

**MINUTES OF KNOWLTON TOWNSHIP COMMITTEE
WARREN COUNTY, NEW JERSEY
September 11, 2017**

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 7:03 p.m. by Mayor Starrs. Mayor Starrs led the public in the pledge of allegiance.

The Mayor read the following statement in compliance with the "Open Public Meetings Act":
"This meeting of the Knowlton Township Committee is being held in compliance with the Open Public Meetings Act: P: 1975, Chapter 231, noting that notice of all regularly scheduled meetings has been published in the Star Gazette and/or the Star Ledger and /or the Express Times as well as providing said schedule in the Municipal Clerk's office."

Roll Call

Present: Deputy Mayor Cuntala, Committeeman Farber, Committeewoman Shipp (left at 7:40) and Mayor Starrs

Also present was Township Engineer Ted Rodman and Township Attorney Richard Cushing

Absent: Committeeman Van Horn

Moment of silence for officer and Knowlton Township resident Bruce Reynolds, who was killed in the September 11, 2001 terror attack.

EXECUTIVE SESSION Motion to go into Executive Session: Mayor Starrs, seconded by Committeewoman Cuntala and carried by an all-in-favor at 7:05.

Resolution

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L.1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from that portion of this meeting
2. The general nature of the subject matter to be discussed is as follows:
 - A. Litigation

Motion was made by Mayor Starrs, second by Deputy Mayor Cuntala and carried by an all-in-favor vote to come out of Executive Session at 7:35 p.m. and return to Regular Session.

ORDINANCE

Public Hearing/2nd Reading /Adoption

2017-05 An Ordinance to Provide for the Construction of a New Salt Shed for the Township of Knowlton and to Provide for the Funding

BE IT ORDAINED the Township Committee of the Township of Knowlton, County of Warren and State of New Jersey, that the following be properly authorized:

Resident Donna Diorio asked for an update regarding Washington Street. Mayor Starrs explained that Engineer Rodman sent the request for speed humps to NJDOT since Washington St. is owned by the State. NJDOT decided to put up no passing signs and if that does not work they will revisit the idea of speed bumps. Committee agreed to request speed bumps again now that a few months have passed.

Sherri Valentine commented on speeding on Decatur St. Mayor Starrs has sent a letter to the NJ State Police regarding this same matter.

Pam Rusweiller commented on an accident regarding a truck on Decatur St and that when she notified the NJ State Police, the dispatcher was dismissive of Ms. Rusweiller's complaint.

Resident Bill Clifford told the committee that the generator he installed at the DPW building has been fixed and has now passed inspection. The generator at the Municipal Building and Fire department had already passed inspection when they were originally installed.

Sharon Cooper presented a check to the township from PAIC (Public Alliance Insurance Coverage).

Gary Whyte would like the committee to consider adopting a resolution to raise awareness for a disease called FOP (Fibrodysplasia ossificans progressiva), which is an extremely rare connective tissue disease. Committee agreed and asked Mr. Whyte to forward a sample resolution to Acting Clerk Shipps.

DEPARTMENT REPORTS

Engineer Ted Rodman—Mr. Rodman gave updates on the Storm water project and the Station/Kill Road State Aid Grant.

Salt Shed Specs are ready. Advertisement will be sent out Tuesday with a return date of all bids on September 26th and awarding the bid on September 28th.

Polkville Rd. NJDOT has requested minor changes be made to the paperwork that was submitted. Those changes were made and resubmitted to NJDOT.

Still no response from NJ DOT regarding U-Turn at Brook Hollow winery or the engine breaking on Route 94. Mayor Starrs will follow up with DOT's Mark Houston.

622 Route 94. Piping needs to be installed for the new septic system that was put in last year. Acting Clerk Shipps will get quotes from plumbers.

Ordinance

Public Hearing/2nd Reading /Adoption

2017-06 An Ordinance Requiring the Installation of Rapid Access Key Boxes to Allow Entry to Structures for the Fire and/or Life Safety Purposes

WHEREAS, the Knowlton Township Fire and Rescue Company No. 1. (the "Fire Company") is an

independent volunteer fire company that provides fire suppression and emergency services in and around the Township of Knowlton (the “Township”); and

WHEREAS, pursuant to Section 506 of the International Fire Code (which was adopted as New Jersey’s Uniform Fire Code pursuant to N.J.A.C. 5:70-3.1) certain structures, as determined by the fire official, are required to have installed a key lock box system;

WHEREAS, Section 202 of the International Fire Code defines “fire official” as “[t]he fire chief or other designated authority charged with the administration and enforcement of the code...”; and

WHEREAS, N.J.A.C. 5:18-4.1 provides that a municipality may, by ordinance, make its fire code more restrictive than the Uniform Fire Code; and

WHEREAS, the Committee of the Township of Knowlton has determined that the health, safety, and welfare of the citizens and business owners of the Township of Knowlton are promoted and safeguarded by encouraging the owners of certain structures to have a key lock box installed on the exterior of the structure to aid the Fire Company to gain access to the structure when the same is not occupied or when the occupants are unable to grant ingress to the Fire Company; and

WHEREAS, the key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Knowlton, the County of Warren, that Chapter 101 entitled “Fire Prevention” of the Code of the Township of Knowlton (“Code”) is hereby amended as follows:

SECTION 1. Chapter 101 of the Code entitled “Fire Prevention” is amended by adding section 101-3 as follows:

§101-3 Key Lock Box Entry System

A. Definitions.

As used in this article, the following terms shall have the meanings indicated:

FIRE CHIEF

The chief of the Knowlton Township Fire and Rescue Company No. 1.

FIRE COMPANY

Knowlton Township Fire and Rescue Company No. 1

LOCK BOX

An Underwriter's-Laboratory-type secured box or vault of a size and style approved by the Fire Chief or his designee, which contains key(s) for the exclusive use of the Knowlton Township Fire and Rescue Company No. 1. to access the premises in an emergency.

B. Key lock box required.

The following structures equipped with or required to be equipped with fire detection or fire suppression systems or equipment shall have a key lock box installed at or near the main entrance of each structure or such other location as required by the Fire Chief or his designee:

(1) Commercial or business structures protected by an automatic alarm system or automatic suppression system, or such structures that are secured in a manner that restricts access during an emergency.

(2) Governmental structures, churches, schools and nursing care facilities.

(3) Multifamily residential structures that have restricted access through locked doors and have a common corridor for access to living units.

C. Key lock box location, contents and installation.

(1) The Fire Chief or his designee shall approve in writing the type of lock box.

(2) The Fire Chief or his designee shall approve the installation location of the lock box.

(3) The lock box shall be installed as per manufacturer specifications and approved by the Fire Chief or his designee.

(4) The owner of each structure required to have a lock box shall, at all times, be required to keep the following in the lock box, as required by the Fire Chief or his designee:

(i) Keys to locked points of ingress, whether on interior or exterior of such buildings.

(ii) Keys to the locked mechanical rooms.

(iii) Keys to the locked elevator rooms.

(iv) Keys to the elevator controls.

(v) Keys to any fence or secured areas.

(vi) All access or combination codes to locked points of egress or ingress, whether on interior or exterior of such buildings.

(vii) A "business size" card containing the emergency contact person and phone number for such building or unit.

(viii) Keys to any and all alarm system panels, alarm controls, alarm annunciators, and/or alarm devices (i.e. pull stations), that the Fire Department would need to access or to reset to allow for alarm system restoration.

(ix) Keys or reset codes for alarm system

(x) If not visible on the alarm panel, contact information for the alarm system provider or monitoring company

C. Maintenance and associated cost.

In the event the key to the structure is changed or rekeyed, the owner/operator of the building shall immediately notify the Fire Chief or his designee and provide the updated access key. The key to the lock shall be secured in the key box. The property owner shall assume all associated costs for the purchase and installation of a Key Box(s).

D. Compliance.

(1) The owner(s) of a structure in existence on the effective date of this article shall be exempt from compliance with this article. However, such owner(s) that do not have a lock box installed or elect not to voluntarily install a lock box shall execute a Release Agreement which shall release the Township and Fire Company from all liability for any damages resulting from the Township and the Fire Company gaining access to such property in the case of an emergency. Additionally, such agreement shall state that the Township and Fire Company are not responsible for securing such property after entry is made. The Agreement shall be a form to be provided by the Township and available from the Township Clerk.

(2) The owner(s) of each newly constructed structure subject to this article shall have a lock box installed and operational in accordance with this article prior to issuance of a certificate of occupancy.

E. Exceptions to requirement to execute a release agreement.

The following structures are exempt from the mandate of subsection D hereunder to execute a release agreement in the event the property owner does not install a lock box system:

1) Headquarters of the Fire Company; and

2) Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gates(s) have a key lock box if electronically controlled, or locked with a master key issued by the landlord to all tenants.

3) Mixed-Use Buildings that are occupied by the owner or operator as a primary residence.

F. Time for compliance.

All new construction subject to this Section shall have a lock box installed and operational required hereunder prior to occupancy. All structures in existence on the effective date of this section shall have sixty (60) days from enactment date of this ordinance to execute the agreement required by subsection D hereunder.

G. Violations and penalties.

Any building owner or operator violating any provision of this lock box ordinance shall be subject to a fine of \$100 for every violation of this article. The existence of a violation for a period of up to 30 continuous days shall constitute a single violation. The Fire Chief shall notify the responsible party of any violation in writing. Within 30 days of the service of such notice, the owner/operator shall correct the violation or show why the structure was not subject to this article. The Fire Chief shall consider such information, reaffirm or rescind the lock box fine and notify the owner of his/her decision by mail. The owner/operator may appeal the decision of the Fire Chief within 20 days after service of the notice of decision by submitting an appeal in writing to the Mayor and Committee which shall hold a hearing thereon and shall affirm, reverse or modify the decision of the Fire Chief.

SECTION 2. All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. This Ordinance shall take effect upon final passage and publication according to law.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by an all-in-favor to go into public hearing

There were no comments from the public.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by an all-in-favor to come out of public hearing.

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote Cuntala—yes, Farber—yes, Shipps—absent, Van Horn—absent, Starrs—yes Ordinance 2017-06

RESOLUTIONS

2017-107 Resolution to Pay Down Deferred Charge to Future Taxation Unfunded from Open Space Trust Fund

WHEREAS, on June 8, 2009 the Township of Knowlton authorized the issuance of debt for Open Space

Preservation – Buchman Farm (Ordinance 2009-02); and

WHEREAS, the Township wishes to pay down a portion of said balance in the amount of \$195,000.00 from the Open Space Trust Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, County of Warren and state of New Jersey authorize the Chief Financial Officer to Pay down a portion of the Deferred Charged to Future Taxation Unfunded for Ordinance 2009-02 Open Space Preservation – Buchman Farm in the amount of \$195,000.00 from the Open Space Trust Fund.

Motion was made by Committeeman Farber, seconded by Mayor Starrs and approved by roll call vote Cuntala—yes, Farber—yes, Shippo—absent, Van Horn—absent, Starrs—yes resolution 2017-07

2017-108 Resolution Approving Payment of Vouchers

BE IT RESOLVED, by the Mayor and Committee of the Township of Knowlton, Warren County, New Jersey, that all claims attached are hereby approved as reasonable and proper claims against the Township of Knowlton.

THEREFORE, BE IT RESOLVED that approval for payment is hereby given to the Chief Financial Officer to pay said claims, subject to the availability of funds.

Motion was by Mayor Starrs, seconded by Deputy Mayor Cuntala and approved by roll call vote Cuntala—yes, Farber—yes, Shippo—absent, Van Horn—absent, Starrs—yes to Resolution 2017-108 with the exception of the ECode bill.

OLD BUSINESS

Draft Music Ordinance

Committee discussed the draft Music Ordinance that they had in their packet. Changes were recommended and noted by Attorney Cushing to present the changes at a future township committee meeting.

Mayor Starrs allowed public comment regarding the discussion.

Resident Nancy O’Neill is concerned on how the laws will be enforced. The Zoning Officer only works a few hours a week and the State police may or may not enforce the Township Ordinance.

Portland Generating Station (coal plant) Update

Mayor Starrs gave the committee an update on the coal plant. NRG is separating themselves from GenOn, which has declared bankruptcy, and the coal plant will probably be under new ownership soon. NRG promised Mayor Starrs the name of the company that takes over. The plant has stopped coal burning and is currently operating 3 turbines that burn diesel. The turbines have no pollution filters and ran less than 3 days in 2016.

NEW BUSINESS

Master List with JCP&L

Committee agreed that residents should be made aware if they have special medical conditions that they need to call JCP&L and ask to be put on a Master List for when the electricity should go out for a

long period of time. Mayor Starrs will send out a Nixle message.

Employment Application

Motion was made by Deputy Mayor Cuntala, second by Committeeman Farber and approved by an all-in-favor to update the Township's Employment application.

CORRESPONDENCE

Meeting is scheduled with the new Auditor John Mooney, CFO Christine Rolef , Deputy Clerk Doreen Apgar and Mayor Starrs on trying to remedy some of the issues on the audit.

Committee agreed to have Deputy Clerk Apgar work additional hours to assist the tax collector on these items.

Municipal and Charitable Conservancy Grant letter

Motion was made by Deputy Mayor Cuntala, seconded by Committeeman Farber and approved with an all-in-favor to send out letter to have the Grant extended for the Ramsaysburg Homestead.

APPROVAL OF MINUTES

August 24, 2017 Executive Session

Motion was made Deputy Mayor Cuntala, seconded by Committeeman Farber and approved by an all-in-favor for the August 24, 2017 Executive Session Minutes

August 24, 2017 Public Meeting Minutes

Motion was made Deputy Mayor Cuntala, seconded by Committeeman Farber and approved by an all-in-favor for the August 24, 2017 Public Meeting Minutes

PUBLIC COMMENTS

Resident Rene Mathez asked about the funds that are left in the Open Space and if there were enough funds for his upcoming projects. Mayor Starrs explained how the Committee arrived at the figure of \$195,000 in the resolution just approved, and that it will be enough money for Mr. Mathez's upcoming Open Space project.

Community Service Supervisor John Sikora addressed the committee regarding a Rice notice that he received from the Township but was unable to make it the scheduled date because of illness. Mayor Starrs explained that the issue is that because Mr. Sikora is salaried, there are some Saturdays that there are no Community Service members, so he does not work. Mr. Sikora agreed to work on an hourly basis. The Personnel Subcommittee will work out an hourly amount and the personal Committee will discuss with John Sikora at later time.

Resident Bob McNinch asked about the Salt shed Ordinance. Mr. McNinch asked the committee if they had considered relocating the salt shed to a new location on Route 94 near Tunnel Field where ~~and also since~~ the groundwater has no abnormal salt readings, and if they have considered putting in a test well to confirm that the salt shed and/or activities associated with the salt shed are not affecting the groundwater. Mayor Starrs explained that, yes, they considered the Route 94 location but ruled it out because of the karst terrain. They have not considered a test well but will consider it.

Resident Bill Clifford asked if there was a specific amount for the ordinance of the Salt Shed. Mayor Starrs said it is being used out of Capital fund and the amount is for \$175,000.00.

ADJOURNMENT

Motion was made by Mayor Starrs, seconded by Deputy Mayor Cuntala, and carried to adjourn tonight's Township meeting at 9:37 p.m.

Respectfully submitted,

Kristin Shipps
Acting Municipal Clerk