

**March 15, 2007
Stewartsville, NJ
7:30 P.M.**

The Township Committee of the Township of Greenwich held a regular meeting on the above date with the following members present: Mayor William Kanyuck, Deputy Mayor Brian Visconti, Committeeman Gregory Blaszka, Committeeman Joseph Gurneak, Committeewoman Elaine Emiliani, Township Attorney James Pfeiffer, Township Engineer Michael Finelli, Chief Financial Officer Gregory Della Pia 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, Newark Star Ledger newspapers 2. Posting a copy thereof on the Township Bulletin Board, and 3. Filing a copy thereof with the Township Clerk".

- **Consent Agenda**

"All matters listed below under the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will not be discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately".

1. Receive, and File Monthly Reports:

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

Committeeman Gurneak made a motion, seconded by Committeeman Blaszka to approve the monthly reports

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

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

Committeeman Blaszka made a motion, seconded by Committeeman Gurneak to approve the payment of monthly bills.

March 15, 2007
Stewartsville, NJ
7:30 P.M.

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

• **PUBLIC COMMENT PERIOD**

Committeeman Blaszka made a motion, seconded by Committeeman Visconti to open the public comment period

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Joe Schiller – 418 Daniel Drive – Discussed with the Committee his concerns regarding the wildflower project. Stated that grass planted at this site should be native grass also had concerns regarding deer coming to this site.

As there was no further business, Committeeman Blaszka made a motion, seconded by Committeeman Visconti to close the public comment period

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Mayor Kanyuck

- Police Presentation

Chief Guzzo spoke with the Committee regarding his request for additional police officers. He provided to the Committee staffing evaluation and worksheet. He informed that the formula provided for in the worksheet provided data for 14 officers. Presently the Township has 10 officers. He informed that in 2006, 2,314 hours was paid in over time for covering the shifts, of that total 1,254 was directly related to lack of manpower. The Committee discussed having State Police assist with coverage for the township during the late night hours. Chief Guzzo informed that there is no additional State Police coverage for the Township during the hours of 6 am – 10pm. The State Police according to Lt. McCarthy are only patrolling for over weight trucks and that patrols are limited for truck enforcement along Route 173 and Route 57. During the late shift on various days there is only one patrol on duty. The Committee discussed with him utilizing mutual aid from other towns to assist with patrol. He informed that mutual aid is utilized during a domestic violence call and that his officers will request the aid, however if they are tied up on another call they can only respond as soon as they are finished with their call. In his records in 2006, 466 had assisted mutual aid which is only 4.16% of total incidents.

Public Comment

Ray Tanella of 205 Austin Circle – Stated that safety should be the main concern
Dan Perez of 624 South Main – Stated people would be willing to pay money for safety of police. One man working per shift is not sufficient. Crime is up. We should help the, they are protecting our families.
Doug Lowe of 104 Dillon Drive – Stated that Chief did a great job with the presentation, he supports additional officers.

Committeeman Blaszk

□ Wildflower Project

Presentation was given to the Committee regarding the proposed wildflower project by Macanzie Hall and Mike Brennan. In the proposed habitat improvements native grasses would be planted along with a wildflower meadow and hedgerow removal. Wildflower boxes would be provided for bluebird, butterfly, kestrel and bats. Committeeman Blaszk stated that by utilizing this land for a wildflower project it would save the Township money by not having to maintain a large portion of the open space land by mowing the grass and having native grass and wildflowers planted. Under the saving calculation:

\$17,200	Current Maintenance Cost
<u>8,600</u>	50% Reduction in Maintenance Cost
8,600	Savings to Taxpayers
<u>1,200</u>	Deduction Unforeseen Costs
7,400	Net Savings to Taxpayers

This amount does not include savings on equipment, equipment maintenance, overtime and payroll taxes. There was discussion regarding insect concerns. Ms. Hall informed that the bird community would maintain a balance. She stated that birds and bats would eat the insects. There will be a band along the border of the property that will be cut grass. Committeeman Visconti informed of his concerns regarding geese, predators, coyotes, and bats which carry rabies. Ms. Hill informed that there has only been one (1) confirmed case in the last 100 years of a rabid bat. There was discussion regarding the increase in deer to this area, insect issue, deer ticks, field mice. Principal Patty Lance from the Stewartsville Middle School informed that this project would be beneficial to the students in science and that they are willing to actively work on this project. Engineer Finelli spoke on issues regarding water run off concerns. There was no action taken by the Committee to submit this grant application.

**March 15, 2007
Stewartsville, NJ
7:30 P.M.**

□ Resolution 2007-34 – Slack Farm

Committeewoman Emiliani made a motion, seconded by Committeeman Gurneak to approve Resolution 2007-34.

Voting in favor: Blaszk, Gurneak, Emiliani, Visconti, Kanyuck

Opposed: None

MOTION CARRIED

□ Sewer Subcommittee Update

Committeeman Blaszk informed the Committee that Attorney Carney has prepared a sewer subcommittee report for review.

Chief Financial Officer

□ Discussion regarding 2007 Budget

Chief Financial Officer Greg Della Pia informed the Committee of some key issues regarding the 2007 budget preparation. He stated that there is \$700,000 in surplus, the collection rate is at 98.5%, there were no over expenditures in 2006 budget, a cap waiver is required we are exceeding the cap by \$202,000, there is no increase in the tax rate, contracts, pension, insurance are all included in the cap.

□ Resolution 2007-35 – Local Finance Board – Cap Waiver

Committeeman Blaszk made a motion, seconded by Committeeman Visconti to approve Resolution 2007-35

Voting in favor: Blaszk, Gurneak, Emiliani, Visconti, Kanyuck

Opposed: None

MOTION CARRIED

Committeeman Gurneak

DPW

Committeeman Gurneak informed that he went with Foreman John Howell and reviewed the damage done with his equipment along the bike path and Wyndham Farm Blvd. More work is needed by the DPW to repair the damage. Committeeman Blaszk will investigate options regarding utilizing the correct equipment that is needed along these routes.

Capital Projects Committee

Committeeman Gurneak stated that he would like to form a non-binding committee that would work towards goals of priority to discuss future capital projects for the township. Committeeman Visconti had concerns whether professionals would be utilized for this committee or citizens. Stated that professionals were utilized in the past and nothing was accomplished. Committeeman Blaszkka requested to see an action plan and direction on how this committee will proceed.

Committeeman Visconti

Court

Committeeman Visconti spoke with the Committee regarding the need to hire an additional violations clerk.

Committeeman Visconti made a motion, seconded by Committeewoman Emiliani to hire Wendy Gregory as Violations Clerk at a salary of \$9.00 per hours to work 20 hours per week.

Voting in favor: Blaszkka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Recreation

Committeeman Visconti discussed with the Committee the recent incident at the school. He thanked President Dan Perez regarding the zero tolerance policy and the recent ad that was placed in the newspaper regarding this policy.

Township Attorney

Committeeman Visconti made a motion, seconded by Committeeman Blaszkka authorizing Attorney Pfeiffer to draft a letter to send out to all Mayors in the surrounding area requesting information regarding the availability of their building to be utilized for municipal court

Voting in favor: Blaszkka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

**FIRST READING
ORDINANCE 2007-06**

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES FOR THE TOWNSHIP OF GREENWICH TO ESTABLISH FOUR

March 15, 2007
Stewartsville, NJ
7:30 P.M.

NEW STOP SIGN LOCATIONS AT THE RAILROAD CROSSING ON RICHLINE HILL ROAD

Committeeman Gurneak made a motion, seconded by Committeewoman Emiliani to approve for first reading Ordinance 2007-06

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

FIRST READING
ORDINANCE 2007-07

AN ORDINANCE AMENDING AND SUPPLEMENTING THE GENERAL ORDINANCES FOR THE TOWNSHIP OF GREENWICH TO PROVIDE FOR DEPOSITS IN RELATION TO THE PROCESSING OF PUBLIC RECORDS REQUESTS

Committeewoman Emiliani made a motion, seconded by Committeeman Visconti to approve for first reading Ordinance 2007-07

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Attorney Pfeiffer informed the committee that he wants to review the by-laws of the Recreation Association regarding their zero tolerance policy.

Committeeman Visconti made a motion, seconded by Committeeman Blaszka to authorize Attorney Pfeiffer to review recreation zero tolerance policy.

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Township Engineer - Report

1. STRYKER'S ROAD

- As previously reported to the Committee, I spoke with Dave Hicks and, as per that conversation, Mr. Hicks felt the project would be going to bid in the Spring of 2007 with construction going through the Summer of 2007. I will continue to keep the Committee apprised as timelines become more defined and established.

March 15, 2007
Stewartsville, NJ
7:30 P.M.

- The Committee should be aware that our office continues to be involved on this project, but in a much more limited role than previously. We are still involved in various coordination efforts with Warren County and the NJDOT and also relative to securing some additional ROW along the frontage of the Rath's Deli property.
- Please note that the current design plan which was submitted to the NJDOT includes both a left turn at Stryker's Road onto CR 519 North and a relocated "exit-only" driveway from Rath's Deli to a reconfigured four-way traffic signal directly across from Dumont Road. This design was the culmination of numerous meetings and reviews by the Warren County Engineering Department.
- The Township received a letter from the NJDOT, dated October 3, 2006, which officially rescinded the previous three (2001, 2003, 2004) Municipal Aid allotments for this project which total \$478,000.00. It is important to note that the NJDOT simultaneously approved an equivalent allotment of \$478,000.00 to the County of Warren for this project.

2. WYNDHAM FARM

- The previous litigation has now been settled and the project and associated improvements are presently covered under the maintenance bond as per the settlement agreement between the Township and MRC. Our office is still involved with this project from an overall administrative standpoint with regards to such items as sinkhole remediation and the maintenance bond release administration and follow-up. Sinkholes continue to arise within the development and we continue to coordinate with MRC regarding the remediation of same.
- To remind the Township Committee, per our settlement agreement with M. Rieder, the maintenance bond for the majority of the site improvements (excluding sinkholes) was due to expire on March 15, 2006. However, since our maintenance bond default punchlists 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.
- The Township Committee should be advised that the second phase of the maintenance bond for this project, as it relates solely to sinkholes and sinkhole remediation, is set to expire on March 15, 2007.
- The required remedial work associated with our maintenance bond release punchlist was recently started, but no work has been conducted over the last month ±. I attended a meeting on November 2, 2006 with Brent Carney, Michael Rieder and Ken Pape, MRC's attorney, to review our punchlist and establish a program towards the completion of the outstanding work within the development. MRC's proposal was presented 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 punchlist with the one (1) exception of the

March 15, 2007
Stewartsville, NJ
7:30 P.M.

replacement of inlet castings. As of the date of this report, very little work has been performed by M. Rieder towards addressing our maintenance bond release punchlist.

- Our office received a fax copy of a letter from Ken Pape, Esq. to Brent Carney on January 11, 2007. The letter seeks confirmation on the Township Committee's agreement relative to their maintenance bond remediation proposal. At this juncture, our office has been coordinating with Attorney Pfeiffer relative to finalizing the details and terms of this agreement per the general parameters previously agreed upon by the Township Committee.
- On another matter related to the Wyndham Farm development, our office has been preparing deeds of dedication for the various items (i.e. ROWs, easements, open space lots, etc.). This has become a very laborious task due to the magnitude of deed descriptions which were required to be prepared. As of the date of this report, we are approximately 90+% complete.
- Please note that our office has completed the deed descriptions for the open space parcels and have previously forwarded same to Brent Carney on November 7, 2006 for his use in completing the title conveyance (i.e. deeds) for these lots in the very near future. Our office will now coordinate with Attorney Pfeiffer on this matter. As of the date of this report, our office is unaware of the status of this matter as it relates to the actual final conveyance of these properties to the Township.

3. NEW JERSEY STATE STORMWATER MANAGEMENT REGULATIONS

- The regulations have been long-since adopted and were effective as of February 2, 2004. The Township had previously received their Municipal Stormwater Regulation Program Requirements package from the NJDEP. We have received our approved stormwater general permit from the NJDEP. Our permit # is NJPDES: NJG0153842/PI ID#: 198015. Our Effective Date of Permit Authorization (EDPA) was April 1, 2004.
- It is important to bear in mind that the Township will need to continue to move forward relative to full compliance with their SWM permit, including the preparation of a build-out analysis and SPPP. Via transmittal from our office, dated August 7, 2006, these documents were forwarded to the NJDEP.
- The Township Committee should be reminded of the fact that the Township, by virtue of its designation as a Tier A Municipality, will be required to do certain upgrades to the Township's "salt/de-icing material shed." The deadline for completion of this task is April 1, 2007. Monies will need to be budgeted for this work within the 2007 Municipal Budget. At the January 18, 2007 Committee Meeting, it was indicated that John Howell has solicited a proposal for this work in the amount of \$21,600.00. I trust that the Committee will move forward with this project for 2007.

March 15, 2007
Stewartsville, NJ
7:30 P.M.

4. NEW FIRE HOUSE

- Our office has completed considerable work on the Site Plan development phase of the project. At this juncture, our office has ceased work on the project until the budgetary issues associated with the entire project have been resolved.

5. RICHLINE ROAD RAILROAD CROSSING

- At the November 9, 2006 Committee Meeting, our office was authorized to forward a letter to the NJDOT to officially request, on behalf of Greenwich Township, that the NJDOT conduct a “diagnostic team review” of this crossing. Our office completed this letter, dated December 15, 2006, which has been sent to the NJDOT.
- Subsequent to the receipt of our letter by Todd Hirt, Project Manager, from the NJDOT, Mr. Hirt contacted our office and provided an outline for the typical procedure employed by the NJDOT under similar circumstances. The first step in that process is a field meeting and site inspection considered the “diagnostic team review.” It is important to note that the “diagnostic team review” meeting occurred on Monday, March 5, 2007. Committeeman Gurneak, Police Chief Guzzo, Attorney Pfeiffer and I were present representing the Township. In addition, Todd Hirt and two (2) representatives from Norfolk Southern Railroad, along with a representative from Senator Lance’s office, were in attendance at the meeting. Along with Committeeman Gurneak and Attorney Pfeiffer, I am certain we will provide the full Township Committee with a summary and outline of the “diagnostic team review” and the protocol moving forward for this project at the March 15, 2007 meeting.

6. PHILLIPSBURG REGIONAL WASTEWATER MANAGEMENT PLAN (WMP)

- Our office has previously completed our portion of this project and forwarded all of the required mapping to Kupper Associates. The Township has previously given their approval for the submission of the WMP as required per the Court Order. Kupper Associates met the June 7, 2006 deadline for the submission of the plan to both the NJDEP and the Town of Phillipsburg.
- It is important to note that our office recently received a copy of a review letter from the NJDEP, dated February 27, 2007. This letter has not been reviewed by the Township Sewer Subcommittee to date. I believe that the Sewer Subcommittee will be reviewing this letter at their March meeting and will be advising the full Township Committee of their findings immediately thereafter.
- The Township should be aware that a revision to the Township WMP will be required to be submitted to the NJDEP and Phillipsburg as a consequence of the adoption of the 2006 Township Master Plan and resulting ordinances and zoning. Kupper Associates and our office have commenced work on this and will continue to move

March 15, 2007
Stewartsville, NJ
7:30 P.M.

forward towards completion of the revised and amended WMP. I will continue to keep the Committee apprised of the status of the amended WMP as Kupper Associates and our office proceed. Based upon receipt of the NJDEP review letter referenced above, Kupper Associates has instructed our office to stop work on any amendments to our WMP.

7. NEW TOWNSHIP FIRE TANKER

- At the February 15, 2007 Township Committee Meeting, a conditional award was made to Pierce Manufacturing, Inc. for the equipment in question. Our office, via separate correspondence dated March 2, 2007, advised Pierce Manufacturing of the few outstanding conditions which needed to be addressed prior to the execution of the contract. As of the date of this report, our office has not received a reply from Pierce Manufacturing. I will continue to keep the Committee apprised of the status of this matter.

8. TOWNSHIP CERTIFICATE OF OCCUPANCY (C.O.) RELEASE PROCEDURE

- Our office has completed the development of a “draft” checklist. We previously forwarded an electronic copy of the draft checklist to each Township Committee Member for their review in advance of the August, 2006 Township Committee Meeting. Subsequent to some brief discussion, it was agreed that Kim Viscomi would forward the checklist to other involved Township Officials for their review and comment. I would request that Kim Viscomi update both myself and the Township Committee on the responses which have been received to date regarding the “draft” C.O. checklist.

9. GREENWICH HILLS NORTH

- As authorized by the Township Committee at the June 15, 2006 meeting, our office has completed a maintenance bond default notice and release punchlist. This document was sent to Greg Weinstein and his bonding company via correspondence from our office dated July 7, 2006. All Township Committee Members were copied on this correspondence. No response has been received to date.
- As recommended by Attorney Carney and as previously authorized by the Township Committee, our office has prepared a “30-day notice” letter, dated December 5, 2006, which was sent to the bonding company in accordance with the provisions of the maintenance bond. As of the date of this report, no response has been received from the bonding company.

10. FUTURE SINKHOLE REMEDIATION AND REPAIR

- As we draw closer to the ultimate conclusion of our responsibilities towards the Wyndham Farms project, it is likely that the Township will be faced with more and

March 15, 2007
Stewartsville, NJ
7:30 P.M.

more sinkhole remediation and repair work. The Township DPW is both qualified and experienced in “typical” sinkhole remediation. However, with larger sinkholes and pavement repair, the Township DPW is sometimes not able to do the work whether it be a function of time available or extent of repair. Based upon all these factors, the Township Committee may wish to consider hiring a “special” sinkhole remediation contractor. This would be similar to the recently awarded Sanitary Sewer emergency repair contract.

- The Township Committee authorized our office to prepare a project specification for this work at the January 18, 2007 meeting. Our office has developed the project specification for this work which was advertised in the Express-Times on March 8, 2007. The bid opening is scheduled for April 12, 2007. We hope to be in a position to recommend an award for this contract at the April 19, 2007 Committee Meeting.

11. THE BARBARA HAMLIN ESTATE (CYNTHIA MARIE BOWMAN)
SADC BOUNDARY SURVEY

- Our office was previously authorized to commence work on a boundary survey for the above-referenced property (Block 20, Lot 18). It is our understanding that there will be two (2) separate exception parcels depicted within this survey. We will coordinate this matter through Attorney Pfeiffer, the Morris Land Conservancy and the Township as we continue to move forward. As of the date of this report, the survey and map are approximately 95% complete.
- On February 8, 2007, Attorney Pfeiffer and I met with the owners of the subject property in an effort to discuss and ultimately resolve the recent question of the location of the second exception parcel on the property. The owners have recently finalized their decision relative to the location of the second exception parcel. This has enabled our office to continue moving forward in an effort to complete the survey.

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

- 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. As of the date of this report, we have received no response.

PUBLIC COMMENT PERIOD

Committeewoman Emiliani made a motion, seconded by Committeeman Visconti to open the meeting for public comment

**March 15, 2007
Stewartsville, NJ
7:30 P.M.**

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

Committeewoman Emiliani made a motion, seconded by Committeeman Gurneak to close the meeting for public comment

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

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

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.

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

Voting in favor: Blaszka, Gurneak, Emiliani, Visconti, Kanyuck
Opposed: None
MOTION CARRIED

March 15, 2007
Stewartsville, NJ
7:30 P.M.

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

Voting in favor: Blaszk a, Gurneak, Emiliani, Visconti, Kanyuck

Opposed: None

MOTION CARRIED

As there was no further business, Committeeman Gurneak made a motion, seconded by Committeeman Blaszk a to adjourn the meeting.

Voting in favor: Blaszk a, Gurneak, Emiliani, Visconti, Kanyuck

Opposed: None

MOTION CARRIED

Kimberly Viscomi, RMC
Township Clerk/Administrator

March 15, 2007
Stewartsville, NJ
7:30 P.M.