

TOWNSHIP OF KNOWLTON
WARREN COUNTY, NEW JERSEY

May 9, 2016

The monthly meeting of the Knowlton Township Committee was held on this date at the Municipal Building, 628 Route 94, Columbia, New Jersey. This meeting was called to order at 7:00PM by the Mayor Adele Starrs, who read the statement that this meeting was being held in compliance with the "Open Public Meetings Act":

In accordance with Chapter 231 of the Public Laws of 1975, notice of this meeting was given by way of publication with the Star Gazette and/or the Express-Times, filed in the Municipal Clerk's Office and posted in the Knowlton Municipal Building. Mayor Starrs then led the public in the pledge of allegiance.

Roll Call:

Present: Committeewoman Kathy Cuntala, Committeeman Ronald Farber, Committeeman Rene Mathez, Mayor Adele Starrs

Absent: Committeewoman Debbie Shipps

Also present: Township Engineer Ted Rodman

Presentation

North Warren Regional School Budget: Mayor Starrs noted that at this time, the presentation has been cancelled and rescheduled for the June 23 Meeting of the Committee.

Kermit Gorr, Executive Director of Ambulance Services at St. Luke's Hospital: This will take place later in the meeting.

Public Comment: None at this time

RESOLUTION:

There was a Committee discussion to make several additions to this resolution. The additions discussed were #4 to implement surveillance procedures in order to provide evidence for prosecution of trespassers and #5 to replace the railing for safety.

A motion was then made by Committeewoman Starrs, seconded by Committeewoman Cuntala and carried to adopt the **Resolution 2016-58**

RESOLUTION REGARDING DOT VIADUCTS IN KNOWLTON TOWNSHIP

WHEREAS, the former railroad viaducts located in Knowlton Township are owned and maintained by the Department of Transportation (DOT); and

WHEREAS, the viaducts regularly become spray-painted with offensive and derogatory language and images; and

WHEREAS, Knowlton Township Fire & Rescue, a volunteer organization, has rescued multiple individuals who have illegally trespassed and then gotten stuck in the manholes on top of the viaducts in recent months; and

WHEREAS, one of those rescues resulted in a suit against the Township for injury that allegedly occurred on the DOT-owned viaduct; and

WHEREAS, the activities taking place on the viaduct and the images spray-painted on it are detrimental to tourism and to the clean and family-friendly image Knowlton wishes to promote; and

WHEREAS, the Township Committee has offered the labor to repaint the graffiti-pocked viaducts; and

WHEREAS, the New Jersey State Police cannot ticket violators for trespassing on the viaduct when the DOT's "No Trespassing" signs have been removed or are not visible; and

WHEREAS, the New Jersey State Police have increased patrols of the area at the request of the Township.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Knowlton formally requests that the Department of Transportation take the following actions:

- 1) Affix "No Trespassing" signs directly to all viaducts rather than placing them on poles that can be easily removed and defaced.
- 2) Immediately seal all manholes on top of the viaducts.
- 3) Donate 5 gallons of paint to the Township twice annually so that Knowlton's Community Service workers can cover over graffiti.
- 4) Implement surveillance procedures in order to provide evidence for prosecution of trespassers.
- 5) Replace the railing for safety.

Roll Call: Mathez-- Y , Cuntala-- Y , Farber-- Y , Shipps-- Absent , Starrs—Y

Payment of the Bills

A motion was then made by Committeewoman Cuntala, seconded by Committeeman Mathez and carried to authorize the payment of the bills in the amount of \$591,987.29.

Resolution to Authorize the Payment of the Bills

Roll Call

Ayes: Committeewoman Cuntala – Y Committeeman Mathez – Y Committeeman Farber – Y Mayor Starrs - Y

Nays: None

Absent: Committeewoman Shipps

RESOLUTION

2016-56 Regarding Opposition to the Removal of Columbia Lake Dam; Authorizing Referendum Questions to be Placed in November Ballot Regarding Removal of the Dam and Request to DEP to Hold a Hearing in Knowlton Regarding the Reasons for Proposed Removal of the Dam

Mayor Starrs noted that there were several changes made to the original resolution that were substantial. A copy of the new resolution with these changes has been forwarded to the Committee for their review and consideration for adoption.

A motion was then made by Committeewoman Starrs, seconded by Committeewoman Cuntala and carried to rescind Resolution 2016-56.

A motion was then made by Committeewoman Starrs, seconded by Committeewoman Cuntala and carried to adopt Resolution 2016-61.

2016-61 Regarding Opposition to the Removal of Columbia Lake Dam; Authorizing Referendum Questions to be Placed in November Ballot Regarding Removal of the Dam and Request to DEP to Hold a Hearing in Knowlton Regarding the Reasons for Proposed Removal of the Dam

WHEREAS, Knowlton Township, Warren County, is located in the northwestern section of New Jersey, is largely rural with parts of it located within the Delaware Water Gap, and its economic substance and growth is impacted by agri-tourism; and

WHEREAS, the Township has learned that the Department of Environmental Protection and the Nature Conservancy have advocated for the removal of the Columbia Lake Dam ("Dam"); and

WHEREAS, there has been little public input with respect to the benefit and detriments regarding the removal of the Dam; and

WHEREAS, the Township Committee believes there are good reasons to conclude that the removal of the Dam would be unwise, contrary to the environmental and aesthetic needs of the Township of Knowlton and the public, would be a waste of taxpayer money and accordingly wishes to express the reasons why removal of the dam is unwise and a waste of taxpayers' dollars; and

WHEREAS, the Township Committee wishes to have its position communicates to its County, State and Federal representatives; and

WHEREAS, the reasons why the Township Committee believes the removal of the Dam is unwise and a waste of taxpayer's money include:

1. The Dam creates a lovely setting which provides habitat for fish, birds and all species of flora and fauna;
2. The Dam provides an excellent fishing spot which is used by numerous individuals for relaxation and sport;
3. The Township Committee has been advised by various agri-tourism businesses located in the Township the Dam is an attraction to the Township and to their businesses for fisherman, hikers, birders and other persons wishing to enjoy the amenities of Nature;
4. The Dam fulfills an important safety function by providing a source of firefighting water and includes a standpipe allowing the Knowlton Fire Department to draft water from it when needed for firefighting purposes; and

WHEREAS, the Township Committee has noted that dam removal has often been justified for public safety purposes, but in the case of the Columbia Lake Dam this is not a significant factor because the Dam's location in close proximity to the Delaware River eliminates any safety concerns; and

WHEREAS, the Township has significant concerns about the cost of removal of the Dam being a major drain on the taxpayers who will be expected to foot a bill which has been estimated to be in excess of \$4 million to resolve a problem that does exist, and

WHEREAS, the Township has been informed that the sole benefit to removal of the Dam is to encourage the spawning of shad, which, while a laudable goal, does not justify or counterbalance the harms resulting from the removal of the Dam, especially when there are other feasible alternatives which can be created at a much lower cost to the taxpayers, including fish ladders or other mechanisms which would allow the preservation of the Dam, with all its public benefits, while at the same time providing assistance to the goal of shad encouragement; and

WHEREAS, in order to publicize this issue and to secure the input of the voters of Knowlton Township, the Township Committee has determined that placing a referendum on the November ballot addressing this issue is in the public interest and is consistent with democratic principles; and

WHEREAS, the Township Committee has determined that is has not received adequate information from the Department of Environmental Protection or from the Nature Conservancy

as to why the benefits of removal of the Dam, and its extraordinary costs associated there with, are sufficient to counteract the substantial public safety, economic and environmental reasons to preserve the Dam, and

WHEREAS, the Township Committee believes that it is important to the citizens, businesses and visitors to Knowlton Township for the Department of Environmental Protection, the Nature Conservancy, and any other advocates for the removal of the Dam, to present at a public hearing in Knowlton their reasons for advocating the removal of the Dam so that these issues can be publicly presented, vetted and contrary points of view can be articulated, which the Township Committee believes will lead to a better ultimate outcome and one that takes into account the interests of the various stakeholders; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Knowlton, County of Warren, New Jersey, as follows

1. The Mayor and committee authorize the placement on the November ballot of a referendum question as to whether there is public support for the removal of the Columbia Lake Dam and authorize the Municipal Attorney and the Municipal Clerk, Acting Municipal Clerk or Deputy Clerk to prepare and present to the Warren County Clerk appropriate referendum language, which language shall be approved in advance by the Mayor and Committee.
2. The Mayor and Committee hereby respectfully request that the Commissioner of the Department of Environmental Preservation authorize a public hearing to be conducted within the Township of Knowlton as to why the Columbia Lake Dam should be removed;
3. The Mayor and Committee invites representatives of the Nature Conservancy, and any other party interested in the removal of the Columbia Lake Dam to attend said public hearing and to present to the Township Committee all facts that justify the removal of the Dam.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the following:

1. U.S. Senator Robert Menendez
2. U.S. Senator Cory Booker
3. Congressman Scott Garrett
4. Senator Steve Oroho
5. Assemblyman Parker Space
6. Assemblywoman Gail Phoebus
7. The New York Times
8. The Star Ledger and
9. The Easton Express
10. The Nature Conservancy
11. Star Gazette
12. Commissioner Robert Martin, Department of Environmental Protection

Roll Call

Ayes: Committeewoman Cuntala – Y Committeeman Mathez – Y Committeeman Farber – Y Mayor Starrs - Y

Nays: None

Absent: Committeewoman Shipps

OLD BUSINESS

DRAFT: Unfit Buildings Ordinance

Mayor Starrs presented to the Committee a history as to what happened. It was discussed at a meeting; changes were made that were not incorporated. That ordinance was then not correctly advertised and then adopted.

A motion was then made by Committeeman Mathez, seconded by Committeeman Farber and carried to adopt **Resolution 2016-59**.

2016-59 RESOLUTION REGARDING ORDINANCE 16-07 “UNFIT BUILDINGS ORDINANCE”

WHEREAS, the Township Committee introduced Ordinance 16-07 “Unfit Buildings Ordinance” at its February 25, 2016, public meeting and adopted it on March 24, 2016; and **WHEREAS**, a review of Knowlton’s recently adopted ordinances has resulted in a finding that Ordinance 16-07 was not advertised according to legal requirements.

THEREFORE, BE IT RESOLVED, that the Knowlton Township Committee will not enforce the ordinance while the Committee evaluates its options.

Roll Call

Ayes: Committeewoman Cuntala – Y Committeeman Mathez – Y Committeeman Farber – Y Mayor Starrs - Y

Nays: None

Absent: Committeewoman Shipp

The Committee discussed the COAH House with Township Engineer Ted Rodman. The soil erosion permit has been received and the owner had let the Engineer in to do his inspection. The septic tank needs to be located and then de-commissioned. There is a question on the expense to do this. The well was located on the lot and is about 20 feet in depth. Right now Ted is waiting to hear back from the Warren County Health Department on also de-commissioning this to.

“SPECS” for the following has been advertised and posted on the Web Page:
Air Conditioning, Septic, Well Tank

NEW BUSINESS

Municipal Intern: Mayor Starrs talked to the Committee about using an intern to help with the back log of Meeting Minutes; and there would be no salary for this temporary position. Ms. Schemm, Planning Board Secretary has been helping and she has already transcribed the February 8, 2016 meeting.

A motion was then made by Committeewoman Starrs, seconded by Committeewoman Cuntala and carried to search for a Municipal Intern to transcribe the back log of Minutes at no charge to the Township.

Roll Call

Ayes: Committeewoman Cuntala – Y Committeeman Mathez – Y Committeeman Farber – Y Mayor Starrs - Y

Nays: None

Absent: Committeewoman Shipp

Letter from James L. Pfeiffer, Esq. (Prosecutor): Discovery Expenses for Court Mr. Pfeiffer is requesting reimbursement for expenses that his office incurred for providing discovery to defendants. The Court makes him responsible for providing this to the defendants. As a result, he incurs the cost as well as supplies in meeting this responsibility. For years, he has charged the defendants \$10.00 in order to help defray the cost. The Law now no longer allows him to charge this fee. He is requesting that the Township budget for this reimbursement of his clerical costs in supplying discovery. He notes that they are dependent on the State Police and they do not provide this service. His office has been incurring the cost of his secretary at \$20.00/hours plus supplies; also spending time reviewing discovery and completing incomplete discovery from the State Police. His Office processes over 100 requests per year. Mr. Pfeiffer is requesting that the Township budget \$2500.00 per year in addition to his salary.

In addition, Mr. Pfeiffer is requesting an increase in his salary. Presently his salary is \$500.00 per Court session. Since the addition of the new Courts, his time has doubled. Court time is now a minimum of 6 hours with no breaks and the statistics show that the caseloads have doubled with the addition of Franklin, Frelinghuysen and Blairstown. Based on this information, he is requesting an increase from \$500.00 to \$1,000.00 noting that his time and responsibility have doubled without an increase in salary. Mayor Starrs has referred this to the Personnel Sub-Committee.

Letter from Department of Transportation: Rt. 80 WB Rockfall Mitigation Project Limits: M.P. 0.92 to 1.52 NJDOT Project No. 2114505

The purpose of the proposed project is to implement rockfall mitigation measures to prevent rockfall incidents in I-80 and to increase the safety of the traveling public. Rockfall mitigation measures must be implemented to achieve the project's purposed purpose and need. The letter was reviewed by the Committee and if they disagree with the findings and conclusions in the letter, they are requested to contact Amber Cheney, Supervising Environmental Specialist within 15 days. Comments can also be sent to her. After a brief discussion, Mayor Starrs noted that she will respond back to them by forwarding Resolution 2015-95, which was approved by the Committee at their November 9, 2015 meeting, opposing the project.

Personnel Committee Recommendations: This was tabled as Committeewoman Shippis was absent for tonight's meeting.

PUBLIC COMMENTS:

Mr. Frank VanHorn also noted that with the Rockfall Mitigation, Hardwick Township is also involved.

Representatives from St Luke's Ambulance and Transportation Services have arrived. Kermit Gorr, Jr. Executive Director and Adam Maziuk, Director Pre-Hospital Services talked to the Committee about a contracted Health Service working with Knowlton Fire and Rescue. St Luke's would provide 12 hour coverage and also provide their own ambulance equipped with their EMTs at no cost to the Township. They cover 13 Municipalities right now, 135 personnel all licensed in New Jersey, and are presently in 4 locations. St. Luke's would cover 4 nights and Knowlton would then be responsible to cover the other 3 nights. St. Luke's would then also cover the major holidays and also honor patient choice. They would be looking for a one (1) year agreement.

Atlantic Health right now has the contract, but it expires on July 3, 2016. The Knowlton Fire and Rescue has contacted them to get a new proposal.

Committeeman Mathez asked to wait for the proposal from Atlantic Health, as they have been requested to submit a new proposal. He would also like to see a written recommendation from the Knowlton Fire and Rescue as to which service they would like to use. The Committee's next meeting is May 26 and he hopes to get all this back by then so that the Committee can make their decision.

The Committee thanked St. Luke's for coming forward when needed and for working with the Fire and Rescue members.

Mayor Starrs spoke about the speeding through the Columbia area. Several suggestions were made as using a speed bump to a speed monitor. Committee will take this under consideration.

Mayor Starrs attended a Mayor's meeting in Hope where they talked about helping the State Police, Hope Barracks. Concerns were that the parking lot had no outside cameras. The Municipalities wanted to help by making a donation, but the Commander noted that this could not be done. A letter was sent to the Attorney General's office asking that they evaluate this request. An update is that the AG's office will look into this request.

Getting back to the speed monitor, a resident noted that Knowlton did have one but that it was given to Blairstown. The Township Engineer noted that it was not working at that time and needed repairs. The thought is that maybe Knowlton could borrow it back.

Knowlton Fire members were present to talk about their budget. They apologized for coming in late, but they are requesting an increase. Mayor Starrs noted that the 2016 Budget has already been introduced, but that they would see what could be done later in the year for them.

They then talked about the old ambulance that is parked at the DPW. They would like to sell it, but need the title. The Committee asked the Acting Clerk to see if she could find the title. It is a 1996 Ford E350.

Eric Weber from the Fire Company asked about their quarterly donation. They filled out the appropriate voucher, but have not received a check yet. Someone will look into this.

A resident questioned the decrease in taxes by one cent and asked why the Committee didn't make a vote.

Frank VanHorn noted the Freeholders support of the Columbia Lake Dam. He then also thanked the Fire and Rescue for their hard work and for St. Luke's proposal.

Adjournment:

A motion was made by Committeewoman Starrs, seconded by Committeeman Mathez and carried to adjourn tonight's meeting of the Knowlton Township Committee at 8:26PM.

Respectfully submitted,
Judith M. Fisher, RMC
Acting Municipal Clerk