

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**January 22, 2013**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Gross at 7 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 Gross, Committeewoman Chamblings, Committeeman Fisher, Committeewoman Straway, Deputy Mayor Scott, Acting Municipal Clerk Lynda Knott, and Attorney Michael Garofalo.

**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 Minutes: December 11 and December 18, 2012

Executive Minutes: October 2, December 4 and 11, 2012

**Resolutions:**

**2013-019** Establishing a New Change Fund

**2013-020** Mayor's Appointment of Dwane A. Banghart as an Active Member of the Stillwater Volunteer Fire Department

**2013-021** Public Utilities Initiative

**Reports:** Building Department, December 2012

Stillwater Emergency Rescue Squad Day Calls and Monthly Calls, December 2012

Tax Collector, December 2012

Sussex County Board of Health, December 2012

Employee Sick/Vacation Time 2013

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

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

**Bill List Cycle #1:** \$109,307.66

Mr. Scott made a **motion** to approve Bill List Cycle #1, seconded by Mrs. Straway.

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

**Bill List Cycle #2:** \$797,286.06

Mr. Scott made a **motion** to approve Bill List Cycle #2, seconded by Mr. Fisher.

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

**AMENDMENTS TO THE AGENDA:** Resolutions 2013-13 and 2013-15; Committee Reports

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

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

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

**NEW BUSINESS**

**ORDINANCE 2013-001** Introduction/1<sup>st</sup> Reading (Public Hearing – February 5, 2013)

**Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank**

Mr. Scott made a **motion** to introduce Ordinance 2013-001, seconded by Mrs. Straway.

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

**DISCUSSION ITEMS:**

**Emergency Volunteer Tuition Credit Program - Resolution 2013-022:** Ms. Chamblings made a **motion** to table this item until the next meeting for consideration following Committee review, seconded by Mr. Fisher.

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

**Recycling Pay – John Koza:** Mayor Gross provided a background on the matter, indicating he authorized Mr. Koza to act as the person in charge at the Recycling Center due to a resignation and Mr. Koza has not been paid the additional \$2.00 per hour he is due. Mr. Scott made a **motion** to pay Mr. Koza, pending confirmation by the CFO that the amount is correct, seconded by Mr. Gross.

Mrs. Straway expressed concern with Mr. Koza taking over the position without Committee approval. Mr. Scott and Mr. Fisher recommended paying Mr. Koza, and discussing the matter further in Executive Session at the next meeting.

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

**Eagle Trail Area - Emergency Squad/Fire Vehicle Access:**

Mr. Gross provided a background history on the area, indicating the roads are private and there is no association, and Ms. Knott explained there was concern with emergency access.

**Jim Pavone, Chief, Stillwater Fire Department** stated he believed there was a problem accessing the area during a recent squad call. Chief Pavone suggested sending a letter to the homeowners in the future indicating the roads may have to be better maintained for emergency services to access that area. Attorney Garofalo recommended contacting Mr. Morville regarding the content of the letter from an insurance standpoint and also referencing the statute indicating that private associations can petition the governing body to take over the roads once they are improved. In response to questioning, Chief Pavone stated a Public Awareness Program is normally held in conjunction with Stillwater Day and open houses are held at the fire house throughout the year. Ms. Chamblings suggested incorporating the issue of road access into the programs.

**Arlene Fisher, Zoning Officer** explained the issue originated when she was contacted by a resident who was having difficulty refinancing due to the lack of an association. There have also been problems distinguishing between roads and right-of-ways and mortgages and refinancing are difficult to obtain. Mrs. Fisher contacted the State who indicated the township is not responsible. She noted the ordinance does not provide for private roads that do not have an association.

**Lakeside Construction – Veteran’s Memorial Park Project:**

Mrs. Straway reported the County bridge project is progressing and is addressing the culvert pipe undermined by storms Lee and Irene. She met with the engineers and contractor regarding one of the river banks at the park which has also been undermined becoming a hazard and is in danger of collapsing. She noted this would fall under the scope of the DEP permit secured by the County and Lakeside Construction has provided a quote of \$2,500 to remove one large tree, three to four smaller trees and to perform minor slope repair. If the township does not address the issue at this time, a separate DEP permit may be required and the township will have to go to bid resulting in substantially higher costs. Mrs. Straway made a **motion** to hire Lakeside Construction, in the amount of \$2,500, seconded by Mr. Scott, pending certification of funds. The project will be funded through the Pond Brook Park bond ordinance.

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

**Construction Official Position/Building Department:**

Mr. Scott and Ms. Chamblings met with John deJager, Construction Official (CO) of Hampton Township. Ms. Chamblings explained Hampton Township had contacted Stillwater offering their help in providing coverage for the Building Department. Ms. Chamblings then spoke with Mrs. Bernstein, TACO, to inquire about the needs of the Building Department at this time. She stated Mr. deJager has many years of experience working for several townships both as a CO and in the Technical Assistant position. Ms. Chamblings noted there may be concern that the rest of the Committee was not involved in meeting with Mr. deJager, however it was done quickly to address a difficult situation and Mr. deJager understood that this would be a temporary position to keep the department moving forward. In response to questioning by Attorney Garofalo, Mr. Scott indicated this would be a temporary appointment to allow time to make a permanent appointment and Mr. deJager understood he would not be filling the remainder of Mr. O’Connor’s term. Based on salary comparisons, Mr. deJager was agreeable to \$45.00 per hour. Mr. Gross expressed concern with a salary being offered

without Committee approval. Mr. Gross stated there are three qualified inspectors currently working for the department able to provide coverage. Mr. Fisher stated the current Electrical Inspector has the highest license, Class II, allowing him to conduct and sign-off on plan review and he has agreed to temporarily fill the position. Mr. Fisher recommended appointing the Electrical Inspector on a temporary basis, and reviewing the options available over the next few meetings. Mrs. Straway made a **motion** to appoint Greg Chontow as the Temporary Acting Construction Official, seconded by Mrs. Straway.

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

**Resolution 2013-13:**

**2013-013 Approving Mayor's Appointments of Township Officers with Committee Concurrence**

Mr. Scott asked for clarification on the OEM appointment as he has held the position and would like to continue to do so. Mrs. Straway explained the OEM position is becoming very important and with past storms Irene, Lee, Snowtober and Superstorm Sandy, all with a lot of damage, the OEM was a necessity not just during the storm but before and after. She expressed concern with Stillwater not being properly represented, missed opportunities and loss of fund reimbursements due to the lack of documentation being filed, as well as no follow-up. She noted Mr. Ashley acted as OEM Coordinator during Superstorm Sandy and Irene and all FEMA documentation was completed appropriately and she and Mr. Ashley attended an OEM meeting today regarding mitigation. She felt the OEM position should be filled by someone who is attending the meetings, filling out the necessary documentation and who is learning how to do the job and representing Stillwater. Mr. Scott noted the former OEM resigned in the middle of the storm and he took over the position with Mr. Ashley as his deputy. He felt they worked as a team along with the emergency services and Ms. Knott helped with the necessary documentation. He stated he attended FEMA meetings in Warren County and was in constant contact with the County OEM. Mrs. Straway stated the township did not receive over \$15,000 in reimbursements for pumps and hoses due to the lack of follow up and paperwork being done. Ms. Chamblings reviewed the FEMA reimbursements to the township in 2011 and asked for clarification on who was responsible for filing the paperwork for the pumps and hoses reimbursement. Ms. Chamblings indicated there were two or three residents interested in the OEM position and she questioned if they should be interviewed. Mr. Scott indicated he has the necessary certification to serve as OEM and Mr. Ashley reviewed his certifications and stated he has additional courses to obtain the OEM certification. Mr. Scott provided a background history on how he took over as OEM and worked as a unit with Mr. Ashley and Mr. VanGorden, along with Tammy Richardson. He waived the salary for the position for the past two years. Mr. Gross asked the matter to be carried to the next meeting to allow the Clerk to contact the County OEM for verification of the certifications for Mr. Scott and Mr. Ashley.

Mr. Fisher made a **motion** to adopt Resolution 2013-13 appointing Mr. Scott as OEM Coordinator; and Anthony Ashley as Deputy OEM Coordinator with a stipend, seconded by Mr. Gross.

This motion was tabled.

Mr. Scott made a **motion** to adopt Resolution 2013-13 pulling the OEM appointment and carrying the item to the next meeting, seconded by Mr. Gross.

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

**Resolution 2013-15:**

**2013-015 Establishing Committee Departments:** This item was tabled until the February 5, 2013 meeting. Mr. Gross would attend the January Zoning Board meeting as liaison.

At this point, Ms. Chamblings offered condolences on behalf of the Committee to Mr. Fisher on the passing of his brother and she thanked him for attending the meeting tonight.

Mr. Fisher thanked the Committee and left the meeting at this time.

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

**Kathleen Draghi, 1016 Route 619** asked for clarification on whether or not the Recycling Center employees fall under Civil Service regulations. Mr. Gross indicated they do not. She asked about the electronics recycling being discontinued and the reason why. Ms. Knott explained Simms has lost their purchaser so they are leaving New Jersey completely, and the township is currently looking for another vendor.

Ms. Draghi asked if the personnel policies are up to date with respect to Civil Service hiring. She has noticed that positions in the past have not been advertised. Ms. Knott stated Civil Service is contacted when hiring. Attorney Garofalo

explained many positions in Stillwater are statutory and do not fall under Civil Service. Ms. Draghi asked if the municipality could opt out of Civil Service. Mr. Gross indicated it could be done if approved by ballot.

**Lee Hammond, 904 Maple Lane** expressed concern with the excess of grit and sand placed on the roads in his area as he felt it was a waste of money. Mr. Hammond spoke about his family's experiences in national shooting tragedies and he asked about improving the safety for the residents and school children of Stillwater.

Mrs. Straway stated the elementary school has already taken steps with drills, metal doors as opposed to glass doors, visitor entrance buzzers, etc., all prior to the tragedy and both Stillwater and Kittatinny are continuing to do so. Grant money is being pursued for Stillwater School for an outdoor classroom to instill a sense of community and well being, especially for children at risk. A portion of the Alliance grant is also being used for the Red Ribbon Campaign and Bullying Summit, geared toward mental health awareness. Mr. Hammond questioned if it would be possible for the County Sheriff's Department to provide police protection for the County at some point in the future.

**Bill Steckowich, 907 Hardwick Road** commended the Committee for the past year and he spoke about his experience with a national tragedy in Arizona and gun control.

Mayor Gross encouraged public input and discussion at future Committee meetings and he noted that he just finished his 23<sup>rd</sup> year on the Committee and is being honored in Trenton on February 6, 2013 for his length of service to the community.

#### **Committee Reports:**

**Ms. Chammings:** The Environmental Commission (EC) held a workshop for Sustainable Jersey and members of the public attending were assigned research items such as Municipal Building energy audits, creating a green team, green fairs, recycling waste reduction, natural resource inventory, etc. Randall Solomon, NJDEP Sustainable Jersey representative, will be a guest speaker at the next EC meeting to be held on February 11, 2013.

The Rescue Squad installation dinner will be held on February 16, 2013. Stillwater Volunteer Fire Department will hold their installation dinner in March.

Ms. Chammings thanked all who helped the township through a very difficult time during the recent loss of a Rescue Squad member. Ms. Chammings reported the ambulance has been cleaned out and she spoke with Mr. Morville who suggested having the ambulance towed and a proper appraisal done. Ms. Knott will follow up on the matter with BCI. Ms. Chammings asked Mayor Gross to allow her to be a member of the Personnel Committee to review the personnel policy and it was agreed she and Mrs. Straway would work together on the matter. Ms. Chammings noted she voted no on Resolution 2013-13 to appoint employees as a proper performance review had not been conducted in four years.

**Budget Meetings:** Ms. Knott would coordinate the budget meetings with Mrs. Mooney, utilizing workshop dates if possible.

**Deer Removal:** Mrs. Straway made a **motion** to offer the contract for removal of dead deer from the township roads, at a cost of \$35 per deer, seconded by Mr. Scott.

The deer removal would not be conducted on County roads.

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

**Attorney Report:** None

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

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

Respectfully submitted,

Kathy Wunder