

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
Wednesday, November 4, 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 (arrived at 7:50 pm).

The **FLAG SALUTE** was conducted.

Giovanna Van Valkenburg was sworn in as Committee Member. Mrs. Van Valkenburg thanked all of those who supported her during her campaign.

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
No one wished to speak tonight.

MINUTES

October 14, 2015 – Regular Meeting Minutes

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

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

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

Mr. Avery made a motion to approve Ordinance 2015-03 on first reading, which was seconded by Mayor Shoemaker.

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

CONSENT AGENDA

- 1 – R.2015 – 117 Authorization to Pay Bills
- 2 – R.2015 – 118 Approval to Submit Grant Application and Execute Grant Contract with the NJ Department of Transportation for the Overlay of Maple Lane
- 3 – R.2015 – 119 Cancellation of Lien on Property, Block 902, Lot 4

Mr. Lance made a motion to approve the consent agenda, which was seconded by Mr. Anderson. Mrs. Van Valkenburg wished to have Item #1 removed from the Consent Agenda. Mr. Lance and Mr. Anderson amended their motions to exclude R.2015-117.

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

Mr. Lance made a motion to approve R.2015-117, which was seconded by Mayor Shoemaker.

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

DEPARTMENT REPORTS

Clerk – October Report
Finance – October Finance and Fuel Reports
Police Department – October Report
Tax Collector – October Report
Warren County Health Department – October 12, 2015

Mayor Shoemaker made a motion to accept the Department Reports, which was seconded by Mr. Anderson. Mr. Avery questioned the report for 6 Bridge Street, regarding whether a repair was made on a cesspool lid. The Warren County Board of Health will be contacted for clarification.

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

UNFINISHED BUSINESS

None.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from Corey Tierney, re: Paulina Dam – Municipal and Charitable Conservancy Trust Fund Grant Agreement Expiration

The Committee was in agreement to discuss this with Mr. Rodman later in the meeting.

- 2 – from Maser Consulting, PA, re: Proposal for Professional Planning Services, Housing Element and Fair Share Plan and Spending Plan

Mayor Shoemaker explained that a new affordable housing plan needs to be written due to a change in the rules since COAH has been invalidated. This includes a new spending plan. The cost of the proposal presented by Maser Consulting is \$13,915.00, with additional services being billed at an hourly rate.

Mr. Lance is in favor of getting proposals from other planners. He submitted the names of five other planners being utilized by other municipalities. The Committee was in agreement to solicit proposals from these planners before making a decision. Mr. Lance made a motion to this effect, which was seconded by Mr. Avery, with all members voting in favor.

GENERAL CORRESPONDENCE

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

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook had no report.

FROM THE TOWNSHIP CLERK

The free rabies clinic will be held on December 5th at the Public Works Garage on Lambert Road from 9am to 12 noon.

The next Township Committee meeting will be held on December 2nd due to scheduling conflicts of the members.

FROM THE TOWNSHIP COMMITTEE

COMMITTEE MEMBER ANDERSON

Mr. Anderson reported that the two new police officers are now working in the department. He believes that they are fine community minded police officers.

The pay rate for the School Resource Officers has been raised by the North Warren Regional High School Board of Education from \$16.00 to \$20.00 per hour. A resolution is required by the Township Committee in order to make this adjustment, effective November 16th. Mr. Lance made this motion, which was seconded by Mr. Avery.

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

Mr. Anderson summarized the Police Department report for the month of November.

JAMES P. FOX, Morris, Downing & Sherred, LLP, re: North Warren Regional Board of Education, Zone Change Application

As Mr. Benbrook was now in attendance, Mayor Shoemaker asked Mr. Fox to come forward to make a presentation to the Committee.

Mayor Shoemaker prefaced Mr. Fox's remarks by stating that the North Warren Regional Board of Education is opposed to the Land Use Board's recommendation that the school become a conditional use in the R-5 zone. The School is seeking the establishment of a school zone, and Mr. Fox is here tonight to explain the reasons and rationale for their request.

Mr. Fox began by giving the history of the School Board's request, emphasizing that he believes that the requested change will realize quite a cost savings to the school and ultimately the residents. He said that the draft school zone ordinance was in fact written by Darlene Green, the Land Use Board's Planner. He also said that the draft ordinance included definitions and restrictions that would limit the property to public educational use, outlining setbacks, height restrictions and lighting restrictions. Mr. Fox believes that the Land Use Board's sole reason for rejecting a school zone is a perceived desire to maintain control.

Mr. Fox introduced Elizabeth Waterbury, the Board of Education's Planner, to explain more technical issues. Ms. Waterbury outlined her credentials as municipal planner, as well as her many teaching experiences in the State of New Jersey.

Ms. Waterbury addressed the Land Use Board's position that the school should be a conditional use in an R-5 zone. She said that the township's zoning ordinances are enacted for the purpose of supporting the master plan. She believes that the creation of a school zone more effectively supports the master plan since educational uses are silent in the current zoning ordinance.

With regard to the matter of the Land Use Board retaining control, Ms. Waterbury stated that the conditions outlined in the school zone are very specific and any deviation would need to be brought before the Land Use Board for approval.

Ms. Waterbury concluded by saying there has been much interaction between the Land Use Board and the Board of Education on this issue. Definitions and restrictions have been recommended, and it is the hope of the Board of Education that the Committee acknowledges the importance of placing the school in an appropriate and cost effective zone.

Mrs. Van Valkenburg asked if the detailed financial information previously requested was received. Mayor Shoemaker said that it has not, and Mr. Fox said that he will get this information to the Committee.

Mayor Shoemaker asked Mr. Benbrook if he had any comments. Mr. Benbrook said that the zoning issue could be accomplished by the conditional use in an R-5 or by a school zone, but he feels that creating a school zone would be a cleaner way to accomplish this. Mr. Benbrook emphasized that this is a policy decision to be made by the Committee.

After discussion, it was decided to continue this conversation at a later meeting, and perhaps having a joint informal meeting between representatives of the Land Use Board and the Committee. The Committee will review the draft ordinance presented to them tonight by Ms. Waterbury. Mr. Avery would also like to know what impact the ordinance would have on our COAH obligation. Mr. Benbrook said that the ordinance needs to be held over until January, at the earliest, when a new Committee will be in place.

Sarah Bilotti, Superintendent of the North Warren Regional High School, stated that a school zone would greatly decrease the amount of monies spent on professionals before the Land Use Board in the future.

FROM THE TOWNSHIP ENGINEER

Mr. Rodman said that a meeting was held with the DEP regarding sewers in the village area. Mr. Rodman spoke with representatives of the DEP and explained the discharge system at Blair Academy to them in detail. They also discussed problems in the village area with septic systems and cesspools. Also discussed was a proposed wastewater management plant facility to serve the village area and Blair Academy, which would discharge into the Paulinskill. Mr. Rodman feels that this was a very productive meeting. The next step is a meeting on November 12th, at which time specific steps in the process will be discussed.

With regard to the parking area at Main Street, Blair Academy has presented a contract to the township to turn the property over to the township. Blair Academy will build out the property and then turn it over to the township in the form of a quick claim deed. Mr. Rodman needs to review an exhibit that has yet to be seen by either Mr. Rodman or Mr. Benbrook. Mr. Anderson made a

motion to authorize the Mayor to sign the agreement, contingent upon review by Mr. Rodman and Mr. Benbrook. Mr. Lance seconded the motion.

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

Mayor Shoemaker asked Mr. Rodman about the correspondence from Corey Tierney, regarding the expiration of the grant agreement for the Paulina Dam from the Municipal and Charitable Conservancy. Mr. Rodman responded that these grant monies were for the beautification of the banks. The township will most likely have to reapply for this grant money.

With regard to the water company, the water testing company has verified that the well built on the Municipal Building property was built to municipal water standards and that filtration is not necessary. A back-up well will still be necessary, which could possibly be the new ambulance building's well.

Mr. Benbrook suggested meeting with two Committee members for the purpose of drafting a letter to the DEP which would hopefully serve as a corrective action plan for the recently received notice of violations at the water company. This corrective action plan would basically state that Blairstown Township is in the process of replacing the wells in lieu of fixing the old wells. Mayor Shoemaker and possibly Mr. Lance will meet with Mr. Benbrook to work on this.

COMMITTEE MEMBER AVERY

The Environmental Commission will be holding their roadside cleanup on November 15th from 9am to 1pm. Their next meeting is on November 5th.

The Senior Citizens group recently went on a trip that was very well attended.

Mr. Avery will hold his next open door meeting on November 28th.

The ordinance review committee has finished their study and will be presenting their research to the Committee at the December meeting.

The Halloween Parade was a huge success. Mr. Avery thanked the Police Department for their hard work at this event.

The Committee has received sample ordinances to review with regard to property maintenance. Mr. Avery hopes to have a viable ordinance for adoption in the near future.

The Economic Development Committee is working with the State to find a constructive use for the Cedar Lake Horse Farm.

COMMITTEE MEMBER LANCE

Mr. Lance said that budget requests are being sent out shortly. Budget meetings will start in January.

Historic Preservation Committee held a very successful walking tour of Main Street on Halloween. The tour was about 2½ hours long and brought many tourists into the village area.

COMMITTEE MEMBER VAN VALKENBURG

Mrs. Van Valkenburg had no report.

MAYOR SHOEMAKER

Mayor Shoemaker reported that Kevin Benbrook sent a letter to the Blairstown Hose Company to remind them of the outstanding violation of the gymnasium in their basement area. The Hose Company is being encouraged to apply for a variance if they want to continue to rent the space to run a commercial business at that location.

Mayor Shoemaker attended Senator Oroho's latest quarterly meeting with local government officials. One of the topics discussed was the Highlands. Although Blairstown does not fall in this area, Mayor Shoemaker believes the township should stay on top of this since it affects local municipalities.

Mayor Shoemaker reported that the paving has been completed on Gaisler Road, Ridge Lane and the portion of Gwinnup Road that was in bad need of repaving.

Mayor Shoemaker recommended the hiring of a snow plow operator at \$18.00 per hour on an as-needed basis. Mr. Lance made the motion, which was seconded by Mr. Anderson.

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

The steam boiler at Givens Belet needs to be repaired or replaced. An estimate was received to replace the present system with a hot air system, including duct work, and a propane heater for \$12,600.00. The cost of a new steam boiler is \$6,800.00. After discussion, it was decided to replace the steam boiler. Mr. Anderson made a motion to purchase a steam boiler at a cost not to exceed \$6,800.00. Mr. Avery seconded the motion.

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

FROM THE PUBLIC

Susan Price, Alice Court, suggested that the ordinance that has been prepared by the township's planner be rewritten as a conditional use ordinance in order to save money. The prepared ordinance is for a school zone but the conditions are already incorporated and using these same conditions would be an efficient way to create the ordinance for the R-5 conditional use ordinance.

Mrs. Price wanted to know if representatives from both the Township Committee and the Land Use Board have met to discuss COAH. Mayor Shoemaker said that this has not taken place.

Mrs. Price had a question about funds being paid from a capital account. Mr. Lance said that he would speak to the CFO about having this amount taken from Open Space. Mrs. Price would also like to see the budget trial balances for the Open Space, COAH and the trust funds. Mr. Lance said he would discuss this with the CFO.

Mrs. Price would like to see all of the items on the agenda prior to the meetings, excluding closed session items and minutes.

Harry Price, Alice Court, asked if permission has been granted to use a DPW truck on November 15th for the Environmental Commission's cleanup day. Mr. Avery said that he has arranged this.

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. All members voted in favor. The meeting was adjourned at 10:12 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk