

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**February 17, 2015**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7:00 p.m. noting the meeting date, time and place were duly published in the New Jersey Herald and posted at the Town Hall and advised those present that this meeting was being held in compliance with provisions of P.L. 1975, Chapter 231, Sections 4 & 13.

Roll Call was taken and the flag was saluted.

PRESENT: Mayor Scott, Committeewoman Chamblings, Committeeman Fisher, Committeeman Gross, Committeewoman Straway, Municipal Clerk Lynda Knott, Township Attorney Richard Stein.

**Regular Session:**

**Presentation:** George Morville, Risk Management

Mr. Morville commended the township for an entire year without a claim including property, auto, physical damage, general liability, and liability. He presented the Committee with the Statewide All Claims All Lines Award for positive all lines claim results received at the annual Statewide Insurance meeting.

**CONSENT AGENDA:**

**ALL MATTERS LISTED BELOW ARE CONSIDERED ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY ON THE REGULAR AGENDA.**

**Reports:** Construction Department Report – January 2015

**Minutes:** January 20, 2015 Regular Meeting

Mr. Gross made a **motion** to approve the Consent Agenda, seconded by Mr. Fisher.

**Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

**AMENDMENTS TO THE AGENDA:** None

**Resolution 2015-032 Mayor's Appointment of Joseph Sugar as Deputy OEM Coordinator**

Mr. Fisher made a **motion** to adopt Resolution 2015-032, seconded by Mrs. Straway.

Mr. Sugar received his basic training certification in 2002 and has agreed to complete other required training.

**Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

**Bills List #3: \$111,145.89**

**Resolution 2015-033:** Payment of Bills

Mr. Gross made a **motion** to approve Bill List #3, Resolution 2015-033, seconded by Mr. Fisher.

**Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

**Open Public Session:**

**At this point, this portion of the meeting was opened to the public.**

**There being no members of the public wishing to speak, this portion of the meeting was closed.**

**OLD BUSINESS:**

**ORDINANCE 2015-002 – Public Hearing/Adoption**

**CALENDAR YEAR 2015 ORDINANCE OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

Mr. Fisher made a **motion** to open the meeting for public comment, seconded by Mrs. Straway.

There being no public comment this portion of the meeting was closed.

Mr. Fisher made a **motion** to adopt Ordinance 2015-002, seconded by Mrs. Straway.

Mrs. Straway noted there is no budget constraint; if an emergency should arise this would enable the Committee to handle it.

**Roll Call Vote:** Ms. Chamblings, no, Mr. Fisher, yes, Mr. Gross, no, Mrs. Straway, yes, Mayor Scott, yes

**NEW BUSINESS**

**DISCUSSION ITEMS:**

**Open Space Trust Fund:**

Mrs. Straway explained the open space tax is due to expire this year and approval will be necessary by referendum. The open space trust is a percentage collected from the tax payers and placed in the fund for the acquisition, development and maintenance of open space, offsetting the need to fund through the general account. The deadline for submission to the County is early April. The Committee will research the matter and the item will be added to the March 17<sup>th</sup> agenda. Ms. Chamblings provided an nj.com article regarding Morris County's review of their open space tax including public hearings examining how it is currently used and how it can be used for different purposes. She also noted that Autumn Sylvester, a resident and employee for County Planning and Open Space and Farmland Preservation, is very knowledgeable on the issue if anyone is interested in contacting her.

**Stillwater FD New Member – Amanda Borkstrom**

Ms. Borkstrom is transferring from Swartswood Fire Department to Stillwater Fire Department and is requesting approval to become a member of the New Jersey Firemen's Relief Association. Mr. Fisher questioned if there was a rule requiring a member to wait one year prior to transferring between departments. Stillwater Fire Chief Francomarco was present and indicated there was no such rule included in their by-laws. Ms. Borkstrom has five more classes to obtain Firefighter I and has obtained level I for First Responder. Chief Francomarco explained the application process for becoming a Stillwater Fire Department member. Following approval by the fire department, Township Committee authorization is necessary to join the New Jersey Firemen's Relief Association. Following further questioning of Ms. Borkstrom, Mr. Gross made a **motion** authorizing her membership in the New Jersey Firemen's Relief Association, seconded by Ms. Chamblings.

**Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

**Fire Departments:**

Mrs. Straway provided a background on a previous budget meeting discussion regarding the fire departments. She suggested inviting each fire department to meet with the Committee to discuss their visions and goals as this would assist the Committee in determining what would be beneficial for the township in the future. She expressed concern with the lack of transparency and discussed the need for open dialogue during the budget process so informed decisions can be made. Mr. Stein compared a fire district to a volunteer fire department explaining a district falls under the laws of a governing body including OPRA, and with respect to a volunteer fire department it has been determined on a case by case basis as to whether or not it is a public agency and is subject to OPRA.

### **Town Hall Renovation:**

Mr. Stein has prepared the bid specifications for the approved plans but still needs the drawing specifications to complete them. The Clerk would obtain them from the architect and forward the specs to Mr. Stein.

### **Committee Reports:**

**Mr. Fisher** spoke on the matter of moving the field maintenance line item from the Recreation Commission (RC) to the DPW budget. The RC would like to keep this line item in their budget as the DPW is overwhelmed and the Commission has been maintaining the fields as far as clay, seeding, etc. and would like to continue to do so. Ms. Knott reported Mr. Manser has been selected by the RC to be in charge of field maintenance and will act as the liaison between the Commission and SLAP to coordinate their services. Mrs. Straway noted funding for such items may be provided through the Open Space Trust and should be reviewed before using funds from the general budget. Mr. Fisher stated the Commission is aware of that and tries to determine which items can be funded and how when reviewing their budget. Ms. Chamblings asked Mr. Fisher to have the RC designate a specific location for the recycling shed at Veteran's Memorial Park so it can be approved by the Zoning Officer and then moved by the Environmental Commission. He would address the matter at the next RC meeting.

**Mrs. Chamblings** reported Planning Board will meet on February 18<sup>th</sup> and has one application for a barn on Hardwick Road. The Environmental Commission meeting was cancelled due to snow and has been rescheduled for February 24<sup>th</sup>.

**Mr. Gross** reported a Safety Meeting would be held on February 19<sup>th</sup> at 7 p.m. at the town hall, including both fire departments and rescue squad. The Zoning Board will meet on February 23<sup>rd</sup>.

**Mrs. Straway** attended the Sussex County League of Municipalities meeting where Jackie Espinosa and a group from JCP&L provided a presentation on response time and other changes made since Irene and Sandy. They have added a storm restoration process and improved communication, developing their system so their employees all receive the same training to avoid any issues when they are called in to outside areas during an emergency.

DOT grants and prevailing wages were also discussed and it was determined the following municipalities would provide a draft resolution to be reviewed collectively at the next league meeting and input provided: Hopatcong – prevailing wage; Stillwater – dedication by rider to address road projects. Mr. Stein agreed to do so if the Committee provided their authorization. The resolution would urge the legislature to authorize a funding procedure similar to open space for a dedicated trust fund for municipal road repair.

Ms. Chamblings expressed concern with how the gas tax is being utilized as it is supposed to provide funding for the roads and yet the DOT grants are being taken away. Mr. Stein would address this item in the resolution. Mr. Gross asked for a sunset provision to be included and Mr. Stein agreed to do so.

Mrs. Straway made a **motion** authorizing Mr. Stein to draft a resolution providing the municipality the ability to fund their own road projects, seconded by Mr. Fisher.

**Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

**Mayor Scott:** The DPW is currently conducting maintenance on their equipment in between storms. Both new DPW trucks have been delivered. He commended the DPW on a job well done. Interviews for a part-time recycling worker will be held on February 18<sup>th</sup>.

### **OPEN PUBLIC SESSION**

**At this point, this portion of the meeting was opened to the public.**

**Ed Szabo, 978 Route 521** suggested including that funding for road projects will be accomplished without new taxes being incurred. He referred to NJH articles regarding the Wantage Joint Court and possible ethics issues with the judge that was recently appointed, and he felt Stillwater was obligated to inform the public. Mr. Stein stated the joint court agreement between Wantage and Stillwater states that Wantage chooses all court personnel at their sole discretion; neither Sussex Borough nor Stillwater has

any input. It would be inappropriate for the Committee to comment as contractually the appointment is up to Wantage and any issues would be addressed by the Wantage Township Committee. Mr. Gross indicated the Governor has final approval of the appointment with the authorization of the State Senate and if there are any issues he hoped they would be investigated.

**Joe Sugar, 908 Five Points Lane, President of Stillwater Fire Department** liked the idea of an audit for the fire department and felt it could be completed after April but would like a deadline date. It was agreed the audit should be started after the tax season and Mr. Sugar would contact their accountant for an approximate completion date which he would bring back to the Committee. LOSAP information would be included. Mr. Sugar thanked the Mayor and Committee for appointing him as OEM Deputy Coordinator.

**Pat Bodenseick, Captain of the Stillwater Rescue Squad** indicated the squad had an audit done last year and asked if that would be sufficient. The Committee agreed it would be acceptable.

**There being no further members of the public wishing to speak, this portion of the meeting was closed.**

#### **EXECUTIVE SESSION:**

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mrs. Straway, seconded by Mr. Fisher and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 8:20 p.m.

WHEREAS, Section 8 of the Open Public Meetings 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 Stillwater, in the County of Sussex 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: Personnel, Contractual, Possible Litigation, and Public Safety
3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

There being no further business to attend to, a **motion** was made by Mr. Gross, seconded by Mr. Fisher to conclude the Executive Session at 9:00 p.m., unanimously carried by roll call vote.

#### **Regular Session:**

There being no further business, Mrs. Straway made a **motion** to adjourn the meeting, seconded by Mr. Fisher. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder