

March 20, 2008
7:30 P.M.
Stewartsville, NJ

The Township Committee of the Township of Greenwich held a regular meeting on the above date with the following members present: Mayor Elaine Emiliani, Deputy Mayor Jim Adams, Committeeman Joseph Gurneak, Committeewoman Tanya Segal, Committeeman Bill Kanyuck, Township Attorney Peter Jost, Township Engineer Michael Finelli, Chief Financial Officer Gregory Della Pia, COAH Attorney Stuart Koenig and Township Clerk Kimberly Viscomi.

The Flag Salute was repeated

- **Sunshine Law**

"Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by:

1. Mailing a schedule of this meeting of the Township Committee to the Express-Times, and Newark Star Ledger newspapers
2. Posting a copy thereof on the Township Bulletin Board
3. Filing a copy thereof with the Township Clerk".

1. Approval of Township Minutes: February 21, 2008

Committeeman Adams made a motion, seconded by Committeewoman Segal to approve the February 21, 2008 minutes

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

2. Receive, and File Monthly Reports:

<i>Tax Collector</i>	<i>Planning Board</i>
<i>Municipal Court</i>	<i>Treasurer</i>
	<i>Police</i>

Committeeman Adams made a motion, seconded by Committeewoman Segal to approve the monthly reports

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

3. Receive, Charge to Various Accounts, and Pay Monthly Bills

Committeeman Adams made a motion, seconded by Committeewoman Segal to approve the payment of the monthly bills.

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None
MOTION CARRIED

PUBLIC COMMENT PERIOD

Committeeman Gurneak made a motion, seconded by Committeeman Kanyuck to open the public comment period

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None
MOTION CARRIED

Dan Perez – Thanked the Committee for their help in the budget appropriation and for appropriating additional money for the construction of a pavilion at Stecker field.

Committeeman Gurneak made a motion, seconded by Committeeman Kanyuck to close the public comment period

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None
MOTION CARRIED

CHIEF FINANCIAL OFFICER

RESOLUTIONS

2008-23 SRTS Grant

Committeeman Kanyuck made a motion, seconded by Committeeman Adams to approve Resolution 2008-23

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None
MOTION CARRIED

2008-24 Scenic By-Way / Route 78

Committeeman Adams made a motion, seconded by Committeeman Kanyuck to approve Resolution 2008-24

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None
MOTION CARRIED

2008-25 Defer School Tax

Committeeman Gurneak made a motion, seconded by Committeeman Adams to approve Resolution 2008-25

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

2008-26 Introduction of 2008 Municipal Budget

Committeeman Gurneak made a motion, seconded by Committeeman Adams to approve Resolution 2008-26

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

2008-27 Special Item of Revenue / \$45,448.00

Committeeman Gurneak made a motion, seconded by Committeewoman Segal to approve Resolution 2008-27

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

2008-28 Uniform Fire Safety Act

Committeeman Gurneak made a motion, seconded by Committeewoman Segal to approve Resolution 2008-28

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Committeewoman Segal made a motion, seconded by Committeeman Kanyuck authorizing the CFO to make application to the State of New Jersey, Local Finance Board requesting a Cap Waiver

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

MAYOR EMILIANI

□ COAH

Attorney Stuart Koenig addressed the Township Committee regarding the new proposed “3rd Round Regulations” set forth by the Council on Affordable Housing. The growth share model was adopted in 2004. Those regulations were set-aside in legal proceedings and COAH was given until June 2008 to adopt the new regulations. Those regulations have been proposed, they are currently in the comment period which end Monday, COAH will then respond to the various comments and is scheduled to adopt the new regulations in June which will then create the methodology that municipalities will have to deal in terms of satisfying their 3rd round COAH obligation. The new proposed regulations are much more aggressive than they were in the past and the obligations that municipalities across the State are in many cases quadrupled and for Greenwich Township as well. In historic prospective the numbers had been in the 2nd round Greenwich COAH obligation which was broken down into two parts, 15 units that had to be rehabilitated and 41 units that we were required to produce as new construction. The Township addressed this and COAH gave you certification in 1998. The Township came out of the 2nd round with a surplus. In January of 2004 when COAH adopted its first growth share model it projected what the growth of the municipality would be through 2014. It also required a reconfigured 2nd round and Greenwich numbers projected by COAH included 7 rehabilitation units, not 15 it dropped. The 2nd round obligation dropped from 41 to 35 and COAH projected that we would have 170 new homes and 30 new jobs created in the municipality through 2014, which based on the ratios then of 1 COAH unit for every 8 market rate housing units and 1 COAH unit for every 25 jobs, resulted in a total growth share obligation projected of 20 units. The Township would have been fine with that based on our surplus that we had from the 2nd round. The requirement and the base for computing these housing units and jobs is CO’s that are issued from 2004 forward. As this will hold true now in 2008 this new regulation. The Township submitted a plan as a result of the adoption of the 2004 regulations and Greenwich is presently protected under the COAH system. The new proposal for the 3rd round proposes that Greenwich Township rehabilitation obligation has been increased to 20, the 2nd round obligation has been revised back to the original 41. The real problems presented are the growth projections that COAH is making through January 2004 to the year 2018. They are predicting that we will have a residential growth of 945 units and a job growth of 243. They have changed the ratio’s of

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1-4 residential = 189 and 1-16 jobs= 15 for a total growth share obligation of 204 units. Our obligation in rehabilitation and new construction was originally 56 it then dropped to 42 in 2004 and it is now back up to 61. The growth share in 2004 was 20 and the growth share projected now is 204, these are dramatic changes that are hitting many municipalities across the State, especially those with open lands. There are a number of problems with the regulations and he stated that none of the constituent groups are happy with them, they will probably be challenged by any number of interest groups, housing advocates, builders, municipalities. COAH understands that they have some problems with these numbers because these numbers are too aggressive. What is really driving this is the net obligation of the State and their computations was increased from 52,000 units in 2004 to 115,000 units now in 2008. In the jobs component they were predicting the number of jobs based on square footage of different types of commercial uses and as a result they had a chart which showed based on office, retail, warehouse whatever it might be, different formulas for computing the number of jobs that were going to be generated. In 2008 what they did was essentially doubled the requirement based on the same square footage. Even though there will be litigation regarding the proposed regulations, the town will be required to do something in terms of anticipating this type of projected growth because this projected growth unlike in 2004 this type of projected growth in 2008 is the minimum you have to plan for in terms of the obligation. One of the ways to do that is create a growth share ordinance that says if someone builds that kind of development they have to provide the affordable housing in some fashion. Mayor Emiliani inquired as to the deadline for comments to COAH and it was stated that they are due by Monday, March 24th. She stated that she would be working over the weekend drafting the comment letter for submittal.

SECOND READING / PUBLIC HEARING

ORDINANCE 2008-05

AN ORDINANCE AMENDING CHAPTER XVI (ZONING) OF THE ZONING ORDINANCE OF THE TOWNSHIP OF GREENWICH, COUNTY OF WARREN, STATE OF NEW JERSEY, SUPPLEMENTING SECTION 16-19D ENTITLED "REQUIREMENTS FOR DEVELOPMENTS INCREASING THE TOWNSHIP'S GROWTH SHARE OBLIGATION FOR AFFORDABLE HOUSING"

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Committeeman Gurneak made a motion, seconded by Committeeman Kanyuck to open the public hearing on Ordinance 2008-05

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Committeewoman Segal made a motion, seconded by Committeeman Kanyuck to close the public hearing on Ordinance 2008-05

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

THE ADOPTION OF THIS ORDINANCE HAS BEEN TABLED PENDING FURTHER REVIEW AND APPROVAL BY THE COAH ATTORNEY

SECOND READING / PUBLIC HEARING

ORDINANCE 2008-06

AN ORDINANCE CONCERNING DEVELOPMENT FEES AND AMENDING CHAPTER II (ADMINISTRATION) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF GREENWICH, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING SECTION 2-18 ENTITLED "AFFORDABLE HOUSING BOARD, HOUSING OFFICER AND AFFORDABLE HOUSING TRUST FUND"

Committeewoman Segal made a motion, seconded by Committeeman Kanyuck to open the public hearing on Ordinance 2008-06

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Committeeman Adams made a motion, seconded by Committeeman Kanyuck to close the public hearing on Ordinance 2008-06

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

THE ADOPTION OF THIS ORDINANCE HAS BEEN TABLED PENDING FURTHER REVIEW AND APPROVAL BY THE COAH ATTORNEY

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- Highlands Council / Comment Letter from Mayor Emiliani / *Recorded into minutes*

Thomas A. Borden, Deputy Executive Director
New Jersey Highlands Council
100 North Road
Chester, NJ 07930

February 27, 2008

Re: Greenwich Township, Warren County
Comments on Final Draft Highlands Regional Master Plan

Dear Mr. Borden:

The Greenwich Township Planning Board is pleased to have the opportunity to submit the following comments to the Final Draft Regional Master Plan, which was released for public comment by the Highlands Council on November 30, 2007.

The Greenwich Township Planning Board had also previously provided comment on the Draft Regional Master Plan released by the Highlands Council in November 2006. The Township has not received any response to our previous comments, nor do we believe that our comments were adequately addressed in the Final Draft Plan. As such, we are hereby including by reference the Township's previous comments dated March 21, 2007 as additional comments to the Final Draft Regional Master Plan.

The purpose of this letter is to reiterate our concerns and raise new concerns related to the Final Draft Regional Master Plan.

These comments are summarized as follows:

- 1) The plan does not include sufficient specificity regarding development densities and natural resource constraints within the "Conservation Zone" to allow the Township to make an informed evaluation of the effectiveness of the Regional Master Plan to meet the natural resource protection goals of the Highlands Act;
 - a. We previously commented that the plan needs to provide specific guidance on the density limitations in the "Conservation Zone" that are necessary to protect groundwater resources in the Township. Greenwich adopted new zoning in 2007, which created the Resource Conservation District (RCD). In establishing the RCD zone, the Township determined that a density of 1DU/10AC for cluster with a mandatory 80% open space set-aside, and 1DU/20AC for conventional (non-cluster) development was necessary to protect groundwater supplies. The Township objects to policies in the Final Draft Regional Master Plan that would allow for the expansion of wastewater treatment facilities and service areas, or relaxation of nitrate standards in the Conservation Zone for cluster development.
 - b. The plan includes a "Land Use Capability Zone Map" that shows the majority of the "Conservation Zone" in the Township as being Environmentally Constrained. In

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- addition, as memorialized in the plan, a significant portion of the Township is identified as “Prime Ground Water Recharge” and underlain by “Carbonate Rock”. As such, the Township objects to the Highlands Council establishing a lower nitrate standard for the Conservation Zone than would apply in the Protection Zone. Given the resource constraints and significance of the groundwater resources in the Township, the nitrate standards for the Protection Zone should apply the Environmentally Constrained Conservation Zone to avoid any degradation to drinking water supplies.
- c. The Township drains to the Lopatcong Creek, Pohatcong Creek or the Musconetcong River. Both the Lopatcong Creek and Pohatcong Creek are classified as C1 waters by the NJDEP, the NJ’s highest stream classification. Within the Township, the Musconetcong River falls within the Highlands Preservation Area and was designated as a federal “Wild and Scenic River” in December 2006. The Watershed Value assigned to the Township does not adequately reflect the protection status of these streams or the undeveloped, resource constrained nature of the Township. In addition, the Watershed Value does not recognize the township’s previous concerns relating to the importance of including “Prime Ground Water Recharge Areas” in determining watershed value. Greenwich Township previously provided a hydrogeology report demonstrating that a much larger area of the town should be indicated as having “high” watershed value. As such, prior to adoption of the plan the methodology for assigning watershed value should be amended to better reflect the classification of streams and extent of prime recharge areas in the Township.
 - d. In our correspondence last March, we questioned why the Pohatcong Creek and its tributaries were not included as “high” riparian integrity rating as in the Merrill Creek. The “Land Use Capability Zone Map” shows that the majority of the stream corridor is environmentally constrained and undeveloped. As such, prior to adoption of the plan the methodology for assigning riparian integrity should be amended to designate undeveloped stream corridors within the “Environmentally Constrained Sub-Zone” in the “Conservation Zone” as “high” riparian integrity.
- 2) The plan substantially increases the amount of area designated as “Existing Community Zone” within Greenwich Township and identifies “Potential Areas for Voluntary HDC Receiving Zones” (TDR Receiving Areas) where growth will be encouraged. The Township believes these designations are inconsistent with the resource protection goals of the Highlands Act and contrary to NJDEP Highlands Rules;
- a. Given the existence of high-water value land within Greenwich Township, the designation of “Land Use Capability Zones” in the Township appears to be arbitrary. The “Conservation Environmentally Constrained Zone” excludes undeveloped stream corridors. Extensive areas of contiguous forest and habitat for threatened and endangered species within the Preservation Area or adjacent to areas designated as “Protection Zone” are misclassified within the Township as either “Conservation Zone” or “Existing Community Zone”. Isolated low-density residential developments are classified as Existing Community Zone in both the Planning and Preservation

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- Area even though they lack any opportunity for additional development. Prior to its adoption, the “Land Use Capability Zone Map” should be amended to include all resource constraints such as stream corridors and prime recharge within the “Environmentally Constrained Sub-Zone” of the “Conservation Zone”, exclude low density residential developments or environmentally constrained lands such as stream corridors from the “Existing Community Zone”, and include contiguous undeveloped stream corridors and forested areas in the “Protection Zone”.
- b. The plan does not include an explanation of how “Potential Areas for Voluntary HDC Receiving Zones” were delineated. The plan includes TDR receiving areas on lands that are resource constrained, do not have available water or sewer capacity, are within a water deficit area or within the “Preservation Area” that have very limited development potential. Prior to adoption of the plan the extent of potential TDR receiving areas should be limited to only those areas that do not have any resource constraints and have the demonstrated water and wastewater capacity to support an increase in development potential.
 - 3) The plan does not provide sufficient details regarding the land preservation priorities within the “Protection” and “Conservation” Zones, nor does it provide a financial analysis of the cost to preserve these lands as required under the Act. Prior to adoption, the plan should be amended to include the identification of lands that should be preserved because they lack any development potential due either to resource or capacity constraints. The plan should include the estimated cost necessary to acquire these lands by either fee simple or conservation easement.
 - 4) The plan does not adequately address the requirement of the Act to “determine the amount and type of development the region can sustain” and places a significant burden on the municipalities to develop the details that are necessary to understand the land use and zoning implications of the plan. Prior to adoption, the plan should be amended to include an estimate of the development potential within each municipality based on the “Land Use Capability Zone Map” and consistent with the resource constraints and capacity limitations in the plan.
 - 5) As required under the Act, the plan does not include sufficient financial analysis to determine the municipal cost of conforming to the various programs and requirements of the plan including, but not limited to, an understanding of the effect of development limitations on county and municipal property tax base. Prior to adoption the plan should be amended to include an estimate of the cost to address the conformance requirements in the plan for each municipality in the Highlands along with an estimate of the cost to address landowner equity concerns and the anticipated reduction in assessed land value due to the development restrictions included in the plan.

We would appreciate receiving a formal response to the comments included in this letter as well as the comments previously submitted to the Highlands Council prior to the adoption of the Regional Master Plan. The Council’s responses to these issues and concerns are welcome and we look forward to the opportunity to discuss these in more detail.

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Sincerely,

Elaine Emiliani, Mayor
Greenwich Township

Thomas Bolger, Chairman
Greenwich Township Planning Board

Cc:
Greenwich Township Committee
Governor Corzine
Senator Lance
Assemblyman Doherty
Assemblywoman Karrow
Warren County Freeholders
Warren County Planning Board
Greenwich Township Planning Board

□ Open Space

Resolution 2008-22 – ANJEC GRANT

Committeeman Adams made a motion, seconded by Committeewoman Segal to approve Resolution 2008-22

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Committeewoman Segal made a motion, seconded by Committeeman Gurneak to rescind the approval made February 21, 2008 at a Township meeting authorizing Morris Land Conservancy to prepare open space plan at a cost of \$13,000

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

□ First Reading – Ordinance 2008-07 Recodification of Township Ordinances

Committeeman Kanyuck made a motion, seconded by Committeeman Adams to approve for first reading Ordinance 2008-07 / Recodification of Township Ordinances

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

- Resolution 2008-21: Opposing the Governor's Proposed State Budget

Committeewoman Segal made a motion, seconded by Committeeman Kanyuck to approve Resolution 2008-21

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

DEPUTY MAYOR ADAMS

- Recreation

Committeeman Adams informed that the Recreation Association recently by Township Ordinance changed back to Recreation Commission. This change was incorporated because of insurance issues and fiscal accounting purposes. He also informed that the members of this board are working on establishing a separate entity, which would allow them to be considered non-profit allowing them to conduct fund raising for the organization.

- Shared Services

- Warren Morris Council of Governments Survey
Response from Committee members

Committeeman Adams provided to the members of the Committee a survey to review and respond to regarding areas of shared services that they would like to consider exploring.

- Technology

- Municipal internet connection

Committeeman Adams informed that he has been working with representatives from Service Electric Cable regarding providing free municipal internet connection per the franchise agreement that was approved several years ago. By utilizing this service it will save the township approximately \$700 per month terminating the existing provider ATX Communications.

- Records Retention update

Committeeman Adams informed that the County received a PARIS grant in the amount of \$950,000 which Greenwich Township has also benefited from. Members of a consulting firm have been working on conducting a needs assessment and records inventory of the municipal

records. This is the first phase of compliance required through the grant and additional grants have been applied for through the State for further records management through scanning and destruction of out-dated records.

COMMITTEEMAN GURNEAK

- Capital Projects Ad-Hoc Committee update

Member Tom Strozeski informed the Committee that the Capital Projects Ad-Hoc Committee have been working on a proposal to present before the Township Committee. He stated that May or June timeframe a presentation will be given to the Township Committee.

- Fire Department / Blue Light Permit
Bryan Brown

Mayor Emiliani made a motion, seconded by Committeewoman Segal to approve Bryan Brown's application for a blue light permit

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

COMMITTEEWOMAN SEGAL

- Website update

Committeewoman Segal informed the Committee that she is working on a new look for the website and that a new launch of this site will be forthcoming with a new host providing the service.

- Newsletter update

Committeewoman Segal informed that the newsletter will be published in the April edition of the Greenwich Gazette.

COMMITTEEMAN KANYUCK

- Police Department

Committeeman Kanyuck informed the Committee that the Police Chief Guzzo recently completed training through the New Jersey State Association of Chief's of Police West Point Command and Leadership Program.

□ Memorial Day Parade

The Memorial Day Parade will be on Monday, May 26th. The parade lineup is at 9:30 a.m., with the parade beginning at 10:00 a.m. Once again this year the Township Committee will be sponsoring a bike decorating portion of the parade. All participants will receive a coupon good for a free Rita's Italian Ice.

TOWNSHIP ATTORNEY

Introduction of New Sign Regulations Ordinance

ORDINANCE 2008-08

AN ORDINANCE ESTABLISHING A NEW SECTION 16-11, SIGNS , IN THE ZONING ORDINANCE OF THE TOWNSHIP OF GREENWICH, WARREN COUNTY, NEW JERSEY, AND REPEALING THE CURRENT PROVISIONS OF SECTION 16-11, SIGNS, IN THE ZONING ORDINANCE, OF THE TOWNSHIP OF GREENWICH, WARREN COUNTY, NEW JERSEY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Committeeman Kanyuck made a motion, seconded by Committeewoman Segal to approve for first reading Ordinance 2008-08

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Discussion and possible Introduction of ATV Ordinance

Attorney Jost provided a draft ATV Ordinance for the Township Committee to review. Introduction of this ordinance will be considered at the April meeting.

Health Benefits / Legal Opinion

Attorney Jost provided to the Township Committee to review his legal opinion regarding health benefits. After review of this opinion, Attorney Jost suggested that this issue be addressed in Executive Session at this time instead of making this matter public since it is an issue regarding personnel.

EXECUTIVE SESSION RESOLUTION

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

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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 Greenwich, County of Warren and State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter-specified subject matter.
2. The general nature of the subject matter to be discussed as follows: Contract negotiations, Pending Litigation, Land Acquisition and Personnel
3. It is anticipated at this time that the above stated subject matter will be made public at: When a decision has been rendered.
4. This Resolution shall take effect immediately.

Committeeman Adams made a motion, seconded by Committeewoman Segal to adopt the foregoing Resolution and enter into Executive Session.

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

Committeeman Gurneak made a motion, seconded by Committeewoman Segal to come out of Executive Session and reopen the meeting to the public

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

Committeeman Adams made a motion, seconded by Committeeman Gurneak to approve the Shared Services Contract prepared by Attorney Jost to present to the Board of Education for their consideration.

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

Committeeman Gurneak made a motion, seconded by Committeewoman Segal to approve the fencing easement with Mr. & Mrs. Peslis

Voting in favor: Segal, Gurneak, Adams, Emiliani

Opposed: None

Abstain: Kanyuck

MOTION CARRIED

TOWNSHIP ENGINEER MONTHLY REPORT

1. STRYKER'S ROAD

- A follow-up meeting between myself, Dave Hicks and the Rath's was held on May 23, 2007 at the Rath's Deli site. At that meeting, the Rath's agreed to eliminate the previously proposed egress from their property to Route 519. This change is a benefit to many parties, including the Township and the County as it minimizes the overall cost of the project by eliminating the new traffic signal while also improving the ingress/egress to the Rath's facility by isolating it solely to one (1) driveway on Stryker's Road.
- We have recently developed the revised plans and new parking lot configuration for Rath's Deli resulting from the changes noted above. We have met with Dave Hicks who has generally endorsed our plan. I met with the Rath's in August 2007 where our revised plan was reviewed and found to be satisfactory and to their liking. We are continuing to proceed towards finalizing the plans, which will then be forwarded to Dave Hicks and Warren County for incorporation into the Stryker's Road realignment, and reconstruction plans being administered by the Warren County Engineering Department. We have been requested to supply the County with a final set of construction plans. We will forward the Township a copy of these plans in conjunction with our submittal to Warren County. We anticipate providing the plans to the County in the very near future.
- At this juncture, the project is clearly behind its original schedule. As per a meeting I had on January 8, 2008 and a conversation on March 13, 2008 with Dave Hicks, the County fully intends to put the Stryker's Road reconstruction and realignment project "out to bid" soon for a potential start in the Spring of this year. I will continue to keep the Committee apprised as timelines become more defined and established.

2. WYNDHAM FARM

- Since our maintenance bond default punch lists have been received by M. Rieder's bonding company in advance of the expiration date, it is my understanding that the maintenance bonds will remain in full force and effect until final acceptance and release of same is authorized by our office.
- MRC presented a proposal to the Township Committee at the November 9, 2006 Committee Meeting where it was agreed that MRC would post \$1,500 cash for tree planting and address the vast majority of items within our punch list with the one (1) exception of the replacement of inlet castings. As of the date of this report, M. Rieder has performed no additional work towards addressing our maintenance bond release punch list.
- Our office has been preparing deeds of dedication for the various items (i.e. Rows, easements, open space lots, etc.). This was a very laborious task due to the magnitude of deed descriptions, which were required to be prepared. I am pleased to report that all deed descriptions have recently been completed. We forwarded all the descriptions to Attorney

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Jost on February 18, 2008. Attorney Jost will need to develop the deeds and proceed with filing of the deeds at the County Courthouse.

3. NEW JERSEY STATE STORMWATER MANAGEMENT REGULATIONS

- Joe Nalio from our office has been and will continue to be the designated liaison between the Township and the NJDEP on this matter. We have received a report from the NJDEP as a follow-up to their compliance inspection of May 14, 2007. The report concluded that all required items are presently in compliance. We will continue to administer this permit on behalf of the Township.

4. RICHLINE ROAD RAILROAD CROSSING

- On September 18, 2007, a pre-construction meeting for this project was held at the Township Municipal Building. Various NJDOT, Railroad and Municipal Officials were present. The work associated with the project commenced in October 2007. Although our office was not involved from an oversight or inspection capacity, the work in question has now been completed. As per my most recent telephone conversation with Todd Hirt on February 25, 2008, the warning signals should be in operation in the very near future. I had previously e-mailed everyone a summary of my conversation with Mr. Hirt on February 25, 2008. As of the date of this report, I am unaware if the signals have been activated.

5. PHILLIPSBURG REGIONAL WASTEWATER MANAGEMENT PLAN (WMP)

- Our office has previously completed revisions to certain mapping associated with the Township's WMP. This mapping was completed and forwarded to Kupper Associates for inclusion into the "complete" updated Township WMP. Kupper Associates' has completed their review of our mapping and the development of the Township WMP. It is my understanding that all required information has been forwarded to Remington & Vernick for their review and incorporation into the Phillipsburg Regional WMP as required by the NJDEP.

6. NJDOT SAFE ROUTES TO SCHOOL (SRTS) GRANT PROGRAM

Township Committee Action Required

- The Township Committee endorsed the application at the December 21, 2006 meeting for the North Main Street sidewalk extension, the Willow Grove Road sidewalk extension and the Greenwich Street sidewalk extension. Our office submitted the application to the NJDOT on December 27, 2006.
- An official grant award notification letter was received from the NJDOT indicating that the Township was the recipient of a \$150,000 grant.

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- Township Bond Ordinance No. 2007-23 was adopted at the December 20, 2007 Township Committee Meeting. The Township Committee then authorized our office to commence with the required field survey and design work in order to move this project forward. We have completed a large portion of the field survey work on the project. We are presently developing the base maps and will then move into the design phase of the project. Our office will continue to keep the Township Committee apprised of the status of same.
- At the February 21, 2008 Township Committee Meeting, I distributed two (2) different concept schemes for the potential slight reconfiguration of the Washington Street/Willow Grove Road intersection. I will look for the Township Committee's direction regarding which scheme they would prefer our office to utilize in the design of this project.

Committeeman Kanyuck made a motion, seconded by Committeeman Adams to approve Sketch #2 concept scheme regarding the reconfiguration of the Washington Street/Willow Grove Road intersection for the construction of a sidewalk through this grant.

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

7. NJDOT LOCAL BIKEWAY PROGRAM

- Our office received a letter from Kris Kolluri, Commissioner, NJDOT, dated April 12, 2007. The letter makes reference to a 2007 bikeway program grant being administered through the NJDOT. Applications through this program are due to be submitted on or before June 29, 2007. At the April 19, 2007 meeting, the Township Committee authorized our office to submit an application through this program to the NJDOT. Our office completed the application, which was signed by the Mayor at the June 21, 2007 meeting. Our office forwarded the completed application to the NJDOT on June 27, 2007. Unfortunately, we just received a copy of a letter from the NJDOT, dated February 28, 2008, that the Township was not awarded any funds through this grant program. I trust that each member of the Township Committee has been provided with a copy of this letter.

8. MUNICIPAL IMPROVEMENT REPAIRS

- At the September 20, 2007 Committee Meeting, the Committee awarded the contract to Willever Excavating in the amount of \$13,500.00 as per their July 26, 2007 proposal for the repair work to the large storm drainage structure located within Greenwich Chase behind the homes on Megan Circle. Our office, via correspondence dated September 26, 2007 notified Willever Excavating of the Township's action and award of this contract.
- The work in question has been substantially completed with the balance of final grading and restoration to be performed in the spring. There remains \$1,350.00 (or 10% of the original contract), which will be held by the Township until all final work is completed. Our office will continue to notify the Township relative to the progress and ultimate completion of this work.

9. NJDOT TRANSPORTATION TRUST FUND GRANT APPLICATIONS

- The Township recently received notification that a grant award from the NJDOT was given to the Township in the amount of \$150,000 for the resurfacing and partial reconstruction of Beatty's Road. At the January 17, 2008 Committee Meeting, the Township authorized our office to proceed with the field survey and design work necessary to develop all the required construction and bid documents. We will continue to keep the Committee apprised as we move forward on this project.

10. WASHINGTON STREET TRUCK PROHIBITION

- This item was discussed at some length at the February 21, 2008 Township Committee Meeting. The following is the identical information which was provided to you in our February 15, 2008 engineer's report:
- The Township Committee previously authorized our office to work with the Township Attorney towards the development of an ordinance, which would **prohibit** any oversized truck traffic from utilizing Washington Street. We contacted Police Chief Guzzo to discuss detour routes, which would have been required to be established in conjunction with the proposed truck prohibition ordinance. It was brought to my attention that the primary offender relative to truck traffic on this section of Washington Street was Farm (agricultural) registered vehicles. Chief Guzzo explained that State statutes do **not** allow for enforcement of such an ordinance for this type of vehicle.
- As discussed and authorized at the January 17, 2008 Committee Meeting, a meeting between all involved parties was held on February 13, 2008. In attendance at the meeting were Mayor Emiliani, Committeeman Gurneak, Freeholder Gardner, myself, Sam and Bob Santini (representing the farmers), the Snyders and a few other Washington Street residents. Unfortunately, Chief Guzzo was ill and unable to attend. Mayor Emiliani, Committeeman Gurneak and I will provide an update to the full Committee at the February 21, 2008 Committee Meeting. A summary of the results of the meeting are as follows:
 - DPW to relocate the existing sign on Washington Street, which is frequently hit by some of the trucks.
 - The Township Police Department will closely monitor Washington Street in order to track other registered farm vehicles enabling the Township to follow-up with other farms and farmers beyond the Santinis.
 - If enforceable by the Township Police Department, the weight limit restriction for the roadway will be enforced. Chief Guzzo has expressed the Department's inability to enforce this weight restriction, as it does not solely apply to the bridge as allowable by statute.
 - Either the Mayor or the Police Department liaison will need to coordinate with Chief Guzzo regarding the Township Police Department's role in conjunction with the results of the meeting.

**March 20, 2008
7:30 P.M.
Stewartsville, NJ**

- The Mayor and Freeholder Gardner will contact ISE Farms (the large chicken farm located on Good Springs Road in Franklin Township) to request that ISE Farms use an alternate route or minimize their speed along Washington Street.
- The Santinis will coordinate with their drivers and relay the following:
 - ❖ Trucks to use Richline Hill Road as a detour as much as possible.
 - ❖ Truck drivers to drive at a relatively constant and slower speed.
 - ❖ Truck drivers to limit braking as much as possible.

11. NEW VILLAGE ROAD REPAIRS

- As most of you are aware, our office, on behalf of the Township, has been consistently calling and writing the NJDOT regarding their responsibilities toward the repair to a section of New Village Road resulting from the work and construction of the Route 78 weigh station. We have made some progress towards the NJDOT recognizing their responsibility for the repair of the road. Mayor Emiliani has recently forwarded yet another letter to the NJDOT regarding this matter. To my knowledge, the Township has not received any response from Mayor Emiliani's most recent letter.

12. SANITARY SEWER UTILITY REPAIR SPECIFICATION/CONTRACT

- At the February 21, 2008 Township Committee Meeting, authorization was given for our office to coordinate the advertising and contract award for this project specification. We hope to be in a position to recommend an award of this contract to the Township Committee at the April 17, 2008 meeting.

PUBLIC COMMENT PERIOD

Committeeman Adams made a motion, seconded by Committeewoman Segal to open the public comment period

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

Committeeman Adams made a motion, seconded by Committeeman Kanyuck to close the public comment period

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani
Opposed: None

MOTION CARRIED

**March 20, 2008
7:30 P.M.
Stewartsville, NJ**

ADJOURN

As there was no further business, Committeeman Adams made a motion, seconded by Committeeman Kanyuck to adjourn the meeting at 10:17 P.M.

Voting in favor: Kanyuck, Segal, Gurneak, Adams, Emiliani

Opposed: None

MOTION CARRIED

Kimberly Viscomi, RMC
Township Clerk/Administrator