

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**January 17, 2012**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6:05 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, Deputy Mayor Fisher, Committeewoman Chamblings, Committeeman Gross, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Larry Cohen

**Executive Session:**

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mrs. Straway, seconded by Mr. Gross and unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:08 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; Contract; Real Property
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 Mrs. Straway, seconded by Mr. Gross to conclude the Executive Session at 7:05 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.**

**Minutes:** Regular/Executive 12/27/2011; Regular 1/3/12; Reorganization 1/3/12

**Department Reports:**

Building Department – December 2011

Swartswood Vol. Fire Department – 2011 Annual Report

Stillwater Vol. Fire Department – 2011 Annual Report

Stillwater Emergency Rescue Squad – Annual Calls 2011; Annual Day Calls 2011; December 2011 Monthly Calls; December 2011 Day Calls; November 2011 Monthly Calls; November 2011 Day Calls; 2011 Number of Calls Per Member

**Resolutions:**

2012-020: Authorizing the Issuance of Raffle License RA-2012-001 (Stillwater Recreation League)

2012-021: Supporting Participation in Sustainable New Jersey Municipal Certification Program

2012-022: Authorizing the Issuance of Raffle License RA-2012-0002 (Camp Nejeda Foundation)

Following a discussion, Mayor Scott made a **motion** to approve the Consent Agenda, pulling Resolution 2012-021 for further review and it will be re-addressed at the February 21, 2012 Township Committee meeting, seconded by Mr. Gross.

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

**Bill List Cycle #2:** \$261,896.94

Mr. Gross made a **motion** to approve Bill List Cycle #2, seconded by Mrs. Straway.

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

**Amendments to the Agenda:** None

**Open Public Session (Agenda Items Only):**

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

**Committee Reports:**

**Ms. Chammings:** The Environmental Commission met on January 9, 2012 with Mr. Branagan elected as Chairperson, Mr. Klimek as Vice-Chairperson, and Mrs. Wunder as Secretary. The EC approved a bill for \$320.00 for ANJEC membership dues. The following items were discussed: the usefulness and validity of ANJEC agendas; quotes for the Open Space brochure; the Sustainable Jersey point system based on actions, including a request for past energy audits from the office of the Municipal Clerk which may be eligible for points; and the EC provided their support for the renewal of the township contract with the Land Conservancy to assist in preserving open space. A presentation will be provided on the Agenda 21 issue at the next EC meeting to be held on February 13, 2012.

**Mr. Gross:** Mr. Whitehead, Recycling Coordinator, will be working on the tonnage grant during February. He will also provide a cost analysis on the recycling costs related to traveling to Mine Hill vs. Green Township.

The Zoning Board of Adjustment will meet on January 23, 2012 for their reorganization/regular meeting and will consider the Resolution for the Nextel application.

**Mrs. Straway:** Mrs. Straway attended a Sussex County League of Municipalities meeting including a Municipal Attorney roundtable discussion on public employment, OPRA, contracts, land use, and shared services. John Armeno retired as Treasurer and has been replaced by George Graham.

**Mayor Scott:** A budget meeting will be held on Saturday, January 28, 2012 beginning at 9 a.m. at the Municipal Building. The DPW was out last night sanding due to the icy road conditions.

**New Business:**

**Board of Health:** Ms. Chammings asked to schedule four Board of Health meetings, possibly quarterly, as this board falls under the jurisdiction of the Township Committee. She stated two issues of concern are the cleanup of the Stillwater Inn and mosquito problems related to the flooding, and other topics of discussion may include the rabies clinic and flu vaccinations.

Ms. Chammings made a **motion** to hold four Board of Health meetings during 2012, as advertised, to be held on February 7, 2012; April 3, 2012; July 3, 2012; and October 7, 2012, beginning at 7 p.m., seconded by Mr. Gross.

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

**Citizen Leadership Form:** Amended board/commission member application form

Ms. Chammings stated the new document lists Public Law 2009 Chapter 141 requiring the form and only the bottom portion will need to be redacted for an OPRA request. Following a brief discussion and comparison to the original form, the Committee agreed to use the new member application form.

**Discussion Items:**

**Letter received from Carol Drace, re: permit fees:** Ms. Drace has requested a waiver of building department permit fees. Mr. Gross reported he had spoken with the Construction Official who indicated only township fees could be waived, not the state fees. Mr. Gross noted the fee has been paid and Ms. Drace is requesting a reimbursement. Following a brief discussion, Attorney Cohen recommended against the waiver as it would set a precedent for future requests.

**West End Drive:** Mayor Scott stated a letter was received from Mr. Volk regarding the West End Drive flooding issue. The Zoning Officer responded to Mr. Volk both verbally and in writing informing him that the Township Engineer is currently working on the matter.

**Coin Toss:** Charitable Solicitations Plan

An engineering plan is required by the County for the coin toss location for each fire department, and the fee for each plan is \$500.00. The liaison to the departments will contact each to discuss payment of the fee.

**Safety Meeting:** Mayor Scott announced the next Safety Meeting will be held on Thursday, January 26, 2012.

**Presentation:** Sandy Urgo, Land Conservancy of New Jersey

Ms. Urgo provided information on the Land Conservancy using a spreadsheet indicating projects that have closed since 2007 and projects currently being considered. She reported 785 acres have been preserved in Stillwater since 2007 at a cost of \$5.1 million; most of the funding was provided by the State, with some farmland funding from the County, and \$106,000 in funding from the Land Conservancy of New Jersey's non-profit grant. She discussed two farmland projects that are pending preservation; one the County will match, the other the County is not interested in due to their limited funding. She informed the Committee that there will be approximately \$30 million in mitigation funding that will become available fairly soon for properties within site distance or adjacent to the ridge; adjacent to the Delaware Water Gap National Recreation Area; and adjacent to the PSE&G line. Ms. Urgo will meet with the Environmental Commission regarding this funding to determine eligible properties. She briefly discussed the Shuler project which has closed, and she reviewed an Open Space brochure, and the Open Space map, which is currently being updated using a parcel overlay.

In response to Committee questioning, Ms. Urgo referred to the Open Space map, reviewed the location of two working farms, one leased for haying and the other worked by the owner. She indicated that providing a financial menu for the Land Conservancy would be difficult as there are many elements; although a financial breakdown could be provided for specific items such as a map. Ms. Urgo stated the work done this far has been covered under the prior contract and the continued work required on the updated map will fall under the new contract. She stated if the contract is not renewed, a fee could be provided to complete the map. She hoped with the mitigation funding being made available that the contract would be renewed. Ms. Urgo explained the process of farmland preservation, stating the property can never be developed and remains taxable. She noted most of the money the farmer receives is put back into the farm.

Mrs. Straway indicated that Sussex County grew by 5,000 in population over the last 10 years; Stillwater over the last 20 years has lost 4 percent of their population. She stated between 35-38 percent of the township is state or non-profit owned resulting in an enormous amount of the township not being developable. She expressed concern with the position the township will be placed in if preservation continues.

Ms. Urgo referred to the spreadsheet and indicated which properties were working farms. She explained ratable vs. preservation is a township decision, keeping in mind the exposure to development when the real estate market rebounds and the impact on the infrastructure and schools. She noted not preserving can create years of desperation for a farmer until the market either rebounds or the farmer decides to develop it.

Ms. Chammings stated the taxes collected from one house on a farm that is developed will be much less than the cost to send a student to school, so no money is being gained. Mrs. Straway noted the school population is declining each year.

The Committee thanked Ms. Urgo and she concluded her presentation.

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

**Ed Szabo, 978 Route 521** provided information packets to the Committee concerning Agenda 21 and sustainability. Mr. Szabo announced that Alice Brees would be the guest speaker at the Stillwater Taxpayer's Association meeting to be held on Thursday, January 19, 2012 at 7:30 p.m. and she will provide a presentation on water. The Taxpayer's Association will be holding their Annual Fundraiser Dinner and Silent Auction on Saturday, February 11, 2012, \$15 per person.

**Ken Bradley, 10 East Side Drive, Little Swartswood Lake** asked the Committee to take the information obtained throughout the Nextel application hearings and take into account the considerations of the entire community. He noted millions of dollars are spent each year to preserve the natural areas. He asked the Committee to revisit the ordinances and please take all concerns into account moving forward.

**Jack Branagan, 961 Old Schoolhouse Road** spoke as Chairman of the Environmental Commission stating the Land Conservancy has done terrific things for the township and he hoped the Committee would renew their contract.

**Carol Fredericks, 913 Middleville Road** referred to the discussion on the new board member application form and she questioned the need to provide income information. Attorney Cohen stated the income information cannot be obtained by the public and would be redacted under an OPRA request. Mrs. Fredericks commended the fire companies and Rescue Squad for their help during her daughter's recent accident. She asked when the Stillwater Inn property would be addressed. Mayor Scott indicated it is still under investigation by the Prosecutor's Office and until clearance is provided the demolition cannot move forward.

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

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

Respectfully submitted,

Kathy Wunder