

**MINUTES OF THE REGULAR MEETING OF THE ALLAMUCHY TOWNSHIP COUNCIL HELD FEBRUARY 23, 2017 AT 6:00 P.M.**

1. The meeting was called to order at 6:05 P.M. by Mayor DeTombeur.
2. At this time, the Pledge of Allegiance and a moment of silence was held. Mayor DeTombeur stated that Councilman Ochwat was recovering from surgery and to keep him in thoughts and prayers.
3. Mayor DeTombeur advised that this meeting was held in accordance with the Open Public Meetings Act as prescribed by State Statute.
4. **PRESENT:** Mayor DeTombeur, Councilman Koppel, Councilman Lomonaco and Councilman Quinoa; **ABSENT** – Councilman Ochwat.

5. **APPROVAL OF MINUTES:**

- a. Reorganization Meeting – 01/02/2017 as submitted.

Motion by Councilman Lomonaco, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco and Councilman Quinoa; **ABSENT** – Councilman Ochwat.

- b. Regular Meeting - 01/26/2017 as submitted.

Motion by Councilman Lomonaco, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** -Councilman Ochwat.

6. At this time, Lt. P. Ayala and Tpr. T. VanTassel, N.J.S.P. Hope Station, were present to report on police activity within Allamuchy Township. Lt. Ayala advised that the statistics for the municipality has pretty much stayed the same over the years. Burglaries and thefts have not spiked which is good and overall the area is relatively quiet.

Lt. Ayala stated that the one issue that came up was the General Store being hit by a tractor trailer. He stated that is a tough area to make safe but there have been Troopers in that area monitoring speed and traffic. Lt. Ayala recommended a possible speed reduction to 25 m.p.h. if at all possible.

Mayor DeTombeur advised that Old Hackettstown Road is a Warren County road and will definitely take the recommendation to the Warren County Engineer's Office.

Dean Peshkopia, Allamuchy General Store, was present and stated that the State Troopers could use his property to monitor and clock radar. Mr. Peshkopia stated that there are Troopers that sit at the Allamuchy Elementary School clocking traffic going up the hill.

Lt. Ayala stated that he will also reach out to the New Jersey State Police Tactical Unit which is stationed out of Totowa Station. This unit may be able to set up a special detail in that area.

Mr. Peshkopia stated that there are four school bus stops in the Village. If this trailer was any earlier it would have hit the children at the bus stop.

**7. MAYOR'S REPORT/CORRESPONDENCE:**

Mayor DeTombeur stated that he would like to thank the DPW for their efforts during the February 9<sup>th</sup> snow storm. He stated that he would also like to thank PVPOA as he received phone calls from Panther Valley Residents for PVPOA snow removal maintenance.

Mayor DeTombeur stated that he attended the Allamuchy Senior Meeting on February 10<sup>th</sup>. He advised that there were approximately 40 fourth graders present. There was a question and answer session at which time he was grilled and asked questions by the students.

Mayor DeTombeur stated that he had attended the Hackettstown Board of Education meeting. Allamuchy Township is considered one vote and that's it. There is a program that is being implemented to deal with the 4% of the students that drop out of high school for one reason or another.

Mayor DeTombeur stated that he would also like to thank the DPW for their services at Rutherford Hall for snow removal. There was a large pine tree that had to be removed as soon as possible and the DPW assisted the tree company with this task.

Mayor DeTombeur stated that there is a cycling event taking place on April 15, 2017. The event is sponsored by Somerset

**8. TOWNSHIP COUNCIL REPORTS:**

- a. Councilman Quinoa wanted to thank Mayor DeTombeur for the recommendation he made at the PVPOA meeting regarding jetting services for blockages. He advised that this possibly saved PVPOA quite a bit of money.

Councilman Quinoa stated that the PVPOA Board meeting was held on February 22<sup>nd</sup> and the Verizon Representative was not present for the presentation to discuss their request to install network nodes

Attorney McBriar advised that he had provided Kathryn Windsor, the Verizon representative, Mr. Begley's information so the meeting could be set up with PVPOA.

- b. Councilman Lomonaco advised that the Contracts and Grants Committee had met and reviewed the Homeland Towers, LLC agreement for the installation of a monopole tower on Tower Road. The contract was acceptable as presented.

Councilman Lomonaco advised that the Dog Park Committee is gathering information for regarding the location of dog park. There are two locations being considered and a report will be provided at the March workshop meeting.

Councilman Lomonaco advised that the Fire House has water coming into the basement from outside. This issue is being reviewed the with the engineer and the findings will be provided to the Buildings and Grounds Committee.

- c. Councilman Koppel advised that he had toured the proposed monopole property at 100 Bald Eagle. The property is flat and the perfect location for the installation of a monopole.

Councilman Koppel advised that he is looked into computers for the Township Council and the various options available. He stated that he will be visiting Staples and perhaps Best Buy for options and pricing.

**9. MUNICIPAL CLERK'S REPORT:**

- a. The Municipal Clerk advised that Warren County Mosquito Commission is seeking authorization to apply aerial spray for mosquito larvae in the Township of Allamuchy for the year 2017.

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, carried to authorize Mayor DeTombeur to sign the aerial spray application as discussed.  
Roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

**10. ENGINEER'S REPORT:**

There were no items requiring action by the Township Council.

**11. ATTORNEY'S REPORT:**

Attorney McBriar reviewed the items that have been added to the agenda such as ordinances on first reading and resolutions that he has prepared for action by the Mayor and Council.

Attorney McBriar stated that the Interlocal Services Agreement with Mount Olive Township has been changed from a one year term to a two year term.

Attorney McBriar advised that he has reviewed Newtech Recycling Agreement for the E-Waste event in April and October. The agreement is in order and the rider has been amended to protect the Township by adding the Township as additionally insured.

Attorney McBriar advised that representatives of Baker Residential was present at this meeting to discuss an amendment to the Conservation Easement Agreement.

There is a resolution on the agenda regarding this matter. As a result of this amendment an additional 12 acres ± will be subject to the Conservation easement.

12. **PUBLIC SESSION:**

- a. Reinert Putz, Goldfinch Glen, questioned what the Township is doing with the area on Route 517 where the trailers are parking.

Mayor DeTombeur advised that Township is working with the State to get a special use permit and this matter is being addressed.

- b. Tom Laura, Puffer Road, was present and stated that there have been additional incidents regarding Puffer Road such as street signs being knocked down by vehicles. He wanted to thank the Township Council for creating an ordinance designating a portion of Puffer Road as a one way street.
- c. Ken Hansen, 142 Old Farm Drive, was present and he stated that he was present to discuss the water in the community. Mr. Hansen stated that his water is cloudy and that there is floating particles in the water. He was also looking for a community report that the municipality is suppose to provide to their residents. He also questioned if the hydrants will still be flushed annually and mentioned that there is a humming in his unit in the meter area.

Mayor DeTombeur advised that there is annual report called a CCR report which is on the DEP website and the municipal website. The hydrants will continue to be flushed annually.

Mayor DeTombeur stated that he was not sure why there was a humming sound in his unit. It could possibly be the PRV (Pressure Reducing Valve) in the house.

Mr. Hansen stated that the humming did not start until the meter was replaced.

Mayor DeTombeur advised that the Township had taken over the operation of the water and sewer system. There is more proactive measures being taken.

Attorney McBriar stated that he wanted to read the following letter into the record from Edna Puleo :

February 23, 2017

Dear Allamuchy Mayor and Council:

I am writing regarding Ordinance #2017-02 authorizing the sale of nine (9) Allamuchy Township owned units in Old Farm Village at Panther Valley.

Of particular concern are the minimum bids listed in Schedule A of the Ordinance. The bids for one-bedroom units are \$110,000 and \$115,000. It is my understanding that recent sales prices for one-bedroom units are in the \$142,000 range. The bids for two-bedroom units are \$145,000 and \$150,000.

It is my understanding that recent sales prices for two-bedroom units average \$192,000.

It is also my understanding that realtors, appraisers, banks and mortgage lenders can use the sales price of the Township-owned units as comparables for the purposes of listing other properties for sale in Old Farm Village.

Therefore, I ask you to take into consideration how the sale of these nine units at the listed minimum bids may affect Old Farm Village.

Thank you.

Respectfully submitted,

Edna Puleo  
108 Old Farm Drive

At this time, Meryl Gonchar, Attorney for Baker Residential, was present to discuss the amendment to the conservation easement by Baker Residential.

Att'y Gonchar advised that 47 single family lots have been eliminated and 47 units were added to the Townhouse section of the property already scheduled to be disturbed for construction. At that time (2012), the Conservation Easement included the 47 lots. There were exceptions to those lots if approval was given by the Land Use Board to allow those changes to occur.

Att'y Gonchar stated that Baker Residential is introducing an additional unit type called the Master Down which has a master bedroom on the first floor and appears to be the most popular unit. She advised that Baker Residential is requesting 14 of the units previously included in the area protected by the Declaration into an area presently restricted by the declaration. The 14 units could not be built in the original planning area because of topography and geological issues.

Att'y Gonchar advised that Township representatives and Baker Residential representatives had a meeting and would like to request Township Council authorization to approve this swap and to allow the Land Use Board to act on their application that is before them. The Township Council approval does not guarantee approval by the Land Use Board. Baker Residential will go back to the Land Use Board with revised plans of what is being proposed.

Councilman Quinoa questioned why this matter is before the Township Council and not be before the Land Use Board.

Att'y Gonchar stated that the previous resolution memorializing the application required that any changes or prohibitions to the Declaration be approved by the Township Council or their designee which would be the Land Use Board.

Mayor DeTombeur stated that Baker Residential was asked by the Land Use Board to come before the Township Council to have the land swap approved.

At this time, Mr. John Dolan, Baker Residential Representative, was present and provided sworn testimony to the Township Council. Mr. Dolan reviewed the revised floor plans of the proposed townhouses which will be considered and referred to as the Master Down unit. Mr. Dolan advised that the market demand has changed and there

has been a greater interest with a master bedroom on the first floor.

Mr. Dolan advised that certain conditions had to be met before Baker Residential could receive a certain amount of Certificates of Occupancy. They had to make space for fourteen additional units which works out very well with the current topography. Baker Residential did not want to do any major land disturbances.

Charles Thomas, Engineer for Baker Residential, was present and provided sworn testimony at this time to the Township Council. Mr. Thomas advised that he was a Professional Engineer in good standing with the State of New Jersey. Mr. Thomas advised that he was with the firm of Bowman Consulting Group formerly known as Omland Engineering.

Mr. Thomas stated that the total area in the proposed swap was almost 5 acres but the quality of land is not the same. Baker Residential representatives met with Township representatives and reviewed the swap again. It was decided to protect areas that could not be developed. Mr. Thomas stated that 15.7 acres all together will be preserved – which was originally 109 acres to 122 acres protected. The land is located behind the townhomes. There will be new lot lines drawn to reflect the new protected areas.

Mayor DeTombour requested that Charles Fineran, Environmental Commission Chairman, comment on this matter from an Environmental Commission standpoint.

Mr. Fineran stated that it is in the best interest of the municipality to approve the proposal as presented by Baker Residential. He stated that this is a win win for everyone not to mention that it will enhance the area and provide for some nice living areas. Mr. Fineran stated that the Environmental Commission is on board and everyone came to the same conclusion. He added that this was the proper way to handle this matter.

Councilman Koppel stated that he was concerned with the walking path. The issue is that the path is paved over. Councilman Koppel suggested that something be done cover the path but allow for proper drainage.

Mr. Thomas stated that the path does have drains and the plan has been approved by the Warren County Soil Conservation District.

Mr. Fineran stated that in closing a great job was done by all.

Att'y McBriar stated that he wanted to clarify that this approval is not a conveyance of open space property to the Township. This property will still be owned by the developer and the parcel will remain in its natural state.

Att'y Gonchar confirmed the facts as presented by Attorney McBriar

Att'y McBriar further stated that this change is also subject to Land Use Board approval.

**RESOLUTION APPROVING REQUEST TO AMEND CONSERVATION EASEMENT TO BAKER RESIDENTIAL LIMITED PARTNERSHIP (ATTACHMENT 1).**

Motion by Councilman Koppel, seconded by Councilman Lomonaco, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Mayor DeTombeur questioned if Baker anticipates getting the waterline up and running this year.

Mr. Dolan advised that it is the intention to have the line in working order.

There being no further comments the public session was closed.

**13. ORDINANCES - FIRST READING:**

- a. # 2017-04 - **AN ORDINANCE AMENDING AN ORDINANCE RELATIVE TO VEHICLES AND TRAFFIC IN CHAPTER 130 OF THE CODE OF THE TOWNSHIP OF ALLAMUCHY TO DESIGNATE A PORTION OF PUFFER ROAD AS A ONE-WAY STREET.**

Motion by Councilman Quinoa, seconded by Councilman Koppel, carried to introduce Ordinance # 2017-04 on first reading. Roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

Second reading to take place on March 23, 2017.

**14. ORDINANCES – SECOND READING AND PUBLIC HEARING:**

- a. # 2017-01 - **AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN, AND STATE OF NEW JERSEY REPLACING ARTICLE I OF CHAPTER 160 OF THE CODE OF THE TOWNSHIP OF ALLAMUCHY ENTITLED, “FIRE PREVENTION”**

Motion by Councilman Quinoa, seconded by Councilman Koppel, carried to adopt Ordinance # 2017-01 on second reading.

At this time, the meeting was opened to the public.

There were no comments or objections from the public and the public hearing was closed.

Roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

- b. # 2017-02 - **AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY, COUNTY OF WARREN, AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF MUNICIPAL PROPERTIES NO LONGER NEEDED FOR PUBLIC USE.**

Motion by Councilman Quinoa, seconded by Councilman Koppel, carried to adopt Ordinance # 2017-02 on second reading.

At this time the meeting was opened to the public.

There were no comments or objections from the public and the public hearing was closed.

Roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

- c. # 2017-03 - **AN ORDINANCE OF THE TOWNSHIP OF ALLAMUCHY PROVIDING FOR THE APPROPRIATION OF \$57,500 FOR THE PURCHASE OF A FIRE DEPARTMENT VEHICLE FROM THE GENERAL CAPITAL – RESERVE FOR FIRE EQUIPMENT**

Motion by Councilman Quinoa, seconded by Mayor DeTombeur, carried to adopt Ordinance # 2017-03 on second reading.

At this time the meeting was opened to the public.

There were no comments or objections from the public and the public hearing was closed.

Roll call vote: **AYES** - Councilman Koppel, Councilman Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Lomonaco; **ABSENT** – Councilman Ochwat.

15. **RESOLUTIONS:**

- a. Resolution Authorizing Shared Services Agreement with Mount Olive Township for Uniform Fire Code (**ATTACHMENT 2**).

Motion by Mayor DeTombeur, seconded by Councilman Quinoa, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

- b. Resolution Appointing Fire Official (**ATTACHMENT 3**).

Motion by Councilman Quinoa, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.



- c. Resolution Donating Municipal Property no longer needed for Public Use to the Allamuchy Township Volunteer Fire Department (**ATTACHMENT 4**).

Motion by Councilman Quinoa, seconded by Mayor DeTombeur, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Quinoa and Mayor DeTombeur; **ABSTAIN** – Councilman Lomonaco; **ABSENT** – Councilman Ochwat.

- d. Approval of Tax Refunds as submitted by the Tax Collector (**ATTACHMENT 5**).

Motion by Mayor DeTombeur, seconded by Councilman Quinoa, and approved on roll call vote: **AYES** - Councilman Koppel, Councilman Lomonaco, Councilman Quinoa and Mayor DeTombeur; **ABSENT** – Councilman Ochwat.

16. **OTHER/NEW BUSINESS:**

- a. Approval of New Membership Application - ATVFD – Joseph M. Dattola
- b. Approval of New Membership Application - ATVFD – Brian A. Grise

Motion by Mayor DeTombeur, seconded by Councilman Koppel, and approved on roll call vote: **AYES** – Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** – Councilman Lomonaco; **ABSENT** – Councilman Ochwat.

- c. Approval of Blue Light Permits - AGFAS – Haley Fitzpatrick and Armando Worth.

Motion by Councilman Lomonaco, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

- d. Approval of Raffle Applications – Karen Ann Quinlan Hospice – Event to be held April 27, 2017 at Mattar’s @ PVG&CC – 50/50 on-premise raffle;

Allamuchy Volunteer Fire Department – Event to be held at Mattars @PVG&CC on July 28, 2017 – 50/50 on-premise raffle.

Motion by Mayor DeTombeur, seconded by Councilman Quinoa, and approved on roll call vote: **AYES** – Councilpersons Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Koppel; **ABSENT** – Councilman Ochwat.

- e. Approval of Newtech Recycling Agreement and amended Rider – E-Waste event (April and October) as reviewed and approved by Attorney McBriar.

Motion by Councilman Lomonaco, seconded by Councilman Quinoa, and approved on roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

17. Mayor DeTombeur stated that he would like to request a change to the March workshop meeting. The Mayor added that he would like to attend an event on March 8th which is the scheduled workshop meeting. He suggested that the meeting be rescheduled to March 9th at 6:00 P.M. if it is okay with the Township Council.

The Township Council advised that they did not have an objection to moving the March 8th workshop meeting to March 9, 2017 at 6:00 P.M.

Motion by Mayor DeTombeur, seconded by Councilman Lomonaco, ad approved on roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

Mayor DeTombeur thanked the Township Council for their consideration.

**18. APPROVAL OF BILL LIST AND ADD-ON LIST (ATTACHMENT 6).**

**Two bills to be added:**

- \* **Dove Environmental Education - \$450.00 (Education Services for the second grade environmental training).**
- \* **North Jersey Diesel Repair Service - \$546.39 (Repairs to DPW Vehicle).**

Motion by Councilman Lomonaco, seconded by Councilman Quinoa, carried to approve the bill list and add-on list as submitted. **Roll call vote: AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

**19. EXECUTIVE SESSION - 7:40 P.M.**

Motion by Mayor DeTombeur, seconded by Councilman Koppel, carried to go into executive session at 7:40 P.M. to discuss attorney client privilege and a personnel issue. Roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

20. Motion by Mayor DeTombeur, seconded by Councilman Koppel, carried to go out of executive session at 8:10 P.M. Roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Quinoa and Mayor DeTombeur; **ABSTAIN** - Councilman Ochwat.

21. Mayor DeTombeur stated that he wanted to thank everyone for their time and effort on the Township Council and appreciates the open communication that is taking place.

**22. ADJOURNMENT - 8:15 P.M.**

There being no further business, motion by Mayor DeTombeur, seconded by Councilman Koppel, and approved on roll call vote: **AYES** - Councilpersons Koppel, Lomonaco, Ochwat, Quinoa and Mayor DeTombeur.

Respectfully Submitted,

Anne Marie Tracy, Municipal Clerk

Keith DeTombeur, Mayor