

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
February 18, 2014
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 5:00 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.

Mayor Scott invited all present to join him in saluting the flag

Roll Call: PRESENT: Mayor Scott, Committeeman Gross, Committeewoman Chamblings (5:25), Committeeman Fisher, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, CFO Dana Moony and Attorney Michael Garofalo ABSENT: None

BUDGET DISCUSSION:

Swartswood Fire Department represented by Chief Anthony Ashley and Treasurer Tami Richardson presented their budget requests. Each line item was discussed and the Swartswood Fire Department's budget requests were down from 2013.

Swartswood Fire Department has approximately 1000 feet of hose that is outdated and must be replaced. The CFO stated that purchase will come from the capital account. The Swartswood Fire Department also requested five (5) sets of new turnout gear at the cost of \$10,500. This purchase will also come from the capital account.

Mr. Ashley noted that eleven (11) members of his department have qualified for the maximum LOSAP for 2013 which collectively is \$14,350.00

Mr. Ashley is also Stillwater OEM and presented his budget for that department as well. The line items were discussed and everything was in order.

Mayor Scott thanked Mr. Ashley and Ms. Richardson for their job well done with their budget requests. Mayor Scott noted that the next budget meeting for the Board and Commissions and Municipal Departments will be held on Wednesday 26, 2014 at 6:00 p.m.

A short five minute recess followed before the beginning of the regular meeting at 7:00 p.m.

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.

RESOLUTIONS:

2014-028 Appointing a Temporary HHS Fire Sub Code Official
2014-029 Lien Redemption Block 3401 Lot 21
2014-030 Authorizing the Execution of a Shared Service Agreement for Certified Recycling Professional to certify and submit 2013 Recycling Tonnage Report to NJDEP

REPORTS:

Stillwater Emergency Rescue Squad Monthly and Monthly Day Calls - January 2014

Mr. Gross made a **motion** to approve the Consent Agenda as amended, seconded by **Ms. Chammings**.
Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, yes, Mayor Scott, yes

2014 Bill List Cycle #2: \$1,476,815.11

Resolution 2014-031 Motion by **Mrs. Straway**, seconded by **Mr. Fisher** to approve the 2014 Bills List Cycle #2.

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, yes, Mayor Scott, yes

Amendments to the Agenda: none

Open Public Session: No one from the public wished to speak.

COMMITTEE REPORTS:

Mr. Fisher: No Report

Ms. Chammings: Reported that the Environmental Commission with the aid of the Land Conservancy is working on the ERI update including maps. Mr. Klimek spoke to the State about providing cameras to prevent or catch those who are illegally dumping and the Environmental Commission is continuing to discuss the tree cutting ordinance.

Ms. Chammings also acknowledged the DPW department for an outstanding job during a very rough winter.

Mr. Gross: Reported there is no Zoning Board of Adjustment meeting this month. Mr. Gross also reported that the auditors had completed the financial statements.

Mrs. Straway: Reported that the Sussex County League of Municipalities meeting subject was Risk Management. The speaker emphasized the need for policy manuals for all employees, governing bodies, and volunteers.

Mayor Scott: Reported that the next Planning Board meeting will be held on February 19, 2014. Mr. Scott also stated that no resident may plow or shovel snow from their driveway into the street.

OLD BUSINESS:

Ordinance 2014-001 Public Hearing and Adoption

ORDINANCE 2014-001

**CALENDAR YEAR 2014 ORDINANCE OF THE TOWNSHIP OF STILLWATER,
COUNTY OF SUSSEX, NJ TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Stillwater in the County of Sussex finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.0% increase in the budget for said year, amounting to \$ 67,230.18 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Stillwater, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the Township of Stillwater shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$ 78,435.21, and that the CY 2014 municipal budget for the Township of Stillwater be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and unanimous voice vote the meeting was open to the public for discussion on this ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, no, Mayor Scott, yes – Ordinance 2014-001 was adopted.

Ordinance 2014-002 Public Hearing and Adoption

**STILLWATER TOWNSHIP
SUSSEX COUNTY**

ORDINANCE 2014-002

**AN ORDINANCE ESTABLISHING A FEE FOR SMOKE DETECTOR
CERTIFICATION.**

WHEREAS, Section 134-6 of the Code of the Township of Stillwater entitled “Buildings” requires the issuance of a Certificate of Occupancy (Smoke Detector Certification) upon the occupancy or change in occupancy of a building; and

WHEREAS, the fee for a Smoke Detector Certification has not been set forth in the Township Code.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Stillwater as follows:

1. That Section 134-6 of the Code of the Township of Stillwater shall be revised as follows:

A sentence shall be added to the end of Section 134-6 which shall read as follows:

The fee for a Certification of Occupancy/Smoke Detector Certification shall be \$40.00.

Severability. If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

Repealer. All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

Effective Date. This ordinance shall take effect after publication and passage according to law.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and unanimous voice vote the meeting was open to the public for discussion on this ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chamings, yes, Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, yes, Mayor Scott, yes – Ordinance 2014-002 was adopted.

Ordinance 2014-003 Public Hearing and Adoption

**STILLWATER TOWNSHIP
SUSSEX COUNTY**

ORDINANCE 2014-003

An Ordinance Establishing an Energy Aggregation Program Pursuant to the GOVERNMENT ENERGY AGGREGATION ACT OF 2003, N.J.S.A 48:-93.1 to 98 Whereas, the State of New Jersey has been engaged in a process to establish a competitive market place through deregulation and restructuring the electric utility market; and Whereas, the establishment of a government aggregator and an energy aggregation program to purchase electric generation service pursuant to N.J.S.A. 48:3-93.1 et seq. and N.J.A.C. 14:4-6.1 et seq. will increase competition for the provision of electric power to residential and non-residential users, thereby increasing the likelihood of lower electric rates for these users without causing any interruption in service; and Whereas, under the aggregation process the residential and non-residential ratepayers may likely receive a direct reduction in their electric bills; and Whereas, the citizens of the Township of Stillwater have a substantial economic and social interest at stake; and Whereas, the Governing Body of the Township of Stillwater hereby finds that it is in the best interests of residential and non-residential electric ratepayers to enter into an aggregation agreement in order to seek substantial savings on electric rates; Now, Therefore BE IT RESOLVED by the Governing Body of the the Township of Stillwater as follows:

1. The Township of Stillwater publicly declares it is a participating member of the Passaic County Energy Cooperative Pricing System per Resolution dated January 21, 2014.
2. That the Township of Stillwater desires to participate in the Passaic County Cooperative's Government Energy Aggregation Program and aggregate energy supply service on behalf of its residential and non-residential users of energy pursuant to the Government Energy Act of 2003, N.J.S.A. 48:3-91.3 to -98, and implementing regulations.
3. That Passaic County as the Lead Agency will seek bids on behalf of the Cooperative from licensed and appropriate Third Party Suppliers. If such winning bid is selected and agreement executed, individual residential consumers would retain the option not to participate and to choose any alternatives they desire, while non-residential ratepayers would also have the right to participate.
4. The Mayor is authorized to execute and the Township of Stillwater Clerk to attest to any documents necessary to carry out the purpose of the Ordinance.
5. The fully executed agreement shall be kept on file and available for public inspection with the Township of Stillwater Clerk's Office.
6. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.
7. This Ordinance shall become effective immediately upon passage and publication as provided by law.

Upon Motion by Mr. Fisher, seconded by Mr. Gross and unanimous voice vote the meeting was open to the public for discussion on this ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Mr. Fisher, seconded by Ms. Chamings and **Roll Call Vote:** Ms. Chamings, yes, Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, yes, Mayor Scott, yes – Ordinance 2014-003 was adopted.

NEW BUSINESS:

ORDINANCE #2014-005 Introduction 1st Reading [Public Hearing March 4, 2014]

Ordinance for adoption of the Township of Stillwater Employee Handbook: Personnel Policies And Procedures, and as May be Further Revised by Resolution

This Ordinance has been tabled to the March 4, 2014 meeting

Open Public Session: Mayor Scott invited the public to speak on any matter.

Mr. Bader Qarmout, owner of the New Swartswood Deli, Swartswood Road, Stillwater, thanked the Township of Stillwater and its' residents for their warm reception of his new business.

Mr. Lee Hammond, 904 Maple Lane, Stillwater, asked that the DPW pick up the grit spread on the roads this past winter instead of just sweeping it to the side of the road.

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

DISCUSSION ITEMS:

Haverfield Aviation Inc.: (Ms. Chamings stepped down for this discussion) Pilot Dan Arenson of Haverfield Aviation had previously been granted permission from the owner of 928 Mount Holly Road and the Township Committee to have a temporary Helistop on the aforementioned property. They are now asking that the helicopter be able to be refueled at that location. There were two locations for the pad and refueling – one closer to Mount Holly Road and the other further back on the property. Mr. Arenson stated that the fuel truck used to refuel the helicopter would be similar to the type used by many homeowners to fill their home fuel tanks and actually carry less than the tankers used for residences. The property owner did not want the pad to be the one that would be closer to Mount Holly Road because it would be closer to neighbor's animals and she does not want the animals to be startled by the helicopter.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Mr. Fisher, yes, Mrs. Straway, yes, Committeeman Gross, yes, Mayor Scott, yes – There is no objection to Haverfield Aviation Inc. refueling the helicopter on the pad further from Mount Holly Road at 928 Mount Holly Road, Stillwater Township.

The Acting Clerk will send an e-mail to Haverfield Aviation Inc. with the Township Committee's approval and the clarification of the property owner's permission.

Attorney Report: None

Correspondence: Mayors' Advisory Correspondence is available in the Correspondence Binder at the Municipal Building.

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

Respectfully submitted,

Lynda Knott
Acting Municipal Clerk