

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
April 17, 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: Mayor Scott, Deputy Mayor Fisher, Committeewoman Chammings, Committeeman Gross, Committeewoman Straway, and Acting Municipal Clerk Lynda Knott.

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mrs. Straway, seconded by Mr. Fisher and unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:06 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: Clerk, Tax Assessor, Mike Vreeland CPWM; Litigation/Potential Litigation: Stillwater Inn; Attorney-Client: Water District
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. Fisher to enter Open Regular Session at 7:00 p.m., unanimously carried by roll call vote.

PROCLAMATION: "The Month of National Donate Life"

PUBLIC HEARING OF THE 2012 MUNICIPAL BUDGET

Resolution 2012-052: Resolution of the Mayor and Township Committee of the Township of Stillwater Authorizing Reading of the Municipal Budget by Title:

Ms. Chammings made a **motion** to adopt Resolution 2012-052, seconded by Mr. Fisher:

STILLWATER TOWNSHIP
SUSSEX COUNTY
RESOLUTION 2012-052

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER
AUTHORIZING READING OF THE MUNICIPAL BUDGET BY TITLE

WHEREAS, N.J.S.40A:4-8 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full Governing Body, provided that at least one (1) week prior to the date of public hearing a complete copy of the approved budget, as advertised, has been posted in the Municipal Building, the Official Municipal website and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these conditions have been met;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, that the 2012 Municipal Budget shall be read by title at this public hearing for same.

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

Resolution 2012-053: Resolution of the Township Committee of the Township of Stillwater Adopting the Stillwater Municipal Budget

Mrs. Straway made a **motion** to adopt Resolution 2012-053, seconded by Mr. Fisher:

**STILLWATER TOWNSHIP
SUSSEX COUNTY
RESOLUTION 2012-053**

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER
ADOPTING THE 2012 MUNICIPAL BUDGET**

BE IT RESOLVED by the Governing Body of the Township of Stillwater, County of Sussex, that the budget herein before set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$3,565.029 for municipal purposes.

At this point, Mayor Scott opened the meeting for comment on the 2012 Municipal Budget:

Anthony Ardito, Municipal Auditor and Dana Mooney, CFO, were present. Mr. Ardito stated the 2012 tax increase equates to \$29.00 per year on a home assessed at \$200,000. Ms. Mooney indicated the budget is under the levy cap by \$155,000, leaving room for growth if necessary and keeping the tax rate down. Mr. Ardito confirmed the 2012 budget was approved by the State of New Jersey. He noted the budget was excellent, with sufficient surplus for future years to sustain operations; and although the police department issue was controversial, its elimination freed the municipality financially.

There being no further comment on the 2012 Municipal Budget, this portion of the meeting was closed.

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes
The Committee acknowledged the Municipal Auditor, CFO and Clerk for their work on the budget.

Mr. Ardito further explained the benefit to increasing taxes slightly each year, allowing the township to meet the cap and build the surplus.

PRESENTATION: Kittatinny Regional High School Budget – Craig Hutcheson, Superintendent and Kathy Kane, Business Administrator

Mr. Hutcheson and Mrs. Kane provided a presentation on the 2012-2013 Kittatinny Regional High School budget. The presentation included the following topics: Moving the school election to the November General Election; restoration of some athletic programs and other activities; fiscal responsibility; public schools as an investment to the community; adding advanced placement courses; becoming a top 100 school; staff recognition and student achievements. Budget challenges for 2012-2013 were discussed including State aid reduction of \$143,405 in 2012; a State aid year-to-year comparison of the taxpayer responsibility vs. the Department of Education Aid; the origin of budget funding; funding expenditures; increases and reductions in the budget; and capital projects including roof renovations for the installation of solar panels. The 2012-2013 tax levy increase is \$187,127 or 1.46 percent, and the projected tax increase for Stillwater is \$35.10 per \$100,000 valuation. The presentation was followed by a brief question and answer period.

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: April 17, 2012

Executive Minutes: March 20, 2012; April 3, 2012

Reports:

Tax Collector, March 2012

Board of Health Report, March 2012

Stillwater Emergency Rescue Squad Monthly Day Calls, March 2012

Stillwater Emergency Rescue Squad Monthly Calls, March 2012

Building Department, March 2012

Resolutions:

2012-054 Opposing Senate Bills S-1451 and S-1452

2012-055 Calling for the Restoration of Energy Taxes to Municipalities

2012-056 In Support of Extending the Permit Act of 2008

2012-057 In Support of Bill A-2717 Extending the Time Period for Municipalities to Commit to Expend Collected Development Fees and Payment-In-Lieu of Construction Affordable Units.

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

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

Bill List Cycle #8: \$109,187.25

Mrs. Straway made a **motion** to approve Bill List Cycle #8, removing the payment for Daniel A. Rivara for further consideration, seconded by Mr. Gross.

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

Mrs. Straway explained the additional bill for Daniel A. Rivara was for electrical work required by the Electrical Inspector following his inspection; and the work was outside the scope of the original contract at a cost of \$464.00.

Mrs. Straway made a **motion** to approve the bill for Daniel A. Rivara in the amount of \$6,261.33, seconded by Mr. Fisher.

Ms. Chamblings asked how many payments have been made to Mr. Rivara and Mayor Scott indicated this is the third and final payment.

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

Open Public Session (Agenda Items Only):

Diane Apostola, 916 Five Points Lane expressed concern with the recent weather and the gypsy moth issue. The Committee explained the State survey for this year indicated there were no egg casings and five-thousand dollars is maintained in the budget for the gypsy moth should it be needed in the future.

Ms. Apostola asked for an update on the Nextel cell tower lawsuit. Attorney Cohen explained a complaint was filed against the Zoning Board and the Township; and he is working with the Zoning Board Attorney in filing an answer.

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

Committee Reports:

Mr. Fisher: Mark Paving Company will be back this week to complete the work on Middleville Road. The survey for West End Drive/Duck Pond Road has been completed and the DPW will locate the drainage pipe.

Mr. Gross: The next Zoning Board meeting will be held on Monday, April 23rd. More efficient procedures are in place at the Recycling Center and receipts are provided to each customer. The Recycling Center had its largest trash collection day last weekend, totaling \$1100.00. There has been an issue with the electronics disposal and individuals have been caught trying to strip computers and remove hard drives. Anyone caught will be reported to the State Police.

Mrs. Straway: The Stillwater Board of Education has a vacant position. Applications are available through the Board Office and interviews will be held at the end of this month. Mrs. Straway participated in a tour and dinner at the Sussex County Jail. She thanked the Stillwater First Presbyterian Church for providing the chairs used during the event. There are many facets to operating the jail, including accommodating dietary needs, religious affiliation, and offering GED/ and literacy programs. Mayor Scott commended Sheriff Strada on his accomplishments since taking office, including involving the local officials in the jail tour, and noting that in Stillwater the patrols have increased and speed enforcement is being addressed.

Ms. Chamblings: The Environmental Commission (EC) met on April 9th and Girl Scout Troop 1065 attended to discuss working with the township on an energy audit. They may also participate in Sustainable Jersey actions. The EC will have a table at Clean Up Day displaying information on the Sustainable Jersey Program and asking for resident input. Littering was discussed and the EC has asked the DPW to look at the "no littering" signs at the entrances to Stillwater to determine if they need replacement. The lighting in the

parking lot was also discussed and Ms. Chamblings informed the EC it would be addressed during the next phase of the Municipal Building renovations. Mr. Szabo will draft a list of questions he would like answered regarding the Sustainable Jersey Program and the list will be provided to a representative of the program to answer. No idling signs were discussed and the EC would like to encourage local businesses to install such signs.

Ms. Chamblings attended a Water Quality Management - Policy Advisory Committee (PAC) meeting and reported the Sparta Junction Eco Commerce Center, the Nicholson family and Eastern Propane have submitted a presentation regarding a truck wash, which will be a requirement of the NJDEP in the future. The proposed plan for the truck wash was approved unanimously by PAC indicating the company should move forward in the process to construct a facility for Sussex County to allow local municipalities to comply with the NJDEP mandate at a lower cost.

A report was received from the Sussex County Board of Health, including 18 activities from March 1 through March 31st.

The Planning Board meeting will be held on April 18th, main discussion will include a minimum lot size ordinance for government owned lands. Mayor Scott explained the ordinance would address the possibility of the land being sold in the future by the government. The Planning Board received a certified letter regarding the PSE&G flood hazard area and freshwater wetlands application, there is a 30 day comment period for those interested in doing so.

Ms. Chamblings provided an explanation on Resolution 2012-55, indicating the energy tax is a tax collected by the State from gas and electric utilities to compensate the public for the use of right of ways.

Certified Public Works Manager:

Mayor Scott explained the Township Engineer currently holds a CPWM certification and will serve as the CPWM for the Stillwater DPW until Acting Supervisor Mr. Hendershot has completed the required courses and certification.

Mr. Gross made a **motion** to appoint Township Engineer Michael Vreeland as the Certified Public Works Manager, at a rate of \$690.00 per month for six hours per month, seconded by Mr. Fisher.

Mrs. Straway expressed concern with the State required certification for the DPW Supervisor when many of the services do not apply to Stillwater, such as sewer and water. She was also concerned with the fee related to hiring the Township Engineer to serve as the CPWM, which will total \$8,200 a year or \$30,000 over the time period needed. She felt the certification was not appropriate for Stillwater and she recommended asking the State for an exemption. Mr. Gross stated the township is not in compliance with the State law and noted fines could be incurred, and he recommended complying with the requirements at this time.

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

Mayor Scott agreed a letter could still be sent to the State inquiring about the possibility of an exemption.

Mayor Scott reported Phase I of the Municipal Building renovation has been completed and records will be moved the space. Ms. Chamblings moved the TV from the former Courthouse to the Municipal Building meeting room to be used during presentations. An additional safe was also moved to the Municipal Building.

Discussion:

Blossom Trail:

Mrs. Ando, Hampton Road, stated there is a township lot located behind her Hampton Road property that she would like to purchase; however Blossom Trail, a paper road, is located between her property and the township lot preventing her from moving forward with the acquisition. Blossom Trail must be vacated in order for her to do so. Attorney Cohen explained the process indicating if the road is vacated half would go to the Andos and half to the township. Normal practice requires the person who is requesting the vacation to hire a surveyor to prepare a description of the portion of the roadway to be vacated. An ordinance is then adopted vacating the road and the township portion may then be sold to the Andos.

Mrs. Ando was concerned with spending the money for a survey if the township then chooses not to vacate the road or sell the township property. The Committee indicated they provided authorization to vacate Blossom Trail at their meeting held on April 5, 2011.

Pass It Along Bike Tour:

Sunday, September 16, 2012, 8 a.m.-1 p.m.

Mayor Scott provided a brief description of the event. The tour will utilize Route 521, Route 622, Route 619, and Route 610 through Stillwater. Attorney Cohen recommended forwarding a letter to the County requesting further information on the event and the preparations for such. Ms. Chamblings asked for copies to be provided to the Committee, Rescue Squad and Fire Departments.

New Business:

Veterans Property Tax Exemption:

A memo was received from Mrs. Holenstein, Tax Assessor, indicating a resident has applied for a property tax exemption on the dwelling house of a disabled veteran. Mrs. Holenstein has reviewed the documentation and has found the resident eligible for the exemption. Mrs. Holenstein noted if the Committee agrees to do so, they may make the exemption retroactive to the date of disability which is December 24, 2011 or to January 1, 2012, which governing bodies generally tend to do.

Mr. Fisher made a **motion** to grant the tax exemption, retroactive to January 1, 2012, seconded by Mrs. Straway.

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

Sussex County Homestead:

Mr. Gross briefly discussed the sale of the Sussex County Homestead and the public hearing recently held on the matter. He would like to see an attempt made to resolve the financial issue rather than sell the property; possibly having a study conducted to find out why it is in financial trouble prior to moving forward.

Roy Bischoff, Inc.:

Ms. Chamblings asked for a letter of acknowledgement to be sent to a local business that is closing its doors after many years, Roy Bischoff, Inc., c/o Lou Calasibetta and Brian Hough, for their long time service to the township.

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

Ed Szabo, 978 Route 521 referred to the sale of the Homestead, noting several years ago the property was in financial trouble. The County hired Carmine Marchionda to resolve the matter and within two years it was profitable.

Diane Apostola, 916 Five Points Lane asked about a notice she received regarding a playground at the park. Ms. Chamblings reported a meeting was held on April 16th to discuss installation of a playground at Veteran's Memorial Park. She attended the meeting with two members of the Environmental Commission and two members of the Recreation Commission. No public attended. She suggested if any members of the public are interested or concerned they should attend a future RC meeting for more information.

Michele Hess, Captain, Stillwater Rescue Squad reported the squad participated in the "Touch a Truck" program, receiving a huge thank you from the Sussex County Library and they have been invited back for next year. She stated the squad is and will continue to be very involved in community service projects, and she commended them for their hard work. Ms. Hess reported that used equipment in excellent condition was acquired from out of service ambulances in south Jersey, resulting in a savings of up to \$6,000.

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

Executive Session: Continued

Personnel: Clerk, Tax Assessor; Litigation: Stillwater Inn; Attorney-Client: Water District

Attorney Report: None

There being no further business, Mr. Gross made a **motion** to conclude the Executive Session and adjourn the meeting at 10:25 p.m., seconded Mr. Fisher. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder