

**MINUTES OF THE WARREN TOWNSHIP COMMITTEE
JANUARY 23, 2014**

REGULAR MEETING

The Township Committee of the Township of Warren, County of Somerset, State of New Jersey, convened in Public Session on Thursday, January 24, 2014 at 6:30 p.m. in the Susie B. Boyce Meeting Room, 44 Mountain Boulevard, Warren, New Jersey.

Mayor Garafola read the following notice:

“In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 9, 2014 and January 17, 2014 by sending written notices to the Echoes Sentinel and Courier News, posting on the Bulletin Board in the Municipal Building and filing with the Township Clerk”.

“This meeting is to be taped for broadcast on the Access Channel and everyone is required to comply with the policies and procedures governing access programming for the Access Channel. No mention of political affiliation or political advertising shall take place at this meeting or it will be deleted from any rebroadcast of the meeting.”

On call of the roll, the following Committee members were present:

Mr. Lazo
Mr. Marion
Mr. Sordillo
Mrs. Garafola
Mayor DiNardo

Also Present: Mark M. Krane, Township Administrator
 Patricia A. DiRocco, Township Clerk
 Jeffrey Lehrer, Township Attorney

Mayor DiNardo led all in the Pledge of Allegiance.

On motion of Mr. DiNardo, second of Mrs. Garafola, the Reorganization meeting minutes of January 8, 2014 were approved. The roll call vote was unanimous.

Mayor DiNardo opened the Comments on Agenda Items portion of the meeting. No one wished to speak and this portion was closed.

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Lloyd Tubman, Esq., Archer & Greiner P.C. representing Dr. & Mrs. Spivack, owners of property located in the Mt. Horeb Park section of the Township, and Mr. Salmon, a professional Engineer, were present to request a vacation of certain paper streets off Elm Avenue for the purpose of building four houses. Two houses would be located on Oak Avenue and two houses on Elm Avenue. In return, the owners would give the Township approximately 11 acres. The presenters stated that the paper streets serve no purpose. Mrs. Garafola stated that the 11 acres are really no use to the Township and there would be a considerable cost to the Township in terms of the tax impact relating to education of children. Mr. Sordillo agreed and also stated that it would be costly to maintain the property. However, he did state that the size of the property that the houses would sit on could be beneficial to the area, as opposed to a postage stamp house on a small piece of property. At this time, he could not make a decision. Mr. Marion questioned whether the Township would be setting a precedent. Mayor DiNardo, with the general consensus of the governing body, stated that this matter needs further review.

Mrs. Garafola introduced and read Resolution No. 2014-31 for the payment of bills, seconded by Mr. DiNardo. The roll call vote was unanimous.

Resolution No. 2014-31 is appended to the official minutes.

Township Clerk Ms. DiRocco stated that a recommendation for a representative to sit on the Cultural & Advisory Committee and the Solid Waste Advisory Committee at the County is needed. She said that Mr. Britt and Mr. Buro have served on these Committees in past years. The governing body recommended Rory Britt for the Cultural Committee and Doug Buro for the Solid Waste Committee.

Mr. Marion introduced Ordinance No. 14-01 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING THE AMOUNT OF \$35,000 AS AN APPROPRIATION FROM THE CAPITAL IMPROVEMENT FUND TO PROVIDE FUNDING FOR ENVIRONMENTAL ENGINEERING SERVICES RELATIVE TO MATTERS INVOLVING THE REMOVAL OF UNDERGROUND STORAGE TANKS AT THE DEPARTMENT OF PUBLIC WORKS

On motion of Mr. Marion, second of Mrs. Garafola, Ordinance No. 14-01 was passed on first reading. The roll call vote was unanimous.

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Mr. Sordillo introduced Ordinance No. 14-02 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING A TEMPORARY ACCESS EASEMENT AGREEMENT TO CUMBERLAND FARMS TO ACCESS THE RIGHT-OF-WAY ON COMMUNITY PLACE TO INSTALL MONITORING WELLS

On motion of Mr. Sordillo, second of Mr. Marion, Ordinance No. 14-02 was passed on first reading. The roll call vote was unanimous.

Mr. Lazo introduced Ordinance No. 14-03 by title for first reading and read the following:

AN ORDINANCE AUTHORIZING EXECUTION OF A MINOR SUBDIVISION DEED FOR BLOCK 201, LOT 2 AND A BARGAIN & SALE DEED FOR BLOCK 201, LOT 2.01 TO THE WARREN TOWNSHIP BOARD OF EDUCATION

On motion of Mr. Lazo, second of Mr. Marion, Ordinance No. 14-03 was passed on first reading. The roll call vote was unanimous.

Mrs. Garafola introduced Ordinance No. 14-04 by title for first reading and read the following:

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER XVI ENTITLED "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WARREN AS HERETOFORE SUPPLEMENTED AND AMENDED BY AMENDING SECTION 16-15 ENTITLED "NB-BUSINESS DISTRICT" BY ESTABLISHING THE HNB-HISTORIC NEIGHBORHOOD BUSINESS DISTRICT.

On motion of Mrs. Garafola, second of Mr. Marion, Ordinance No. 14-04 was passed on first reading. The roll call vote was unanimous.

Blake Shapiro and Andrew Stein, students at Watchung Hills Regional H.S., spoke of the campaign "White Out Against Bullying". They visit other schools to raise awareness in an effort to eradicate bullying. The day to wear white is March 7th.

On motion of Mr. Marion, second of Mrs. Garafola, the following Consent Agenda Resolutions were approved, carried by unanimous roll call vote:

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- 2014-32 AWARD OF CONTRACT- WARREN TOWNSHIP HOUSING REHAB GRANT PROGRAM – PROJECT # W-11-04
- 2014-33 AUTHORIZING BUDGET TRANSFERS IN THE AMOUNT OF \$71,500
- 2014-34 AWARD OF CONTRACT - MUNICIPAL PROSECUTOR TO BRENT BRAMNICK
- 2014-35 DESIGNATING ALTERNATE PROSECUTORS TO SERVE IN THE ABSENCE OF THE WARREN TOWNSHIP PROSECUTOR AT MUNICIPAL COURT SESSIONS
- 2014-36 AWARD OF PROFESSIONAL SERVICES CONTRACT - M & Z ENGINEERING ASSOCIATES, P.C. FOR STRUCTURAL & ENGINEERING SERVICES AT 207 MOUNTAIN AVENUE
- 2014-37 RELEASE OF PERFORMANCE BOND – PULTE HOMES OF NJ LIMITED PARTNERSHIP AND ACCEPTANCE OF BELLEWOOD DRIVE AS A MUNICIPAL ROADWAY
- 2014-38 RELEASE OF PERFORMANCE BOND - STONE CREEK REALTY, LLC AND ACCEPTANCE OF ARLINGTON COURT AS A MUNICIPAL ROADWAY
- 2014-39 AUTHORIZING PUBLIC AUCTION OF VEHICLE WITH JUNK TITLE
- 2014-40 RELEASE OF PERFORMANCE BONDS – STREET OPENING PERMITS #2013-48 AND #2013-56
- 2014-41 APPOINTMENT OF MEMBER TO THE WARREN TOWNSHIP VOLUNTEER FIRE DEPARTMENT – TYLER REEDMAN
- 2014-42 AUTHORIZING EXTENSION OF EUS CONTRACT FOR WEBSITE SERVICES TO MARTHA E. REEDER OF DOMA, LLC

- 2014-43 AWARD OF CONTRACT – ROCK SALT THROUGH MCCPC COOPERATIVE PURCHASING AGREEMENT

- 2014-44 AWARD OF CONTRACT TO RICH TREE SERVICE INC FOR TREE TRIMMING AND REMOVAL

- 2014-45 AUTHORIZING JOINT MANAGEMENT AGREEMENT WITH SOMERSET COUNTY TO DEVELOP, MANAGE, MAINTAIN AND USE THE EAST COUNTY RESERVE PARK

- 2014-46 CANCELING UNEXPENDED BALANCE IN ORDINANCE NO. 12-16

- 2014-47 CANCELING UNEXPENDED BALANCE IN ORDINANCE NO. 13-09

- 2014-48 AUTHORIZING EXECUTION OF 2014 MUNICIPAL RECYCLING AGREEMENT WITH SOMERSET COUNTY

- 2014-49 AUTHORIZING WARREN TOWNSHIP FIRE DEPARTMENT TO EXECUTE HOLD HARMLESS AND INDEMNIFICATION AGREEMENTS WITH FIREFIGHTERS FOR TRAINING PURPOSES AT THE SOMERSET COUNTY EMERGENCY SERVICES TRAINING ACADEMY

- 2014-50 CANCELLING TAXES FOR TOTALLY DISABLED VETERAN IN THE SUM OF \$2,418.37

- 2014-51 AUTHORIZING SUBMISSION OF A SUSTAINABLE JERSEY GRANT APPLICATION

Resolutions No. 2014-32 through No. 2014-51 are appended to the official minutes.

Mr. Marion gave an update on the Somerset County Park Plan. The Township will enter into a joint agreement with the County to develop a Park between the Pop Warner Field and the Duderstadt Field. The plan includes walking trails in addition to passive recreational activities. Mr. Lazo spoke of the Plan and that it will be a great addition to the Township's recreational activities. Mr. Lazo also commented on the Township being designated as the 3rd safest Town in New Jersey and commended the Police Department.

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The governing body appointed Cynthia Webster to the Youth Services Commission for a one year term.

Mayor DiNardo exhibited the drawing of the proposed new Municipal Building. The governing body has agreed to the concept and architectural drawing. The plan is to proceed with the funding and bond for \$4.3 million. The term of the bond could be 15 to 20 years. The funds that the Township would realize from the Knitting Mill project will be substantial. The approximate cost to each household may be \$50 to \$60 annually. The bond ordinance will be introduced on February 20th.

The governing body discussed the request by the Police regarding the tie scores of certain officers interviewed for the position of Sergeant and the tie scores of certain Sergeants interviewed for the position of Lieutenant. The original resolution set out the procedure to break any tie through interviewing those affected. The request is to change the procedure. Mr. Sordillo expressed concern over changing the procedure and spoke of the Township requiring a hold harmless agreement of those affected. Mr. Lehrer and Mr. Sordillo will discuss this matter privately.

Mrs. Garafola spoke of the Low Impact Checklist for the Construction Department and the Planning/Zoning Board. The Checklist is utilized to implement environmentally friendly practices. She suggested looking at the percentage of those Departments/Boards that are utilizing the list.

On motion of Mrs. Garafola, second of Mr. Lazo, the donation in the amount of \$2,000 + from the Warren Lions Club was accepted. The roll call vote was unanimous.

Mr. Lehrer spoke of the Tree Removal/Replacement Ordinance. The Township Planner requested that the Ordinance be revised. The policy is being abused. There are certain sections in the ordinance that should be removed. The governing body agreed.

Mr. Krane spoke of the maintenance agreement with Mt. Bethel Church cemetery. The governing body agreed to continue the maintenance.

Mrs. Garafola reported on a meeting with JCP&L, Mayor and Mr. Krane. JCP&L is requesting 16 acres in a land swap deal. They need

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an easement from Bernards Township as well. The proposed major project would benefit 15,000 customers. Not all these customers are in Warren and it would not benefit large corporations such as Citi Group. Another meeting is planned.

The governing body discussed the increase in dog license fees, as a resident complained. In 2012 the annual fee was increased and would be assessed over a five year period. Other towns were surveyed at the time and the fees were \$21. Warren's five year phase in would result in the fifth year of the increase to be \$18.

Mayor DiNardo opened the Privilege of the Floor portion of the meeting.

Mr. Lakatos, Horseshoe Road, complained about the cost of the new Municipal Annex. He stated that this was brought up in July and now it is a done deal. He also spoke about the open space tax and again asked that the tax be discontinued. Mr. Krane informed him that there are commitments for bonding for open space purchases until 2017. Mr. Lakatos also spoke of a neighbor's Au Pair that parks their car on the street when there is snow. This results in excessive snow piling up in front of his driveway. Chief Leffert will check into the situation.

No one else wished to speak and the Privilege portion of the meeting was closed.

On motion of Mr. Sordillo, second of Mr. Marion, and unanimous voice vote, the meeting adjourned at 8:25 p.m.

Respectfully submitted,

Patricia A. DiRocco, RMC
Township Clerk