

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
May 2, 2017
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chamblings 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: Deputy Mayor Gross, Committeeman Fisher, Committeeman Morrison, Committeeman Scott, Mayor Chamblings, Municipal Clerk Lynda Knott, Attorney Angelo Bolcato

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 SEPARATELY ON THE REGULAR AGENDA.

RESOLUTIONS:

2017-063 Amending 2017 Budget – Municipal Alliance Grant

2017-064 Mayor's Appointment of Douglas Galka as a member of the Stillwater Area Volunteer Fire Company with Committee Concurrence

REPORTS:

Zoning Board of Adjustment Annual Report for 2016

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

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Mr. Fisher, yes, Mayor Chamblings, yes

JCP&L: Jackie Espinoza

-Sussex County League of Municipalities meeting will be held on Thursday at May 18th at the Mohawk House at 6 p.m.

-Ms. Espinoza indicated that she provides guest speaking services to local groups if they are interested.

PRESENTATION: Lake Plymouth Community Association – John Torregrossa, President

Mr. Torregrossa, 917 Plymouth Lake Drive East, was present on behalf of the association to discuss repairs to the dam. He provided information and two estimates: \$383,000 and \$377,000

He displayed photos depicting the dam as it existed in 1980; the dam as it exists today; and the spillway which needs to be improved. He reviewed the spillway design and will email the design specifications to the Clerk to be distributed. Mr. Torregrossa reviewed the photos included in the information packet – in 2008 he met with Mayor Morrison, Joe Connor and Beth Raff regarding the culvert pipe located under Rt. 617; at the time the County indicated it was not a priority project. He discussed the house located near the dam property (former Fisher property) that was demolished. The dam is a significant hazard dam at this time; if that house is rebuilt it would become a high hazard dam. The lake is preapproved for a USDA grant, funding up to 15% - it is pending until the township agrees to co-sign the low interest loan through dam safety. He reviewed the benefits to the lake - replenishes the aquifer, fire stand pipe, and is a natural resource. He stated there are currently three foreclosed homes in the community and six summer homes; and he described the perimeter of the lake development, a total of 90 homes, including Owassa Road.

A special assessment would be placed on the property owners by the Tax Assessor through an outside company and it would be collected through the township. Lakefront properties would be assessed at the highest and it would be a tier system from that point. Nathan Engineering did the design work and to date \$50,000 has been expended using grant and owner funding. Membership fees for the association are not mandatory. Mr. Bolcato has reviewed the information and will provide a list of questions for the association board to address. The Association Board Attorney is Eileen Born of Dolan & Dolan – possible conflict as Dolan and Dolan is the legal firm for the Planning Board. Dam Safety would charge all homeowners for the lowering of the lake if the dam is not addressed and the lake would be lost.

The deadline for the application is May 31st, without township signature, and an additional 90-day period to obtain the township's approval/signature.

Attorney Bolcato will provide the list of questions to Mr. Torregrossa within the week and the association board response would be provided at the May 16th Committee meeting.

At this point, this portion of the meeting was opened to the public for comment on the Plymouth Lake dam project.

Terry McWilliams, 914 Plymouth Lake Drive asked for clarification on several items discussed by Mr. Torregrossa, which he provided. Ms. McWilliams felt the County should provide funding toward the project and expressed concern with the cost to the property owners and the culvert. Mayor Chammings clarified that the culvert is located on a County road and is a separate issue from the dam repair. She would follow up with the County regarding the culvert.

In response to further questioning, Mr. Torregrossa explained the grant would be for 15% of the cost of the project with the lowest estimate being \$377,000; the loan would be paid over 17 years.

Kathy Draghi, 1016 Route 619 stated she understood the hesitancy by property owners to support the loan if some would be responsible for payment for the dam repair but would not be able to use the lake because they were not members of the association.

She questioned what would happen if the lake residents default on the loan. Mr. Torregrossa stated his understanding is a lien would be placed on the property, and he referred to a statute written by Senator Littell entitled, "Dams, Streams and Lakes."

Susan Smith, 919 Upper Drive, a resident of the lake since 1985, felt the biggest issue is that the original lake developer (Brunswick Homes) did not include verbiage in the deeds tying the homes to the lake, resulting in the payment of dues not being mandatory. There are approximately 45 families that have joined the association; dues are \$175 per year and include non-motorized boating, use of the beach and clubhouse. She noted non-members still have the benefit of the standpipe, aquifer and views of the lake. She provided background history on the project, lack of participation in the association membership and the tiered loan system.

Robert Kwiatkowski, 990 Owassa Road, a resident of 30 years, stated when he purchased his home he obtained documentation from an attorney indicating his property is not part of the lake community. He stated he periodically receives a letter indicating that he is part of the community and owes payment. He discussed the beaver issue across from his property and hoped it would be addressed by Dam Safety. The Zoning Officer was present and reported authorized trapping was done and the beavers have been removed.

There being no further members of the public wishing to comment on the Plymouth Lake dam project, this portion of the meeting was closed.

Open Public Session:

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

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

DISCUSSION ITEMS:

Town Hall Parking Lot Update:

The parking lot is currently under construction. Ingress and egress is being addressed. The project should be completed within two weeks.

Recycling Center Driveway:

The bid opening will be held on May 17, 2017 at 10 a.m.

Signs for Town Hall and Recycling Center:

The Committee will move forward with the signs once the paving project is completed. Mayor Chamings and Mr. Fisher will meet with EM Signs at the Recycling Center to discuss redesigning the existing sign as opposed to replacing it. Ms. Knott will schedule the appointment.

Development of Veterans Memorial Park:

Mr. Scott reported the Recreation Commission is currently working on a five-year plan for the park.

Former Swartswood Fire Department Building:

No response to date. Attorney Bolcato will follow up with Mr. Kornmeyer.

Five Points Intersection:

Mr. Vreeland provided two designs to address the safety issue at the intersection. Depictions of the two designs were provided for Committee review. Plan A included a triangle and Plan B included new striping and lines at the intersection and possibly moving the stop signs. The County right-of-way encroachment will need to be addressed. After further discussion, Mr. Scott recommended providing notification to the property owners within the right of way informing them the matter will be discussed further at the July 18th Township Committee meeting.

Employee Handbook Update:

Mayor Chamings would like to see job descriptions and compensation time addressed in the handbook. Following a brief discussion regarding Civil Service, it was determined Mr. Bolcato and Ms. Leo would research the inclusion of job descriptions. Mr. Morrison suggested providing an addendum for job descriptions vs. including it in the policy as the descriptions change from time to time. Discussion followed on possibly adding a DPW Assistant Supervisor position. Mr. Gross felt the item should be discussed during budget review and not at this time. Ms. Knott will review job descriptions for the DPW and will contact Newton for information on their title procedures. Mr. Raff, Stillwater DPW, was present and he provided information on the Civil Service title for DPW Supervisor, noting three years of experience is required for the Supervisor and four years for the Assistant Supervisor position, no certification is required for either position.

The current Acting Supervisor was appointed to a one-year term expiring May 3, 2017. The Clerk will provide him with a RICE letter for the May 16, 2017 Township Committee meeting to discuss his employment.

Mr. Raff provided ordinance information indicating there is a municipal residency preference for the Supervisor position.

NEW BUSINESS:

ORDINANCE 2017-05 INTRODUCTION (Public Hearing and Adoption – May 16, 2017):

ORDINANCE #2017-05

BOND ORDINANCE APPROPRIATING \$175,100, AND AUTHORIZING THE ISSUANCE OF \$119,825 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$175,100 including the aggregate sum of \$6,287 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (c) of said Section 3, the sum of \$48,988 available therefor from the Reserve for Road Construction of the Township.

For the financing of said improvements or purposes and to meet the part of said \$175,100 appropriations not provided for by application hereunder of said down payments and reserve, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$119,825 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding \$119,825 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition, by purchase, of new and additional equipment, including without limitation, a remote repeater for use by the First Aid Squad and the Fire Department of the Township, radios and pagers for use by the First Aid Squad of the Township and self-contained breathing apparatus bottles for use by the Fire Department of the Township, together with all appurtenances, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved	\$43,100	\$40,945
(b) Acquisition, by purchase, of new and additional vehicular equipment for use by the Department of Public Works of the Township, including one (1) asphalt paver, together with all appurtenances, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in	75,000	71,250

the office of the Township Clerk and hereby approved

(c) Improvement of various roads and locations in and by the Township by the construction or reconstruction therein of roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law) including, without limitation, Duck Pond Road, Dove Island Road, Twin Oaks Road, Baldwin Gate, Hampton Road, Lilac Trail, Marigold Way and Carnation Terrace, together with for all the aforesaid all structures, appurtenances, milling, curb and sidewalk reconstruction, drainage improvements, retaining walls, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the \$57,000 hereby appropriated therefor being inclusive of the sum of \$48,988 from the Capital Reserve for Road

Construction of the Township	<u>57,000</u>	<u>7,630</u>
Totals	<u>\$175,100</u>	<u>\$119,825</u>

Except as otherwise stated in paragraph (c) above with respect to the said \$48,988 Reserve for Road Construction of the Township for financing the purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 8.73 years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$119,825, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

Amounts not exceeding \$20,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20

of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Mr. Gross made a **motion** to introduce Ordinance 2017-05, seconded by Mr. Fisher.

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Mr. Fisher, yes, Ms. Chamblings, yes

Attorney Report: No report.

Open Public Session:

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

Diane Apostola, 916 Five Points Lane felt the plans presented for the Five Points intersection exceeded what is needed. She suggested using additional signage or yellow lines directing traffic. She was opposed to encroaching on residents' property located in the ROW. Mr. Morrison and Mayor Chamblings felt cutting back the brush and improving the sight distance would resolve the issue.

Ms. Knott stated the Township Engineer will be present at the July 18th Township Committee meeting for further discussion.

Justin Francomacaro, 918 Five Points Lane referred to the photographs of the intersection and noted the area of the proposed triangle is where the parents park for the school bus stop. He stated if the Committee chooses to install lines, they may have to include crosswalks to meet current standards. He suggested installing a double line up Stillwater Road as it is very dangerous.

Arlene Fisher, 1059 Mt. Benevolence Road stated the stop sign on Old Foundry Road is located so far back that vehicles have to pull into the intersection to see; it needs to be moved up whether or not the brush is trimmed back or not.

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

Miscellaneous Items:

Mr. Scott asked for a resolution for the Recreation Commission Secretary position to be added to the May 16th Committee meeting agenda.

There being no further business, Mr. Gross made a **motion** to adjourn the meeting at 8:50 p.m., seconded by Mr. Scott. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder