

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
Wednesday, January 11, 2017, 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 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.

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 asked the Township Committee and members of the public to pause for a moment to remember former Township Committee Member Howard Mott. Howard Mott passed away on Saturday, January 7 at the age of 92. Mr. Mott served three terms on the Township Committee and was Mayor in 1978 and 1979. He was extremely involved in the community. He will be missed. Mayor Shoemaker than asked for a moment of silence.

PUBLIC COMMENT – up to 5 speakers, 3 minutes each

Jean O'Brien - 16 East Avenue – inquired about the status of the water and if the leak was found. Mr. Avery responded that the leak has not been found. The one big leak may be a meter that was found that was never on the books. Mr. Lance noted that the meter was found in a girl's dorm at Blair and within 10 days the meter has registered about 20, 000 gallons of water usage. Mrs. Dalton added that a company that specializes in finding leaks will be here on Friday. Ms. O'Brien also inquired about the well. Mayor Shoemaker let her know that Mr. Rodman will be at the meeting later to give a report. He noted that a new location may need to be found for the well.

Marianna Stires – 30 Jacksonburg Road - Ms. Stires stated that she is all for people having clean water and working sewers; however she is not in favor of paying for the benefit of someone else. No one is going to help her family when her well or septic fail.

Wayne Dickson – 52 Four Corners Road – Sewer project is a major project. Most important is good clean water for the residents to drink. Mr. Dickson remarked that the Township still doesn't have a location to drill since last meeting and fears that next month this will be the same issue. Mayor Shoemaker responded that every month the water is tested and every month the results have come back that the water is fine. Mr. Lance offered that when the issue came up with the muddy looking water it was most likely from the changing of the filter medium in the tanks. A water engineer came in and looked at the system and he thinks that maybe one of the things that can be done to help improve the flushing process is to use more water in the flush process to move more stuff through. Last time Mr. Dickson was at a meeting there was a discussion of hiring 6 more police officers. He

would rather see the money spent on fixing the roads in the town. Mayor Shoemaker remarked that there is a list of roads that have to be paved. The Township does not currently have the money to fix the roads. The State had the money but the Transportation Trust Fund went broke. They have increased the gas tax. The Township has received notice that the State is allocating \$185,000.00 to Blairstown for the purpose of resurfacing Maple Lane.

Pete McKenna – 36 Mohican Road – Mr. McKenna noted that he needs to know that the Township will not expend any money on the sewer project until there is a referendum for the project. Mayor Shoemaker explained that with our form of government we can have a referendum that is non-binding. Or the Township Committee itself can make the decision. Mr. Lance explained that there are two members of the Township Committee that are opposed to the sewer project. If the new expenditure entailed borrowing money, as long as there are two members opposed to this project, no money can be expended. A super majority is needed to borrow money.

Joe Tafuni – 89 Hope Road - Mr. Tafuni made note that he is concerned about conflicts of interest within the Township Committee regarding the sewer project. Mr. Tafuni cautioned the Township Committee to be sure to be aware and recuse yourself from any discussion or decisions regarding the sewers. Mr. Tafuni recommends that if the residents of the village area need assistance with their septic systems they need to contact the County and make their own arrangements with contractors to get the problem fixed. The installation of a sewer system should not be funded by everyone. The Township Committee should take care of other pressing issues within the Township first.

Mayor Shoemaker thanked everyone for their comments, he noted that he believes the Township Committee has an idea of how most members of the audience feel about the sewer system.

MINUTES

No minutes were presented for approval.

CONSENT AGENDA

- 1 – R.2017 – 021 Authorization to Pay Bills
- 2 – R.2017 – 022 Cancellation of Unexpended 2016 Budget Appropriations
- 3 – R.2017 – 023 Memorializing Dawn Gallant Request to Opt into Retirement Benefits
- 4 – R.2017 – 024 Appointment of Qualified Purchasing Agent
- 5 – R.2017 – 025 Appointment of Risk Management Consultant
- 6 – R.2017 – 026 Appointment of Fund Commissioner

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

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

DEPARTMENT REPORTS

- Clerk – December Report
- DPW – December Report
- Finance – December Finance and Fuel Reports
- Fire Department – November and December 2016 Reports
- Police Department – December Report
- Tax Collector – December Report and Annual Report
- Warren County Health Department – December 8, 2016

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

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

UNFINISHED BUSINESS

Sewer Update - Mayor Shoemaker took this time to remind everyone that this is an ongoing study. There is more information that is needed before the Township Committee makes an official report as to what the results of the study are regarding the prospect of a sewer system. Mayor Shoemaker explained that he understands how the people present feel about the installation of a sewer system, but also knows that there are other groups not present that have a different opinion. The Township has not issued a report. The presentation that was done by Van Cleef in October was done at a public meeting to inform the Committee of the project status. Once the study is completed a formal presentation will be made at a Special Meeting to which everyone will be invited to attend. At that time all of the real facts will be presented, including costs and how they might be shared.

A very lengthy discussion ensued regarding the sewer project. Many members of the public spoke in strong opposition of the project. No votes were taken and no decisions were made regarding the project.

Mr. Avery left the meeting at 8:58pm

NEW BUSINESS

Verizon Wireless Request for Consent to utilize public rights of way for small network nodes. Mr. Rodman, Township Engineer indicated that other municipalities have gotten this request. Most Towns are taking a wait and see position. Mr. Rodman recommends that the Township look into this a little deeper. The company that is making the request is a subcontractor of Verizon. Mr. Benbrook, Township Attorney indicated that the statute pertaining to this request is very clear in that these nodes are allowed if placed on existing JCP&L poles. If the existing pole is inadequate, new poles will be added, with municipal consent. These nodes would be located in a public right of way. The Committee requested the Township Clerk to contact Tilson Technology to come to the meeting of January 25, 2017 to answer questions.

Reconfiguration of Municipal Offices – This was discussed during Mrs. Dalton’s report.

COMMITTEE CORRESPONDENCE for information and possible action

- 1 – from NJDOT, Warren County will receive an allotment of \$185,000 from the Transportation Trust Fund for the Overlay of Maple Lane Project in Blairstown.
- 2 - from Warren County Dept. of Land Preservation – Invitation to participate in the 5th Annual Warren County Preservation Event at Van Nest Hoff-Vannatta Farmstead in Harmony Township, NJ on Sunday, May 21, 2017 from 10:00am – 4:00p.m.
- 3 - from Arturi, D’Argenio, Guagliardi & Meliti, LLP – re: Accepting the Terms of Blairstown Ordinance 2016-11 – Service Electric

GENERAL CORRESPONDENCE

There were no comments on the General Correspondence list.

FROM THE TOWNSHIP ATTORNEY

In December the Township received a Tort Notice, which has been forwarded to our Insurance Company; an adjustor has been assigned to investigate the claim. Mr. Benbrook sent a letter to the claimant's attorney with all of the information that the Township has on this claim.

Regarding COAH, there is a conference call scheduled for Friday. At this time there is still no executed settlement agreement. The 87 units that has been discussed is a tentative settlement number between the Township and the Fair Share Housing Center. The number is a compromise number. It is subject to a durational adjustment. Mr. Benbrook explained that 50 plus of those units are a legally fictional number. The only significance of the sewer discussion with respect to the COAH Settlement would be that the Special Master that the court appointed had indicated that since the possibility of sewers is being discussed, she would request an overlay zone area. If and when the Township did get sewers there could be multi-use development in the village area. This would not increase the required number of units, at least for this round. It could however have an impact somewhere down the road. Mrs. Van Valkenburg inquired as to why the Township needs to go forward with the overlay if we don't have the votes to have the sewer project move forward. Mr. Benbrook noted that that is one of the things that will be discussed with the Master during the conference call on Friday since the sewers are so speculative at this point. Once the settlement is in place the Township would have protection for 10 years. By having the settlement in place it protects the town from large developments being built. It would help maintain local control of what is built here in Blairstown. After settlement the Land Use Board will finish up the housing element and Fair Share Plan. The Township Committee and the Township Municipal Housing Liaison has done a good job with following through with all aspects of COAH. COAH is a State of New Jersey Constitutional obligation not a US Constitutional obligation.

FROM THE TOWNSHIP CLERK

Ms. Leidner apologized to the Township Committee and the residents for the website being down since New Year's Eve, noting that what she thought would be a smooth transition from one host to another ended up not being a smooth transition. Ms. Leidner assured everyone that the website, at least in its early stages, will be up and running within a few days. She also let the public know that if they need any information during the down time to contact her and she will provide them with whatever it is that they need.

Mr. Avery who left the meeting earlier, returned at 9:25pm.

FROM THE TOWNSHIP ENGINEER

Mr. Rodman explained that he had applied for a DOT grant for the overlay on Maple Lane. The amount applied for was \$195,000.00 and the Township received \$185,000.00. If this project is done through the Morris County Co-Op, the original prices quoted dropped dramatically so it looks like it can be done for the \$185,000.00. The new prices are good for the entire year and the Township is locked in.

Whitman is waiting for a response from the Township Committee regarding the remediation of the Walnut Valley Firehouse site. Mr. Rodman explained that Attorney Bob Benbrook had recommended to the Township Committee to ask Whitman to research the possibility of an alternative method to the remediation. Whitman feels that their original estimate is good and to do another study would cost between \$22,000 and \$25,000 dollars. Whitman had proposed a cleanup and the cost would be \$346,000.00 and the professional service fee were \$146,000.00. Attorney Benbrook noted that an option would be to go out for RFP's to see if another company would be able to do the cleanup for

less. The Township Committee agreed to going out for RFP's and asked Mr. Rodman to advise Whitman that the Township will be seeking RFP's for the cleanup. Mr. Benbrook will work with Mr. Rodman on obtaining the RFP's.

Mr. Rodman began his report on the backup well. Mrs. Van Valkenburg noted that she has the hydrology report from 2003, in that report it stated that the center of town is the best location for water and she gave a copy of the report to Mr. Rodman. Mr. Rodman explained that he spoke to the hydrologist today and his recommendation is that we use the existing backup well which is located at the water company. The hydrologist also recommended that a deep well video be done. There is currently a pump in that well we would have to pull the pump out temporarily. Looking at the video the hydrologist can tell what the fractures are and how deep the well is. Mr. Rodman noted that the only cost would be to have a well driller come and remove the pump and put it back down again. The hydrologist already has a PO with the Township. Township CFO Christine Rolef voiced a concern that the PO on file for the hydrologist is needed for the remainder of Task 2 and also Tasks 3 & 4 of the original agreement. This matter will need to be clarified. The hydrologist will also talk to the NJDEP to let them know where the Township is in the process of placing a backup well and why we are doing this study of the existing well. Based on what is found the recommendation would then be to re drill that well. Either go deeper or wider. This could be the least expensive way to solve the backup well issue.

Motion by Mr. Lance to authorize the Hydrologist to proceed with the video taping of the existing back up well seconded by Mr. Avery

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

**FROM THE TOWNSHIP COMMITTEE
COMMITTEE MEMBER AVERY**

Mr. Avery reported that he is working with the DPW on specs for the new dump truck.

A meter was found at Blair Academy that has not been billed. Mr. Stoddart started installing the new water meters.

The BEC will be having one meeting per month and it will be held on the fourth Tuesday of each month during the winter. The next meeting will be held on January 24.

The new cabinets are in the process of being installed in kitchen in the Givens Belet building.

COMMITTEE MEMBER DALTON

Mrs. Dalton reported that the art work in the lobby is a new initiative with the Blairstown Elementary School. The pictures were done by Mrs. Truelove's third grade art students.

Mrs. Dalton reported that she spoke with Sarah Bilotti, Principle at the High School. Mrs. Bilotti was happy to report that there is a new program at the High School called Teachers of a Critical Language. The High School is looking to bring in a teacher from China to teach Chinese to the students free of charge. This is done through a grant and is similar to an exchange program.

Mrs. Dalton has had meetings with the municipal staff. She and Mrs. Van Valkenburg are working on getting the job descriptions finalized. Mrs. Dalton also met with Municipal Clerk Leidner to begin

working on some changes in the municipal office space. She explained we are trying to optimize the workspaces and provide security for employees.

COMMITTEE MEMBER LANCE

Mr. Lance offered that the first budget subcommittee meeting will be held on January 27. Mrs. Dalton and Mr. Lance are on the budget subcommittee. They will be bringing information back to the Township Committee for discussion. If any other member of the Township Committee would like to sit in on the meeting they can certainly do so. Members can rotate in and out to avoid having a quorum situation.

Mr. Lance explained that the CFO is required to periodically go out for RFP's for depositories. Ms. Rolef, CFO spoke with First Hope and they are increasing our interest rates, our demand deposits will be based on the T Bill rate plus 10 basis points which brings us to .61% interest. Floor rates will be raised to .4%. Hope Bank wants our business and are very willing to work with the municipality.

Mr. Lance also spoke regarding the Police report for December. There were 3 burglaries, 9 disorderly conducts, 22 traffic accidents, 94 traffic enforcement stops. Mr. Lance noted that the report was done with the new reporting system and it is very detailed. Mr. Lance continued, back in July trying to keep the chain of command within the Police Department Scott Johnsen was promoted to Lieutenant. It has been six months since then and Police Director Bob Gara has submitted a request to the Township Committee to consider promoting Lieutenant Johnsen to Captain. This promotion would give him more credibility at the Police Chief Meetings. Mr. Lance believes that having a Captain would be good for the department, showing the other officers that if you remain in Blirstown you can work yourself up through the ranks of the Police Department.

Mr. Lance made a motion to promote Scott Johnsen from Lieutenant to Captain of the Blirstown Police Department beginning with the next pay period. Mrs. Van Valkenburg seconded the motion.

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

Mr. Avery mentioned that someone from the public approached him at an event and thanked him and the Township Committee for providing the Township with such a great Police Department. All of the Members of the Township Committee remarked as to the great job they are doing. Noting that they are a hands on Department and work well with the schools and the members of the community.

Mr. Lance reported that the Historic Preservation Committee meeting that was scheduled for Monday, January 9 was cancelled due to lack of a quorum due to a death and illness. Mr. Lance encouraged the members of the audience to take a look at the John I Blair dedication stone on display in the lobby. This was the stone that was dedicated when the Blirstown Railroad was put into service in 1876. It traveled down to the shore area and was then donated back to the Township 10 years ago.

COMMITTEE MEMBER VAN VALKENBURG

Joel McGreen began by reporting on the Kostenbader Property. A letter was sent to them in November and Mr. McGreen still has not heard from them, he reported that he has reached out to them every other week and still nothing.

Mr. McGreen reported that the Green Acres portion of the Croucher Property has closed. There is now another 60 acres of park land along the river in Blairstown.

Regarding the Nonnemacher Farm the appraisals are finished and are at the State to obtain the certified market value. Appraisals were lower than expected.

Mr. McGreen reported that he has had discussions with the Nature Conservancy about possibility of planting trees on the old baseball field behind the diner. The Nature Conservancy will plant the trees for free they just need permission to do so. 220-320 trees could be placed at the site near the river on 7.28 acres that are owned by the Township. The Township Committee asked that someone from the Nature Conservancy attend the next Committee Meeting.

Mrs. Van Valkenburg called a grant writing company Bruno & Associates and spoke to Steve Welsh to find out what they can offer municipalities through their services. They have several municipalities that they provide grant writing services to. They are willing to come to meet with the Township Committee. The consensus of the Township Committee was to invite them in for the next meeting.

Mrs. Van Valkenburg spoke regarding the Rink at Sycamore Park. She noted that they are doing great. People are really enjoying it. Mrs. Van Valkenburg explained that the owners are there all the time. Mayor Shoemaker remarked that whether the people skating are upright or down on the ground they are always smiling!

Mrs. Van Valkenburg recommended a program called Meet Your Government. She suggested the possibility of bringing in a Government Official, to the workshop meetings and let them talk about what their job entails, what their responsibilities are and how they can assist the public. All members of the Township Committee like the idea. Mrs. Van Valkenburg will make a list and start making some phone calls to start the process.

MAYOR SHOEMAKER

Mayor Shoemaker explained that the Zamboni which is needed to clean the ice at the skating rink needed to be housed somewhere because when it gets cold it won't start. Currently it is always outdoors. There is space in the DPW building to house it so that when it is needed it will start. Without the Zamboni the ice needs to be shaved manually and it is labor intensive.

Mayor Shoemaker reported that Mr. Frick from Blair Academy had a question regarding the proposed parking lot at the end of Park Street and Main Street. The Township Committee previously agreed that once the parking lot was constructed we would maintain it, however; Blair would like something official. Attorney Kevin Benbrook offered to call Mr. Frick to discuss whether this could be accomplished with a simple lease agreement. Blair has an application at the County to vacate that strip of land and this agreement is one of the requirements of the County. The Township will be responsible for removing the snow from the lot.

Mayor Shoemaker noted that the new Officers of the Blairstown Hose Company, for those that were not at the reorganization meeting, are Calvin Inscho Chief, Mike Rumsey, Deputy Chief, Patrick Ceres, Captain and Mark Slater, Lieutenant, Eric Usinowicz, Secretary and David Weber, Treasurer.

Mrs. Dalton reviewed the reports from the Hose Company for November and December, there were 36 calls 8 of which were outside of Blairstown. Captain Ceres clarified that there is a service agreement with Hardwick & Frelinghuysen. It was the consensus of the Township Committee that it is time to have the other municipalities contribute to the costs of running a Fire Company. The Mayor will meet with the Chief and Captain of the Blairstown Hose Company to see how to approach the other fire companies for contributions

Mayor Shoemaker reported that our Emergency Operations Plan, which is prepared by the Township OEM Coordinator Nick Mohr, has been approved for the period through 2020.

Mayor Shoemaker mentioned that the UV well water sanitizer has been installed in the Municipal Building. We are waiting for the results of the final water test and then the water from the water fountains will be considered potable.

Mayor Shoemaker noted that there are 3 vacancies on the Land Use Board and he would like to appoint the following people to fill the vacancies, Steven Sikkes, Anthony Iurato and Wickliffe Mott. Mayor Shoemaker also mentioned that James Gilmore submitted a Citizen Leadership Application, he thanked Mr. Gilmore for his interest. Mr. Lance made a Motion to discuss these names separately. Attorney Benbrook explained that no Motion is necessary for these appointments, these appointments are appointments made strictly by the Mayor. Mr. Lance indicated that he felt that one of the appointees would be considered a conflict of interest.

Mr. Lance made a Motion to consider the applicants for the Land Use Board Separately. Mrs. Dalton seconded the motion.

Mr. Benbrook again explained that the Municipal Land Use Board Statute clearly states that the Mayor makes the appointments to the Board. All members of the Township Committee can express their opinions and recommendations to the Mayor and make suggestions, however they do not have the authority to vote on the appointments.

Mayor Shoemaker confirmed the appointment of Steven Sikkes, Anthony Iurato and Wickliffe Mott to the Land Use Board. They are all alternates.

FROM THE PUBLIC

Domenic Daleo – Mr. Daleo explained that the Jones Farm is a really bad fire hazard. It is used as a hang out by teenagers. Mr. Lance explained that years ago the Township looked into demolition of the structures and the estimate was around \$30,000.00. The Township Engineer examined it and there are exclusions in the contract due to the presence of asbestos and lead paint. Mr. Lance explained that the Township went back to the State and asked them to share the cost. The State would not help pay for the demolition and removal. The Fire Company may be able to do a controlled burn on the site.

Jean O'Brien, 16 East Avenue - Ms. O'Brien inquire as to whether the water from the new well will be fine. Mr. Rodman explained that we won't know until they drill and test.

Bob Halberstadt, Mohican Road - Mr. Halberstadt reminded everyone that this Friday, is Friday the 13th and Jason will be roaming the streets in the Village. Friday the 13th does bring tourism into Blairstown. Tourists come from near and far.

ADJOURNMENT

As there were no further comments from the public, Mr. Lance made a motion to adjourn the meeting, which was seconded by Mrs. Van Valkenburg. All members voted in favor. The meeting was adjourned at 10:40 pm.

Submitted by:

Linda Leidner, RMC
Municipal Clerk