

**TOWNSHIP OF BLAIRSTOWN
REGULAR COMMITTEE MEETING
Wednesday, February 10, 2016, 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, Mrs. Van Valkenburg and Mayor Shoemaker. Also present were Clerk Pizzaia and Attorney Kevin Benbrook. Mr. Lance was absent.

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

Jeanette O'Brien, East Avenue, said that she would like to see the water situation rectified. She presented paperwork from years ago and said that the Committee members are welcome to review it. She would like someone from the Committee to speak with Jim Frick of Blair Academy in order to work towards a resolution.

Mayor Shoemaker responded that the present Township Committee is dedicated to making steady progress towards rectifying the problems at the water company. He also said that Blair Academy is willing to work with the township on this matter.

Bruce Leal, Principal, Blairstown Elementary School, wished to acknowledge Fern Klindt, who has recently retired after many years of serving as school crossing guard. He also wished to recognize the Township Committee members for their support and the Recreation Director Patricia Sagan for the many programs she offers to the children.

Mr. Leal especially wanted to thank the Police Department for their assistance. The Blairstown Elementary School will be holding a formal acknowledgement of Lieutenant Stephen Losey's dedication to the safety and security of the school children at their February 18th Board of Education meeting, and he invited the Township Committee members to attend.

Mr. Leal also announced that a student council has been instituted at the Blairstown Elementary School and it has become a huge success.

Lorraine Meister, Briar Hill Lane, said that she has difficulty hearing at the meetings. She referenced the ADA requirement and said that she hopes the situation will improve.

Livia Angelone, Bridge Street, inquired into the status of the sewer study and asked how much the installation of sewers would cost the Village area residents. Mr. Avery responded that this question

cannot be answered until a study is completed on the type of system to be installed and after obtaining cost quotes. He said that grant monies could also assist in alleviating some of the costs.

MINUTES

January 13, 2016 – Regular Meeting Minutes

Mr. Avery made a motion to approve the January 13th minutes, which was seconded by Mrs. Van Valkenburg.

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

Mayor Shoemaker asked Fern Klindt to come forward. He thanked her for her 21 years of service as a crossing guard and wished her success in her future endeavors. Mayor Shoemaker presented Mrs. Klindt with a plaque in appreciation of her service.

ORDINANCE 2016 – 01 BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$70,000 FOR VARIOUS IMPROVEMENTS FOR THE WATER DEPARTMENT IN AND BY THE TOWNSHIP OF BLAIRSTOWN, IN THE COUNTY OF WARREN, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$66,500 BOND OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION
Introduction, First Reading

Mayor Shoemaker explained that this bond ordinance to finance water department repairs will be on the agenda next month to be considered for final adoption.

Mr. Avery made a motion to approve Ordinance 2016 - 01 on first reading, which was seconded by Mrs. Dalton.

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

CONSENT AGENDA

- 1 – R.2016 – 030 Authorization to Pay Bills
- 2 – R.2016 – 031 Authorization for Two Appraisals for the Purchase of the Development Rights to the High Acres Farm in Blirstown Township
- 3 – R.2016 – 032 Enabling Resolution Authorizing Green Acres Project Agreement for Kostenbader Property Purchase
- 4 – R.2016 – 033 Authorization to Participate in Program Instituted by the NJ Department of Agriculture for Gypsy Moth Spraying
- 5 – Application for Blue Light Permit – Evan H. Cramer, Blirstown Ambulance Corps

Joel McGreen, Open Space Committee Chair, explained that with reference to R.2016 - 031, the township is in the process of purchasing the development rights to the High Acres Farm. This resolution will authorize the solicitation of two (2) appraisals, which is required as part of the process.

R.2016 – 32 authorizes the Mayor to sign the agreement with Green Acres to receive a \$165,000 grant from the State for the purchase of the Kostenbader property.

Mr. Avery made a motion to approve the Consent Agenda, which was seconded by Mayor Shoemaker.

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

DEPARTMENT REPORTS

Clerk – January Report
Finance – January Finance and Fuel Reports
Fire Department – January Report
Police Department – January Report
Tax Collector – January Report and 2015 Year Report
Zoning Officer, 4th Quarter 2015 Report
Warren County Health Department – January 11, 2016

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

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

UNFINISHED BUSINESS

1 – James P. Fox, Morris, Downing & Sherred, LLP, re: North Warren Regional Board of Education, Zone Change Application

Mr. Benbrook distributed an ordinance to the Township Committee which was drafted by the planners of the Land Use Board and the Board of Education. Mayor Shoemaker said that this ordinance was originally drafted as a conditional use ordinance. The School Board rejected this as they are seeking an amendment to the zoning ordinance which creates a school zone.

Mr. Fox introduced Ms. Bellotti, School Administrator, Mr. Heagele, Business Administrator, and Mrs. Waterbury, the Board of Education's Planner. Also in attendance were Fred Cook, Bob Brandt and John Nause, members of the North Warren Regional High School Board of Education.

Mr. Fox summarized the Board's position, stating that the primary reason they are seeking a school zone is to save money by streamlining the process and reducing the instances of needing to apply for a variance. He said that going before the Land Use Board for a variance is a very expensive proposal. He emphasized that there are no projects in the planning stage at the current time and that this is simply a request to save taxpayer money going forward. He also commented that it would be a benefit to the township by removing 110 acres from the R-5 zones, which would reduce COAH obligation.

Mr. Fox said that there have been "rocky" times before the Land Use Board in the past. With regard to this ordinance change, the Land Use Board requested that the School Board draft a proposed ordinance. They did this at their expense and the Land Use Board ultimately voted to reject it. Mr. Fox expressed his opinion that the Land Use Board rejected the ordinance in order to retain control over the application process on a case by case basis.

Mayor Shoemaker said that with regard to Mr. Fox's statement about COAH, he has researched this and that making the school property a school zone, would not, in fact, lessen the township's COAH obligations.

Mr. Avery asked if there were other municipalities that have school zones. Mrs. Waterbury said that a study of the entire state would be too time consuming, but she researched Warren County municipalities. She concluded that there was a mix of school zones, conditional use zones and permitted use. She said that permitted use seemed to be most predominant.

Mrs. Van Valkenburg asked the Board of Education members why they are pursuing this so intently when school enrollment is down and since they have no plans to build or expand at the school. At this point, changing the ordinance will cost the township money.

Debra Waldron, Land Use Board Chair, wished to clarify a few points made by Mr. Fox. She said that she objected to his description of his dealings with the Land Use Board as being difficult. Mrs. Waldron said that out of the five applications he presented to the Land Use Board, four of them were approved, with the township fees waived. The fifth application was not disapproved by the Land Use Board, but was voted down by the residents through a referendum.

Mrs. Waldron had asked Mrs. Waterbury for specific data regarding school zones throughout the State and also asked to see evidence of financial hardship on the School Board due to applications before the Land Use Board. She did not receive any of this information.

Mrs. Waldron is concerned that this ordinance will constitute spot zoning. She said that Darlene Green, Land Use Board Planner, was unaware of the existence of the Blairstown Elementary School, and said that she never would have recommended the school zone ordinance change if she had been aware of this school. Mrs. Waldron said that Ms. Green told her that in light of the second school, she would recommend an R-5 Conditional Use ordinance.

Mayor Shoemaker said that a lot of discussion has been heard on this subject tonight, as well as for many months before this meeting. He suggesting amending the document distributed earlier, drafted by Ms. Green and Mrs. Waterbury, which outlines the permitted uses for the school. Mrs. Van Valkenburg asked Mayor Shoemaker if he was proposing a conditional use ordinance, and he responded in the affirmative. The Township Committee was in agreement to return the draft ordinance back to the Land Use Board for review and resubmission to the Township Committee for consideration as an R-5 Conditional Use ordinance.

Mr. Fox requested that the final draft of the ordinance be written in such a way as to not require the Board of Education to go before the Land Use Board for a use variance every time a project is being considered. The Committee and Mrs. Waldron agreed that this would be the goal.

Mrs. Van Valkenburg feels that there is no reason to spend money on this since the Master Plan will be reviewed in 2020 and the school has no plans for construction at this time. Mrs. Waldron feels that the Land Use Board can work on this amicably with the School Board to come up with a compromise both parties can agree to.

Mayor Shoemaker made a motion to refer the proposed public school draft ordinance to the Land Use Board for further consideration as a potential addition as a Conditional Use to the R-5 Zone. Mr. Avery seconded the motion.

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

COMMITTEE CORRESPONDENCE for information and possible action

1 – from Mark Saalfeld, Superintendent, Blairstown Elementary School, regarding formal acknowledgement of the Blairstown Police Department

Mr. Leal addressed this correspondence earlier in the meeting.

2 – from Jamie Oatley, MOMS Club, requesting the use of Sycamore Park on June 4th and 5th for a car show

Mrs. Van Valkenburg said that Pat Sagan, Recreation Director, has recommended moving this event to July due to another scheduled event and the continued use of Sycamore Park by the sports organizations. The Committee was in agreement to have this event scheduled for another date.

3 – from John H. Moyle, P.E., Management Bureau of Dam Safety and Flood Control, NJ DEP, re: Paulina Lake Dam

Ted Rodman, Township Engineer, will address this in his report.

4 – from Dee Benedetto, re: Stop Signs on Ivan Road

Mayor Shoemaker stated that the signs were placed at those locations since 2006 at the request of a resident. After discussion, the Township Committee was in agreement to have the signs remain in place.

5 – from Leigh Pagano, President, North Warren Little League, regarding the installation of a fence at Sycamore Park

This matter will be addressed in March when a cost estimate is available.

GENERAL CORRESPONDENCE

There were no comments on the General Correspondence list.

FROM THE TOWNSHIP ATTORNEY

Mr. Benbrook said that there is an executed contract with Blair Academy for the parking lot to be constructed at the end of Main Street.

With regard to COAH, Mr. Benbrook said that all of the timeframes are being extended. Judge Miller has been assigned to our area, and Mr. Benbrook feels that he will be fair to rural areas such as Blairstown. Mr. Benbrook is optimistic that a fair share housing numbers will eventually be reduced.

Mr. Benbrook spoke about a letter from Mr. and Mrs. Ross, who live on a private road. There is a dispute among the homeowners and the road, according to the Ross's, has not been plowed properly this year. Mr. Benbrook said that part of this problem stems from the fact that the homeowners on this private road have not formed a homeowners' association. Mr. Benbrook said that the township has been reimbursing those residents on private roads for snow plowing expenses, but should only be reimbursing those private road residents who are qualified, which means they have legally formed a homeowners' association. Mr. Benbrook and our CFO will be working together to make sure all reimbursed private roads have formed a qualified private community. Mr. Benbrook added, however, that this dispute really is not a township issue but a neighbor dispute.

Mrs. Ross was in attendance and asked Mr. Benbrook what should be done to move forward. He said that he believes that her private road does not qualify for the reimbursement structure legally set up by the township and that the homeowners need to decide as a group how to accomplish this or to have each homeowner responsible for their section of the road.

FROM THE TOWNSHIP CLERK

The Clerk asked if the Committee was interested in having a fall town-wide cleanup this year. If so, arrangements need to be made in the next couple of weeks. Mrs. Van Valkenburg made a motion to conduct a clean-up this year. Mr. Avery seconded the motion.

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

FROM THE TOWNSHIP ENGINEER

Ted Rodman, Township Engineer, reported that the DEP has identified two problems with the water company that require immediate attention. The first issue is the filter media and the second issue is the alternate well. The filter media will be taken care of with the adoption of the bond ordinance. With regard to the alternate well, Mr. Rodman met with representatives of Leggette, Brashears & Graham and they looked at four possible locations. It appears that the location next to the water tower at Blair Academy is the best site for locating the second well. Leggette, Brashears & Graham has submitted a proposal for preliminary hydrogeologic services related to the development of a backup well for a total cost of \$16,000. This does not include the cost of drilling the well. The testing will take approximately three months to complete. Mayor Shoemaker made a motion to accept the proposal from Leggette, Brashears & Graham at a cost of \$16,000. The motion was accepted by Mrs. Dalton.

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

Mr. Rodman reported that with regard to the sewer feasibility study, Phase II needs to be approved by the Township Committee. Blair Academy has agreed to pay for half of the cost of Phase II. This phase involves deciding on what type of system would be installed. Van Cleef, the firm that performed Phase I of the project, has submitted a proposal for Phase II for a cost of \$17,500. Mayor Shoemaker made a motion to authorize Van Cleef to perform Phase II of the sewer feasibility study at a cost of \$17,500, of which Blairstown Township will pay half. Mr. Avery seconded the motion.

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

Mr. Rodman reported that the DEP is requiring an inspection of the Paulina Dam. Mr. Rodman called the DEP in an attempt to waive this inspection since the DEP is working with the township to remove the dam. Mr. Rodman said that the DEP is requiring this inspection despite the removal process. Mr. Rodman received a proposal from French & Parrello Associates to make the required inspection at a cost of \$3,500.00. Mr. Avery made a motion to authorize this proposal at a cost of \$3,500, which was seconded by Mr. Dalton.

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

Mr. Rodman reported that there are guiderails that need replacing for a cost of approximately \$14,500. He said that the cost of these guiderails can be placed into the 2016 budget.

FROM THE TOWNSHIP COMMITTEE

COMMITTEE MEMBER AVERY

Mr. Avery reported that the Seniors Club members are in the process of planning their trips for this year. One trip has been planned for the Brownstone and one for Mount Haven.

With regard to the water company, the holes on the roof of the tower are in the process of being repaired.

The DPW did an excellent job of snow removal during the last storm.

The ordinance review committee has completed their work and Mr. Avery will be distributing their recommendations to the Committee.

The Blairstown Economic Committee continues to work with the State to come up with a use for the Cedar Lake Farm. They will also be instituting a program in an attempt to get all township residents on Nixle for increased communication during emergencies.

Mr. Avery and Mrs. Van Valkenburg are working together on a draft ordinance that deals with maintenance on vacant properties.

COMMITTEE MEMBER DALTON

Mrs. Dalton reported that interviews were conducted for the position of crossing guard. She was very impressed with the caliber of the applicants. One full-time candidate and two substitute candidates are now in the process of getting background checks.

Mrs. Dalton met with personnel with both schools and looks forward to continuing our partnership with them. She proposed instituting character education in the high school, which involves performing community service as a requirement for graduation.

COMMITTEE MEMBER VAN VALKENBURG

Mrs. Van Valkenburg reported that she and Mr. Lance held the first budget meeting with the CFO in January and there will be another meeting next Friday.

Pat Sagan, Recreation Director, is running a great number of programs. Social Connections is one of her newly offered programs for young adults with developmental disabilities.

MAYOR SHOEMAKER

Mayor Shoemaker said that all items on his list to be discussed were already covered.

He wants to propose a procedure by which the volunteer boards will submit applicants to the Township Committee before final approval is made on membership. He hopes to have the proposal ready for Committee review and discussion at the next meeting.

FROM THE PUBLIC

Rosalie Murray, Heller Hill Road, commented on damaged guardrails. She proposed that the Police Department and the DPW work together in order to require the insurance companies of the individuals who caused the damage to pay for repairs and replacements. Mr. Gara, Police Director, said that the Police Department is already working with the CFO to get reimbursement from the insurance companies.

Lorraine Meister, Briar Hill Road, once again stated that she is having trouble hearing the meeting.

Christine Beegle, Historic Preservation Committee Chair, reported that the Historic Preservation Committee has submitted two entries to the National Geographic Geotourism Program for possibly featuring Blairstown. One submission was the downtown area as a historic district and the second entry was the Friday the Thirteenth driving tour. Both are under nomination and the Historic Preservation Committee will find out within a month or two if they are approved.

Ms. Beegle also reported that Elliot Trommald will be speaking on John I. Blair at Blair Academy on April 5th.

The Blairstown Historic Preservation now has a Facebook page.

ADJOURNMENT

As there were no further comments from the public, Mrs. Van Valkenburg made a motion to adjourn, which was seconded by Mr. Avery. All members were in favor. The meeting was adjourned at 10:30 pm.

Submitted by:

Phyllis E. Pizzaia, RMC
Municipal Clerk