vote:            AYE – Anderson, Avery, Lance, Shoemaker  
                                 ABSTAIN – Van Valkenburg

Mayor Shoemaker expressed his gratitude for the many years of service given to the Township Committee by Mr. Anderson. He particularly appreciated his work on the budget and as Police Commission for many years.

**FROM THE PUBLIC**

Harold Price, Alice Court, spoke against the proposal made by Mr. Smith tonight for snow removal on Main Street.

**ADJOURNMENT**

As there were no further comments from the public, the public portion was closed. Mr. Lance made a motion to adjourn the meeting, which was seconded by Mr. Avery, with all members voting in favor. The meeting was adjourned at 10:03 pm.

Submitted by:

Phyllis E. Pizzaia, RMC  
Municipal Clerk