

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**April 3, 2012**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Deputy Mayor Fisher at 6:07 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: Deputy Mayor Fisher, Committeewoman Chamblings, Committeeman Gross, Committeewoman Straway, and Acting Municipal Clerk Lynda Knott.

ABSENT: Mayor Scott

**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: Personnel: CFO, Account Clerk; Public Safety: MSLA Dog licensing; Litigation: Nextel

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:
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 Ms. Chamblings, seconded by Mr. Gross to conclude the Executive Session at 7:00 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.**

**Regular Minutes:** March 20, 2012

**Resolutions:**

- 2012-021 Supporting Participation in Sustainable Jersey Municipal Certification Program
- 2012-045 Authorizing Execution of Southwestern Municipal Alliance Grant Agreement
- 2012-046 Appointment of Daniel Hogan as PT Recycling Attendant #3
- 2012-047 Appointments of Michael Losey and Jonathan Koza as PT Recycling Attendants #2
- 2012-048 Appointment of Tammy Leonard as PT Account Clerk
- 2012-049 Authorizing the Execution of Employment Agreement/Appointing Dana Mooney as CFO
- 2012-050 Authorizing Refund of Zoning Board Escrow Funds
- 2012-051 Accepting Resignation of Glenn Struble from Recycling Center

Mr. Gross made a **motion** to approve the Consent Agenda, removing Resolutions 2012-021 and 2012-047 for separate consideration, seconded by Ms. Chamblings.

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

**Discussion - Resolution 2012-21:** Mr. Gross provided a brief history on the Sustainable Jersey Program. He stated Resolution 2012-021 supports the certification program and establishes a Green Team consisting of Environmental Commission members and he expressed concern with entering into the program and not being able to withdraw from it. He noted its comparison to UN Agenda 21. Attorney Cohen would review the resolution and provide his input.

**Discussion - Resolution 2012-47:** Ms. Chammings explained she would abstain from voting as she is related to Michael Losey. Mr. Fisher asked for clarification on why two recycling workers were hired. Mr. Gross explained there has been an increase in workload due to the electronics disposal and an additional worker was needed. He felt it was necessary to keep the center running efficiently and he noted the position was advertised with several applicants applying. Mr. Gross reported one of the recycling workers damaged his prosthetic arm over the weekend but was able to continue working. Mrs. Straway expressed concern with two employees being hired; noting the SCMUA rates have not been provided yet and the landfill will close in 2018. She was concerned with having to increase rates at the Stillwater Recycling Center. She noted although it was discussed at a budget workshop meeting it was not discussed at a regular Committee meeting. Mrs. Straway confirmed with the CFO that funding is available for the additional position. Mr. Gross stated there will be additional funding from the tonnage and electronics disposal, and feedback from the residents has been very positive. Mr. Gross made a **motion** to adopt Resolution 2012-47, hiring Michael Losey and Jonathan Koza as #2 Recycling Attendants, seconded by Mr. Fisher.

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

**Discussion - Resolution 2012-21:** After review of the resolution, Attorney Cohen stated the purpose of Resolution 2012-21 is the appointment of members to a Green Team to move forward to obtain certification with Sustainable Jersey.

Mrs. Straway made a **motion** to adopt Resolution 2012-21, seconded by Mr. Gross.

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

**Discussion - Resolution 2012-48:** Ms. Chammings clarified that Resolution 2012-48 was to hire a part-time Account Clerk to assist the CFO, which the Clerk has been doing to this point. The Committee met with the new employee during Executive Session this evening, she is a township resident and all appropriate Civil Service requirements have been followed. The resolution was approved under the Consent Agenda.

**Bill List Cycle #7:** \$805,551.39

Mrs. Straway made a **motion** to approve Bill List Cycle #7, seconded by Mr. Gross.

**Roll Call Vote:** Ms. Chammings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes  
Mr. Gross noted the bill list included the school and County payments.

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

**Diane Apostola, 916 Five Points Lane** asked for clarification on the hiring of the two recycling workers and why Mr. Gross did so without approval of the entire Committee. Mr. Gross explained the Committee was aware interviews were being conducted and all approved the newspaper advertisement, noting the positions do not fall under Civil Service. Ms. Apostola questioned why the full-time CFO needed a part-time assistant. The Committee explained the CFO is also a part-time position, and Ms. Chammings explained the combined salary of the two part-time employees is the same or slightly less than prior CFO.

**Kathleen Draghi, 1016 Route 619** In response to Ms. Draghi, Mr. Gross indicated that all employees, including the fire departments and first aid squad are covered under workmen's compensation.

**Bill Steckowich, 907 Hardwick Road** felt the recycling worker with the prosthetic arm should handle the register rather than heavy lifting. Mr. Fisher stated he does other light work such as the batteries, light bags, and registering the oil.

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

### **Committee Reports:**

**Mr. Gross:** Zoning Board met on March 26, 2012 and site plan approval was granted to a commercial business.

**Mrs. Straway:** The National Park Service has selected its preferred alternative for the PSE&G power line project, which will follow an existing power line route. The park service will issue a report of decision in September or October. The Stillwater School TREP\$ Marketplace will be held on April 4, 2012, cash only, including items created and marketed by students, open to all. Stillwater School will hold its first spelling bee for grades 4<sup>th</sup> through 6<sup>th</sup>, coordinated by Elaine Makarevich. Robyn Meehan, 12 year school board member, has resigned to take a position with New Jersey School Board Association. Applications for the open seat are due April 24<sup>th</sup> with interviews on April 30<sup>th</sup>. Stillwater and Kittatinny introduced their budgets and Kittatinny will be presenting their budget at the Township Committee meeting to be held on April 17<sup>th</sup>.

Mrs. Straway distributed a list of potential land sale lots to the Committee and asked them to visit the sites and provide their input.

**Mr. Fisher:** Clean Up Day will be held on April 28<sup>th</sup>, those interested should contact Tammy Leonard. The Stillwater Day date was changed to June 16<sup>th</sup> as several other towns are holding their days on the original date. Mr. Fisher asked for a letter to be sent to the lawn service that cuts the grass at Veteran's Memorial Park as they are running the temporary fence over. He also requested a key to be provided to the portable toilet company. Ms. Knott indicated a key has been provided.

**Ms. Chamblings:** The Planning Board is continuing work on the Master Plan with focus on agribusiness, solar and wind turbine ordinances. She invited the public to attend a Planning Board meeting if they have input on the Master Plan. A letter was received from Governor Christie indicating the township has saved \$23, 880 in retirement funds due to the pension contributions change. Mr. Gross noted the township is still paying for the police department pensions.

Ms. Chamblings reported she attended the Freeholder meeting following the township approval of the Homestead resolution. She spoke with Mr. Eskilson and Mr. Crabb and if the public is interested in more information on the matter, it can be found on the Sussex County website homepage. Ms. Chamblings provided copies of the information for the public.

Ms. Chamblings asked for two resolutions to be added to the next agenda for consideration:

- Opposing Senate Bill S-1451 to reform and modernize the Open Public Meetings Act.
- In favor of Senate Bill S-348 to restore energy taxes to municipalities.

She thanked Ms. Knott for addressing the phone service and switching internet providers from Net Access to Century Link. Ms. Chamblings asked Ms. Knott to provide a copy of the PSE&G agreement with the municipality for the Committee to review. Mrs. Straway noted there may be litigation with regard to the National Park Service decision and the project probably will not begin as scheduled.

### **Discussion:**

**Keys for Municipal Meeting Room:** The Water District will now meet at the Municipal Building and will pick up a key prior to each meeting and return it to the drop box that night.

**Revaluation 2012:** Ms. Chamblings made a **motion** to table the matter until Mayor Scott is present, seconded by Mrs. Straway.

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

At this time, Mr. Gross explained that Mayor Scott is not in attendance as his brother passed away. The Committee expressed their condolences.

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

**Carol Drace, 937 West End Drive** asked for the results of the survey that was done. Mr. Fisher explained the survey was done for the drainage easement located on Dove Island Road and West End Drive to determine why it is not draining properly. Mrs. Straway reported Mr. Vreeland received the survey back yesterday and would review it and report to Mr. Fisher.

**Bill Steckowich, 907 Hardwick Road** asked for an update on the Municipal Building renovations. Mr. Fisher indicated Phase I was completed with the exception of painting. Mr. Steckowich asked if the installation of a generator has been considered any further. The Committee indicated funding was included in the budget.

Mr. Steckowich referred to the flooding from the storms and the fire department not having enough pumps to help pump out houses. He expressed concern with insufficient funding in the fire department budget to purchase additional pumps. Mrs. Straway indicated seven new pumps were purchased and Mr. Gross explained both fire department budgets were thoroughly reviewed and all parties were in agreement. Mr. Steckowich referred to a costly fire truck repair that resulted from operator error and he asked if there was a fire department truck qualified maintenance crew. Chief VanGorden explained there are training hours and requirements to drive and operate a truck. He noted the fire truck in question is 21 years old and there is no way to know the cause of the problem.

At this time Committeewoman Chammings stepped down to participate in the public session.

**Lois Chammings, 956 Fairview Lake Road** provided a background on the horse ring that was constructed over 40 years ago on the Chammings property. The Chammings family has provided maintenance over the years, including mowing the grass, grading, seeding, fertilizing, and installing and repairing fencing on both the horse ring property and the adjacent township property with no reimbursement. She spoke on the issue of the horse trailers parking on the township property that was donated to the town by the Chammings family. She stated she understood insurance coverage needed to be obtained, is in touch with her attorney and insurance company, and it will be provided. Mrs. Chammings referred to the “no parking” signs posted last Friday in the area around the ring and was concerned that no one on the Committee or from the township had the courtesy to inform her. She questioned the motive for the sign posting and noted if there was a show the signs would have created a great deal of confusion.

Mrs. Straway explained that at the December 6, 2011 Township Committee meeting this matter was discussed and a motion was made not to allow an additional ring. She stated the existing ring could still be used, it would just result in increased insurance rates for the 4H. It was the recommendation of the township insurance agent not to allow use of the area due to risk, liability and the access in and out of the Recycling Center. Mrs. Straway stated there was a sign posted advertising a horse show and the “no parking” signs were posted to protect the town. There has been contact between the horse organization and the Zoning Officer and they are aware the town is not allowing the use. Mr. Fisher explained the original issue was the additional ring, which then brought attention to the parking. A representative of the horse organization is currently working with the township insurance agent to resolve the parking issue.

**John Chanas, 906 Homestead Drive** asked if the township is willing to work with Chaps and Breeches, Inc. if the details of the insurance can be worked out. He was not aware of the December 6<sup>th</sup> Committee decision. He spoke on the benefits to the 4H children from the Chaps and Breeches organization, many of whom are Stillwater residents. The organization is not part of 4H and all shows are open to the public. Mrs. Straway stated the issue does not just concern insurance it is also about open space and the fact that the property in question is not normally used for recreation purposes. She asked if other facilities have been considered, noting the parking location is a concern. The Committee agreed they could not make a determination on the parking until they receive input from the insurance agent.

**Judy Wilson, 621 Route 94, Fredon** stated her daughter is a member of Chaps and Breeches and she provided her support to Mr. Chanas. She stated her daughter will become a veterinarian in one month and refers back to her experiences at the Chammings ring. She and others in her 4H group were scholarship recipients. Mrs. Wilson referred to the different sports programs and stated there is another population of children that do not do typical sports and are instead involved in a horse program.

**Emily Wunderlich, 5 Sid Taylor Road, Lafayette** stated she is a former 4H member and scholarship recipient. She is currently a horse trainer, vet technician and 4H leader of 20 children who participate at the horse shows. She felt the horse show is a necessity as many children do not play other sports and this is their outlet and passion. In response to Committee questioning, she indicated her sister owns a barn and boarding facility in Lafayette.

**Lisa Chamings, 928 Mount Holly Road** clarified that Mr. Chanas is the past President of the organization and was not aware of the recent events. She also clarified that the organization is Chaps and Breeches, Inc. She asked for clarification on the open space issue regarding the property. Mrs. Straway did not have the information with her and could not comment. Ms. Chamings explained the property could not be included on the ROSI as it is part of the landfill. The 2.993 acres was donated to the township by the Chamings family to be used for recreation purposes and overseen by the Recreation Commission (RC). She provided a field use form to the RC for the use of the property as it is stated in the deed it must be determined by the RC, and she did so should the insurance issue be resolved. The first horse show will be held in early May. She asked who authorized and posted the signs. Mrs. Straway indicated the DPW posted the signs and Ms. Knott apologized as the Chamings family was supposed to be informed. The Chamings family would like to continue to assist the 4H program as they have done for 40 years and would like the Committee to reconsider the parking matter if the insurance is amenable to the risk agent and the horse association. She referred to the Planning Board focusing on agribusiness during its Master Plan review and to a NJH article regarding Sussex County being the fourth largest horse county in New Jersey. She stated only the children profit from the 4H, and she does not know of too many other organizations that give all their money back to the children that come to support it. She thanked Mr. and Mrs. Fisher for their help in the matter. She hoped the event would continue as it has for 40 years and she noted it would be difficult to find another location or to park elsewhere. Mrs. Straway noted it is a huge safety concern for the township and it is not just the trailer parking, it is the egress into the area as the facility is not set up for two-way traffic. Ms. Chamings stated the Rescue Squad would be asked to be present during the shows, it is only four Sundays and parameters would be set up. Mr. Fisher noted he did not know about the signs until he saw them on Saturday.

**Amy Schwartz, 915 Duck Pond Road** expressed concern with the issue and she felt common courtesies should be considered.

Mr. Gross stated there were signs advertising a horse show and he asked when it would be held. Ms Chamings stated no signs were posted for the upcoming May show due to the fact that the parking was still in question.

**There being no further members of the public wishing to speak, this portion of the meeting was closed and Ms. Chamings rejoined the Committee.**

**Attorney Report:** Attorney Cohen reported Nextel has filed suit against the Zoning Board of Adjustment as well as the township. The case against the township is with respect to the ordinance requiring a cell tower to be placed on township property.

There being no further business, Ms. Chamings made a **motion** to adjourn the meeting at 8:42 p.m., seconded Mr. Gross. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder