

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
Wednesday, September 14, 2016, 7:30 PM**

MINUTES

The meeting was called to order at 7:35pm by Mayor Shoemaker. Those present were Mr. Avery, Mrs. Dalton Mr. Lance, Mrs. Van Valkenburg and Mayor Shoemaker. Also present were Clerk Leidner and Attorney Kevin Benbrook, Robert Gara, Police Director, Lieutenant Scott Johnsen and members of the Blirstown Police Department.

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.

Mayor Shoemaker opened the meeting by noting that Blirstown Township lost a valuable and long serving member of the community as well as a member of this Township Committee in years past, Anita Ardia, on September 2. He called a Moment of Silence be observed in her memory. A Memorial Service will be held on Sunday, September 18 at 2:30 at her residence 40 Dry Road. In lieu of flowers the family asks that donations be made to the Blirstown Ambulance Corp.

An **Exemplary Service Award** was presented to Officer Richard Herzer by Police Director Robert Gara. Mr. Gara commented that he is here for a good reason, a beautiful reason. Officer Herzer, who is a new officer on the force, saved a life by making a vital split second decision. Mayor Shoemaker thanked Offer Herzer and all of the officers on behalf of the Township Committee for all of their hard work and dedication. Mayor Shoemaker asked Police Director Gara to introduce the officers that were present. Lieutenant Scott Johnsen recapped the events that took place that day explaining that Officer Herzer was flagged down by a motorist grabbing his throat. Officer Herzer realized that the male was not able to breathe and began the Heimlich maneuver and advised EMS to respond. Detective Bisanzio and Lt. Johnsen arrived a short time later. It was later discovered that the male had begun to choke on a peach pit. Due to Officer Herzer administering the Heimlich maneuver the male was able to breathe again until EMS arrived. The male was taken to the hospital with the peach pit still lodged in his throat but was still breathing. Thanks to the situational awareness and quick thinking of Officer Herzer a life was saved, that is why I recommended him to be presented with the Exemplary Service Award.

A presentation was made by John Kennedy. Mr. Kennedy is the Chairman of the Blirstown Enhancement Committee. Mrs. Dalton explained that Mr. Kennedy will explain the concept of process management which Mrs. Dalton believes would be a helpful tool for municipal employees. Mr. Kennedy explained how flow charts are used to stay on task and to know what steps to take next. The flow chart would guide the municipal employees when something out of the ordinary arises and would help the employee to know who they should speak to or pass the work onto for completion. Mr. Lance thought this would be good for most departments, especially the Water Department and DPW, as a project management tool. Mrs. Dalton and Mrs. Van Valkenburg will be working together

to make sure that job descriptions are accurate. They will then develop flow charts to make sure each department's duties are clear and concise. John Kennedy stated that he would be happy to work with the township on this project.

PUBLIC COMMENT – up to 5 speakers, 3 minutes each

Mr. McKenna – 36 Mohican Road recommended that there should be no left turn out of the north parking area of ACME. The traffic light is deceiving and needs to be adjusted. Mayor Shoemaker said that he would meet with Mr. McKenna and Ted Rodman to come up with a plan on paper and have Mr. Rodman approach the state.

MINUTES

August 10, 2016 – Regular Meeting Minutes

Mr. Lance made a motion to approve the August 10th minutes, which was seconded by Mrs. Van Valkenburg.

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

Abstain: Dalton

All ayes: Motion carried.

ORDINANCE 2016-08 – BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$165,000 FOR THE ACQUISITION OF A DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT FOR AND BY THE TOWNSHIP OF BLAIRSTOWN IN THE COUNTY OF WARREN, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$156,750 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Adoption, Second Reading

Mayor Shoemaker opened the Public Hearing for this Ordinance. There were no comments or questions therefore, Mayor Shoemaker closed the Public Hearing.

Mr. Avery made a motion to adopt Ordinance No. 2016-08 on second reading, which was seconded by Mr. Lance.

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

All ayes: Motion carried.

ORDINANCE 2016-09 – AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE BLAIRSTOWN DOG PARK

Adoption, Second Reading

Mayor Shoemaker opened the Public Hearing for this Ordinance. There were no comments or questions therefore, Mayor Shoemaker closed the Public Hearing.

Motion was made by Mr. Avery to adopt Ordinance No. 2016-09 on second reading, which was seconded by Mrs. Van Valkenburg.

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

All ayes: Motion carried.

CONSENT AGENDA

- 1 – R.2016 – 091 Authorization to Pay Bills
- 2 – R.2016 – 092 Resolution to Award Contract-National Joint Powers Alliance-
National Cooperative
- 3 – Application for Blue Light Permit-Jetir Rizvani- Blirstown Ambulance Corps

Mr. Lance made a motion to approve the Consent Agenda. The motion was seconded by Mrs. Dalton.

Roll call vote: AYE – Avery, Lance, Van Valkenburg, Shoemaker.
All ayes: Motion carried.

DEPARTMENT REPORTS

Clerk – August Report
DPW – August Report
Finance – August Finance and Fuel Reports
Fire Department – July & August Reports
Police Department – August Report
Tax Collector – August Report
Warren County Health Department – August 5, 2016 Report

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

Roll call vote: AYE – Avery, Dalton, Lance, Van Valkenburg, Shoemaker
All ayes: Motion carried.

UNFINISHED BUSINESS

PEOSH Violation update was given by Mayor Shoemaker, this violation is the result of an inspection done at the Walnut Valley Fire Hall. There are trip hazards due to the concrete slabs moving. Mr. Avery will speak to Carl Stoddart, Public Works Foreman, to get an update on the status of the repair.

Personnel Policy – Nepotism Policy. It was explained that the proposed nepotism policy is from the Township's risk management provider.

Mrs. Dalton made a motion to include the nepotism policy as it is presented in the Personnel Policies and Procedures of the Township of Blirstown, which was seconded by Mrs. Van Valkeburg.

Roll call vote: AYE – Avery, Dalton, Lance, Van Valkenburg, Shoemaker
All ayes: Motion carried.

NEW BUSINESS

PROCLAMATION – Proclamation naming September, 2016 National Preparedness month as requested by FEMA’s Ready Campaign.

Mayor Shoemaker read this Proclamation and the proclamation will be attached to the minutes of this meeting.

Possible addition of Club License to Alcoholic Beverage Ordinance:

There was a discussion clarifying a Club License. The Township Committee asked the Township Attorney to create an Ordinance to Amend the Alcoholic Beverage Ordinance to include Club License with an annual fee of \$100.00. Attorney Kevin Benbrook will draft this amendment to the ordinance and have it ready for the October meeting.

COMMITTEE CORRESPONDENCE for information and possible action

1.- From the United States Department of Agriculture (USDA) regarding the eligibility determination for financial assistance for the proposed Wastewater Treatment and Collection System project. Mayor Shoemaker explained that this letter was received informing the Township that the Blirstown Wastewater Treatment and Collection System project is eligible for the financial assistance from the USDA Rural Development ‘s Water and Waste Disposal Program. This is not an approval. A conference will be taking place on September 29 with the USDA and the Engineer will be present.

2.- From Warren County Department of Public Works regarding the updated Shared Services Agreement between the County of Warren and the Municipalities within the County for sharing Public Works equipment.

RESOLUTION NO. 2016-093 – RESOLUTION AUTHORIZING MASTER PUBLIC WORKS SHARED SERVICES AGREEMENT FOR SHARING PUBLIC WORKS EQUIPMENT BETWEEN WARREN COUNTY MUNICIPALITIES AND THE COUNTY OF WARREN

Mr. Lance made a motion to authorize the Mayor and Municipal Clerk to execute the agreement for the County of Warren to provide the services to the Township of Blirstown as described in said agreements, which was seconded by Mrs. Dalton.

Roll call vote: AYE – Avery, Dalton, Lance, Van Valkenburg, Shoemaker
All ayes: Motion carried.

3. - From Joel McGreen regarding an opening on the Open Space Committee due to the relocation of a member.

RESOLUTION NO. 2016-095 – Appointment to Open Space Committee

A Motion was made by Mayor Shoemaker to appoint Mr. Robert Gutzwiller to fill the unexpired term of Philip Rivera, term expires December 31, 2017. This is a Mayor’s appointment.

4. – From Mayor Shoemaker to the Appalachian Trail Conservancy regarding Greater Blirstown Community Partnership.

Mayor Shoemaker presented the Township Committee with a draft letter to the Appalachian Trail Conservancy regarding Greater Blirstown Community Partnership, and asked the committee to approve this letter. Mrs. Dalton explained that this is a wonderful initiative that the Appalachian Trail Conservancy doing. The conservancy manages the entire trail from Maine to Georgia. The Conservancy asks what they can do to promote your community to get the

people to visit your restaurants and businesses. Rides are provided by members of the conservancy for hikers along the trail that are doing the longer hikes. Publications are distributed from Maine to Georgia. Mrs. Dalton noted that the Blirstown businesses support this initiative.

Mr. Lance made a motion to authorize the Mayor to send the letter supporting the Greater Blirstown Area Community Partnership's application for designation as an official "Appalachian Trail Community", which was seconded by Mrs. Dalton.

Voice Vote: All ayes, motion carried.

5. – From Patricia M. Sagan, Recreation Director, requesting the Township Committee's approval for certain vehicles to be allowed to be available for a Moms Club Car Show for children to touch and sit in. Sharon Cooper, insurance representative for Blirstown Township is requiring that a Certificate of Insurance be issued naming Blirstown Township and Blirstown Fire Department as additional insured. A Certificate of Insurance will be issued shortly by the Lion's Club for this event. The Mayor and Township Committee approve this event.
6. – From Patricia Sagan, Recreation Director, copy of email regarding Walnut Valley Concession Stand. This was an inquiry from a parent regarding appliances at the Walnut Valley Concession building as to whether the Township replaces the appliances. Those facilities are for the sports groups, the appliances were donated. Mrs. Sagan let the requester know that all projects need to be presented to the Township Committee and approved by the Township's insurance company.
7. - From the MOMS Club of Blirstown Area regarding purchasing a gazebo for Sycamore Park. The MOM's Club is looking to purchase a pre-built oval shaped 10'x20' gazebo to place in front of the playground at Sycamore Park. An opening will be made in the fence for access from the playground into the gazebo. This would be purchased and installed with the money they raised. Mayor Shoemaker made a motion to approve the gazebo proposed by the MOM's Club of Blirstown, which was seconded by Mr. Lance.
Voice Vote: All ayes, motion carried.

GENERAL CORRESPONDENCE

1. – Letter from Project Self Sufficiency regarding the start of the New Jersey Youth Corps Program of Sussex County.

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook referenced the email he sent to the Township Committee regarding Service Electric. In August we passed the Ordinance including service to the Masonic Lodge knowing that Service Electric might come back and say no. Service Electric offered a compromise. Service Electric offered to provide service to the Masonic Lodge for the municipal rate of \$11.35 a month for each cable line. The Committee's decision to try to add the Masonic Lodge to the list of locations in the Township that receive free service was because it is used as a warming center and shelter during emergencies and also is used by various community groups. Mr. Benbrook will check with Service Electric regarding getting service to the building and what the additional cost will be. Mr. Benbrook will also create an amendment to Ordinance #2016-03.

Vicinage 13 Group has spent all of the available funds and they are looking for an additional \$5000.00 from the Township. The Township has been contributing money all along and the consensus is that the money is being put into this litigation with no end in sight. Mr. Benbrook send a letter to Jessica Caldwell regarding possible options, one being to dismiss the lawsuit or possibly entering into a settlement with the Fair Share Housing Center at 70% of the Township's number. Mr. Benbrook explained that the FSHC

is willing to utilize durational adjustment as a compliance mechanism for municipalities such as Blairstown that have no sewer and limited water infrastructure. Mr. Benbrook noted that if a Housing Element and Fair Share Plan is put together effectuating a settlement for units that will likely never be built, the matter would be put to bed until 2025. This approach would be a better choice than dismissing the lawsuit because the Township would then be exposed to a builders' remedy, zone busting lawsuit. Mr. Benbrook will ask Jessica Caldwell to prepare a settlement agreement with FSHC to present to the Township Committee next month. Mr. Benbrook advised the Township Committee that Jessica Caldwell may request an Executive Session to be held at the next meeting to discuss this plan further.

Mrs. Van Valkenburg noted that a resident, Harold Price, brought an article to her attention, from NJ Advanced Media, nj.com "NJ Supreme Court Allows Housing Advocates to Argue for More Affordable Units." This article specifically stated that the appellate division had shut down the housing advocates attempts to keep the formula in place. This was done on Wednesday September 8. On September 9 the State of New Jersey's highest court said it would allow the Fair Share Housing Center to appeal the July appellate decision. Mr. Benbrook explained that this pertains to the gap period of time and it means that the Supreme Court didn't reverse the Appellate Divisions decision but agreed to review it.

FROM THE TOWNSHIP CLERK

The Municipal Clerk reported that the vouchers for the Townwide Clean- up are available from 7:30am – 4pm. Mrs. Leidner suggested that next year when we advertise the clean up to include that on nights there are public meetings, during the distribution of vouchers, that the Clerk's Office remain open to allow those residents that work to opportunity to obtain their vouchers.

Mrs. Leidner also reported that she and the Mayor were invited by the Prosecutors Office to an informational session on the impact of the legalization of marijuana. This presentation is being held on Thursday, October 13, 2016 at 8:30am at the Belvidere Manor. Any member of the Township Committee is welcome to attend. Mrs. Leidner will be attending and will bring back any pertinent information regarding this topic.

FROM THE TOWNSHIP ENGINEER

Paulina Dam update: The DEP will be doing survey work through January. The DEP is still going forward with their proposal to remove the dam.

Cobblewood Road drainage pipe: This drainage pipe is 32 inches in diameter 82 feet long. There are 3 companies that are in the business of relining pipes. Specs are being done for this project with a goal of keeping the cost under the bid threshold.

Mr. Rodman reported that there was a meeting at Blair Academy that he attended along with Carl Stoddart, concerning the back up well. The DEP requires that the owner of the well have control of a 50ft radius. The definition of what control was provided by Leggette, Brashears. Blair Academy is ok with this definition. Township Attorney Benbrook will draw up an easement agreement along with the attorney for Blair. Blair's engineer may draft the meets and bounds description. If not, a generic description may be used. Mrs. Van Valkenburg inquired as to whether the 50ft radius will include the shed that is currently there and if the new equipment will fit in the shed. Mr. Rodman explained that it would. Mr. Rodman also indicated that Blair does not want a paved road going to the well. The specs are ready and the Township should be able to begin receiving quotes for the project before the next meeting.

Mayor Shoemaker made a motion to get the quotes for the back up well, which was seconded by Mr. Lance.

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

All ayes: Motion carried.

Regarding the drainage pipe on Route 94 in front of the Water Treatment Plant, Mr. Rodman met with the DOT the site DOT. The DOT has agreed to clean out the 2 catch basins and the pipe.

**FROM THE TOWNSHIP COMMITTEE
MAYOR SHOEMAKER**

A new pump needed to be put in at the water company. During a thunderstorm the power went out, the generator went on but did not generate any power and the pump got fried. The generator was looked at and it was discovered that the voltage regulator and wires were damaged. Those items have been replaced and the generator is working fine. It was noted that the generator will last a long time if regular maintenance service is performed.

The Blairstown Hose Company has been looking to get their Service Electric internet access upgraded. Kerri Womack worked with PennTeleData to change service from 7mb to 15mb and reduce the monthly bill by \$34.00 per month.

All members of the Township Committee were in agreement that this was a good deal and it should move forward.

COMMITTEE MEMBER AVERY

The Senior Citizen's had their 4th trip of the year, this time to the Split Rock Resort. This trip was taken with heavy hearts due to the loss of Anita Ardia who was a very strong presence in the group. The Ardia family asked that the community keep them in their thoughts and prayers. A memorial service will be held on September 18 at 40 Dry Road.

The water system was pinged for leaks and no particular problem was found. There was one small leak in a plastic pipe on Sunset Hill Road and that was repaired. This leak was not picked up by pinging the system because the pipe is plastic. The next step will be for Blair to calibrate their large meters. Blair will pay for the calibration.

Mrs. Van Valkenburg inquired about the roof at the water tower building stressing the need to protect the equipment inside. Mr. Avery noted that a tarp was placed over the roof, Mr. Lance reported that the roof is set to be replaced within the next week.

Givens Belet received pricing on kitchen cabinets and sinks.

The BEC is back to 2 meetings per month. They meet on the 2nd and 4th Tuesday of each month. The next meeting will be September 27th at 7 pm 25 Amackassin Road.

Weeding party was held at the pocket park. Mayor Shoemaker remarked that they did a great job weeding and spreading the mulch.

COMMITTEE MEMBER DALTON

Mrs. Dalton noted that Kerri Womack is in the process of transitioning into the Tax Collection position. Dawn Gallant will be retiring on November 30. Mrs. Dalton is working with the various staff members to determine how the Ms. Womack's position will be filled. Mrs. Dalton will report back at the October meeting.

Linda Leidner was hired on July 1st for the positions of Municipal Clerk/Office Manager and Registrar of Vital Statistics. It was discovered while reviewing budget line items that Ms. Leidner is only being paid for her positions of Municipal Clerk/Officer Manger; the Registrar position is a separate line item. Mrs. Dalton proposed a salary of \$2,200.00 for the position of Registrar and that it should be made retroactive to July 1.

Mr. Lance made a motion to pay Linda Leidner \$2,200.00 per year for the position of Registrar of Vital Statistics retroactive to July 1, 2016, which was seconded by Mrs. Van Valkenburg.

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

All ayes: Motion carried.

Mrs. Dalton inquired about the signs on Route 94 regarding Swift 911. Police Director Robert Gara explained that this set up to register so that you get emergency information. Mr. Gara explained that it does not affect the 911 emergency call system.

COMMITTEE MEMBER LANCE

Mr. Lance reported on the Police Department. The mileage for the month of August was 4308 miles. There were 4 adults arrested, no juveniles, 0 CDS arrests and 0 DWI arrests. 21 traffic summonses were issued. Mr. Lance congratulated Officer Herzer on receiving his award this evening.

Mr. Lance also reported that the Historical Preservation Committee finally got their donated museum quality display cases and they are placed here in the foyer and lobby of the municipal building.

October 29th is the next planned walking tour. This will encompass the High Street area. The walk will begin at the Presbyterian Church at 12:00.

COMMITTEE MEMBER VAN VALKENBURG

Mrs. Van Valkenburg asked Mr. McGreen to report on Open Space items. Mr. McGreen reported on the following:

Ardia Farm – the Mayor signed the agreement to receive funding to preserve the farm.

Croucher Farm - there is a snag in this on the County level. The County wants to purchase additional right of way around the bridge on Vail Road. The County will pay their portion of it but there is a question of how many acres there are. The survey will also need to be changed. 60 acres will be sold to Green Acres and 90 acres that will be preserved farm.

Nonnemacher Farm – the owner has agreed to go forward with the federal funding and the federal funding requirements. This results in all parties paying less. Because it is a township project we can decide how to split the federal money.

Mr. McGreen noted that Warren County, the Trust for Public Land, and the Nature Conservancy are all interested in the Young property located on Mohican Road. This property is 363 acres and includes a lake and the dam.

Starting next fiscal year the state has earmarked another \$500,000 for farmland preservation.

Mrs. Van Valkenburg spoke about an article that was given to her by resident Harold Price regarding COAH.

Mrs. Van Valkenburg reported that Pat Sagan, Recreation Director, has some wonderful programs that are being offered. Check the website for information. These programs run from the fall of 2016 through the summer of 2017.

Mrs. Van Valkenburg spoke about some Legislative Bills that are out. There are two that Blirstown was proactive on regarding the maintenance and registration of vacant and abandoned properties. The State is looking at a bill that prohibits the use of anti-concurrent causation clauses in homeowner insurance policies. Mrs. Van Valkenburg explained that this means that if you have a property several damages that are concurrent they will not be covering a portion of it.

Website and newsletter to be worked on by Mrs. Van Valkenburg and Township Clerk Leidner. An ordinance setting the advertising fees would need to be created. Mrs. Van Valkenburg asked the members of the Township Committee if it would be ok for her to work with Linda Leidner on this project. All members of the Township Committee were in agreement.

Mrs. Van Valkenburg wanted to be proactive and start having workshop meetings. The Land Use Board meets on Monday, September 19. Mrs. Van Valkenburg named some of the items that will be on the agenda. Mrs. Van Valkenburg reported that North Warren Regional High School is asking the Land Use Board to reconsider a rezone. North Warren came before the Township Committee in the past and their request was considered and it was determined that a conditional use would be the way to accomplish what the school was trying to do. They should go back to the Land Use Board for resolution. North Warren never pursued it. Now they are coming back before the Land Use Board.

Mrs. Van Valkenburg would like to see a community garden either at the Walnut Valley Field or Mayor Shoemaker recommended possibly doing the community garden at Alpine Field.

FROM THE PUBLIC

Joy Fernbacker - 29 Green Street, Hope came before the Township Committee to ask that they consider closing their borders to trophy bear hunting. Mrs. Fernbacker noted that many municipalities passed resolutions against bear hunting. Mrs. Fernbacker asked that the resolution be placed on the agenda next month.

ADJOURNMENT

As there were no further comments from the public, Mr. Avery made a motion to adjourn the meeting, which was seconded by Mr. Dalton. All members voted in favor. The meeting was adjourned at 9:45 pm.

Respectfully Submitted by:

Linda Leidner, RMC
Municipal Clerk