

**STILLWATER TOWNSHIP COMMITTEE MEETING  
MINUTES  
February 15, 2011  
Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6:00 p.m. noting the meeting schedule was 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, Deputy Mayor Fisher, Committeeman Gross, Committeewoman Straway, Committeeman Morrison, Municipal Clerk Judy Fisher and Attorney Larry Cohen.

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Fisher, seconded by Mrs. Straway and unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:03 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 Matters: DPW Interviews; CFO Contract
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. Fisher, seconded by Mr. Gross to conclude the Executive Session at 7:10 p.m., unanimously carried by roll call vote.

**Regular Session:**

**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 SEPERATELY ON THE REGULAR AGENDA.**

**Department Reports:** January Reports – Building Department; Tax Collector

**Resolution:**

**2011-17** Approving the Lay-Off Plan for the Stillwater Township Municipal Court

**New Jersey Fireman's Association membership Application:** Robert Losey, John Batty, Douglas Losey

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

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

**Land Conservancy of New Jersey (LC):** Sandy Urgo of the LC provided a presentation to the Committee. She reviewed the projects completed to date and those active in 2011. A spreadsheet was provided to the Committee summarizing the projects, the costs, and the acres preserved. She discussed the contract and noted that the fee has not increased over the last few years. She explained that foundation funding is down about 5 percent. Ms. Urgo stated that mailings are made by the LC to every eligible farm in the municipality for preservation; and to date the farmland preserved has been at no cost to the township. Mr. Fisher felt the municipality has

sufficient preserved land at this time and if property can be sold for ratables it should be permitted. Mr. Gross favored renewing the contract in 2011, and he noted the contract is funded through the Open Space Fund, as a result of the open space tax. The Committee thanked Ms. Urgo for her presentation.

Mr. Gross made a **motion** to enter into an agreement with the Land Conservancy of New Jersey for 2011, at an annual fee of \$11,500, seconded by Mrs. Straway.

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

**Amendments to the Agenda:** Added: Under Old Business: CFO Contract

**Committeeperson Reports:**

**Mr. Fisher** reported the Stillwater Fire Department had 9 calls in January 2010 and 9 calls in February 2010, both included First Responders. Concern was expressed with the snow covered water hydrants at Paulinskill Lake. Mr. Fisher will contact the Water District Manager, Sean Casey regarding this issue. Mr. Fisher reported he and Mr. Scott met with Hardwick Township to discuss the request for an increase in the fire department contribution provided to Stillwater by Hardwick. Mr. Fisher stated the Swartswood Fire Department will be holding a corned beef and cabbage dinner on March 6, 2011 and a Fishing Opening Day Breakfast on April 9, 2011. The fire department will be in need of a new pumper truck in 2013, and two pumpers currently need to be certified.

**Mrs. Straway** reported on the Environmental Commission (EC) meeting, noting a good portion of the meeting was spent discussing the Land Conservancy. An amphibian crossing count will be held in March and the EC would like added security for safety issues.

Mr. Branagan, EC Chairman, 916 Old Schoolhouse Road, stated an amphibian rescue will be held in conjunction with the Conservative Wildlife Foundation of New Jersey during early March. It will be held on East Shore Drive (Route 619) in the area of a vernal pond by the State Park. There will be no road closure, and the foundation would like the permission of the Township to hold the rescue. Cones will be put up to stop speeding cars through the area. The foundation has contacted both Hampton Township and the County for their approval as the area of interest borders Hampton and is located on a County road. Volunteer applications will be available at the Municipal Building.

Mrs. Straway made a **motion** allowing Stillwater Township to participate as a community in the amphibian rescue, seconded by Mr. Gross.

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

Mrs. Straway reported an Environmental and Recreation Commission joint subcommittee meeting will be held to address maintenance issues at Veteran's Park.

**Mr. Morrison** reported the Planning Board will meet February 16, 2011 and a Budget Meeting will be held on February 19, 2011.

**Mr. Gross** reported the Zoning Board will meet on February 28, 2011. Mr. Gross stated he was at the Recycling Center this weekend and he was concerned that items being thrown on the piles might fall back onto the employees. He felt hard hats and safety glasses should be worn and he will obtain pricing for each.

**Mr. Scott** reported that the DPW employee appointment will be held until the budget is further reviewed. He noted that no change will be made to the ordinance providing single coverage health benefits only.

**Ordinance:** 2<sup>nd</sup> Reading & Public Hearing

**2011-2 Ordinance repealing Chapter 22 of the Stillwater Township Municipal Code Entitled “Court, Municipal,” abolishing the Stillwater Township Municipal Court and Authorizing Stillwater Township to become a member of a Joint Municipal Court known as the Municipal Court for the Township of Wantage, the Borough of Sussex and the Township of Stillwater**

TOWNSHIP OF STILLWATER  
COUNTY OF SUSSEX, NEW JERSEY  
ORDINANCE NO. 2011- 02

**ORDINANCE REPEALING CHAPTER 22 OF THE STILLWATER TOWNSHIP MUNICIPAL CODE ENTITLED “COURT, MUNICIPAL,” ABOLISHING THE STILLWATER TOWNSHIP MUNICIPAL COURT AND AUTHORIZING STILLWATER TOWNSHIP TO BECOME A MEMBER OF A JOINT MUNICIPAL COURT KNOWN AS THE MUNICIPAL COURT FOR THE TOWNSHIP OF WANTAGE, THE BOROUGH OF SUSSEX AND THE TOWNSHIP OF STILLWATER**

**WHEREAS**, the Township of Stillwater presently has a Municipal Court; and **WHEREAS**, the Township is desirous of entering into a joint Municipal Court with the Township of Wantage and the Borough of Sussex, pursuant to the provisions of N.J.S.A. 2B:12-1, et seq., which Municipal Court is to become effective on April 1, 2011.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of Stillwater Township, County of Sussex, State of New Jersey, that Chapter 22 of the Stillwater Township Municipal Code entitled “Court, Municipal” is hereby repealed in its entirety, which repeal shall be effective April 1, 2011.

**BE IT FURTHER ORDAINED** that there is hereby created in its place and stead new Chapter 22 entitled Joint Municipal Court, as follows:

**SECTION I**

Effective April 1, 2011, the Township of Stillwater shall become a member of the Joint Municipal Court known as The Municipal Court for the Township of Wantage, Borough of Sussex and Township of Stillwater.

The Township of Stillwater is hereby authorized to enter into an agreement to establish said Joint Municipal Court and to pay its fair share towards the operation and expenses of said Court.

All Summonses issuing from the Township of Stillwater shall be processed in the Joint Municipal Court after March 31, 2011.

The Judge, Municipal Court Administrator, Municipal Prosecutor, Public Defender and the support staff will all be appointed by the Township of Wantage, wherein the physical Court shall be located.

**SECTION II**

All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION III**

If any article, section, subsection, paragraphs, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

**SECTION IV**

This Ordinance shall take effect immediately upon final publication as provided by law.

Mr. Gross made a **motion** to open the meeting for public comment on Ordinance 2011-2, seconded by Mr. Fisher.

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

**Harold Bork, 906 Maple Path** had no problem with merging the courts, however he felt it should have been done with a more local municipality since Wantage is a far distance for defendants and plaintiffs to travel.

Mr. Morrison made a **motion** to close the meeting for public comment on Ordinance 2011-2, seconded by Mr. Fisher.

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

Mr. Morrison explained that Stillwater reached out to several courts to establish joint services. Financially, Wantage was the best choice at a cost of \$36,000 per year. Green was not interested in joint services with Stillwater; Frankford court costs are divided equally among all municipalities participating which would not have been economical to Stillwater; and Sparta would have cost more than Wantage.

Mr. Morrison made a **motion** to adopt Ordinance 2011-2, seconded by Mr. Gross.

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

**Ordinance:** Introduction & First Reading

**2011-3 Amendment to the Salary Ordinance – adding the Electrical Subcode/Inspector at a salary of \$35 per hour**

Mr. Fisher made a **motion** to introduce Ordinance 2011-3, seconded by Mr. Morrison.

**Roll Call Vote:** Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes

The second reading and public hearing for Ordinance 2011-3 will be held on March 1, 2011.

**Open Public Session (agenda items only)**

**Ed Szabo, 978 Route 521** provided handouts consisting of a collection of environmental media articles. He asked for the handouts to be made available at the Municipal Building for the public.

**Kathleen Draghi, 1016 Route 619** asked what the future plans are for the court. Mr. Morrison stated it is the ultimate goal of the Committee to return the court building back to the church and it is more than likely that the court will remain a shared service from this point forward.

**Lisa Chamings, 928 Mt. Holly Road** asked for clarification of Ordinance 2011-3 and she was provided with a copy of the ordinance. Ms. Chamings stated she was doing research on the possible change to the health benefits ordinance and could not find such an ordinance. Attorney Cohen stated implementing the single coverage health benefits was done by Resolution.

**Jack Branagan, 961 Old Schoolhouse Road** thanked the Committee for renewing the Land Conservancy contract and allowing the amphibian rescue.

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

**Old Business:**

**Environmental Commission Appointment:**

Mayor Scott appointed Cindy Tracey as a Regular Member, term expiring 12/31/13. Mayor Scott moved Mike Nystrom from the Alternate #2 position to the Alternate #1 position, term expiring 12/31/12.

**New Business:**

**Chief Financial Officer (CFO) Contract:**

Mr. Fisher made a **motion** to amend the CFO Contract changing the working hours from 8 a.m.-4 p.m. with a one-hour lunch to 8 a.m.-3 p.m. without a lunch, seconded by Mrs. Straway.

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

**Appointment to Department of Public Works (DPW):** This item will be tabled for further budget review.

**Open Public Session:**

**Peter Weeks, 911 Millbrook Road** asked when an electrical inspector would be hired as he has been waiting quite some time for an electrical inspector. Mayor Scott indicated it was taken care of and he should be scheduled for an inspection shortly.

**Lisa Chammings, 928 Mt. Holly Road** asked for clarification on what SWR worker stood for. Mr. Fisher stated it is the abbreviation for Stillwater Recycling Center worker. Ms. Chammings asked how many workers are currently employed by the Recycling Center. Mayor Scott indicated there are four DPW workers and five Recycling Center workers.

**Jack Branagan, 961 Old Schoolhouse Road** asked who the Clean Communities Coordinator is. Mrs. Straway indicated it the coordinator is Keith Whitehead.

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

**Attorney Report:** Attorney Cohen reported that he and the Tax Assessor appeared before the Sussex County Board of Taxation on February 14, 2011 to request an extension for the revaluation until 2012 since there were only 14 usable sales during 2010 and there would not be a fair indicator of true value. The cost of the revaluation will be approximately \$250,000. An extension was granted by the Board.

**Correspondence:**

Mayor's Advisory Correspondence is available for review in the Correspondence Binder.

There being no further business, Mrs. Straway made a **motion** to adjourn the meeting at 7:57 p.m., seconded by Mr. Fisher. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder