

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
June 19, 2012
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6 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.
Ms. Chammings arrived at 6:18 p.m.

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Fisher, seconded by Mr. Gross and unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:00 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: Litigation: Nextel
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 Mr. Fisher, seconded by Ms. Chammings to conclude the Executive Session at 6:37 p.m., unanimously carried by roll call vote.

Mayor Scott announced that a Board of Health meeting would immediately follow the regular Township Committee meeting.

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: June 6, 2012

Reports: Sussex County Board of Health Report – May 2012

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

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

Bill List Cycle #12: \$84,302.06

Mr. Gross made a **motion** to approve Bill List Cycle #12, 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: Add: Discussion - Driving Age for Emergency Vehicles

Open Public Session (Agenda Items Only):

Kathy Draghi, 1016 Route 619 questioned the removal of a propane bill from a prior bill list. The Mayor stated there has been no further discussion at this time and payment is still pending.

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

Committee Reports:

Mr. Fisher: Stillwater Day was held on Saturday, June 16, 2012, there were several vendors and a good resident turnout. He commended the members of the Recreation Commission for a great day.

Ms. Chammings: The Environmental Commission met on June 11, 2012 and approved three site survey reports for the Zoning Board. Ms. Chammings is working with Mr. Klimek on the open space map completion. Discussion was held on replacement of "no littering" signs, which can be funded through the Clean Communities grant. A Sustainable Jersey and PSE&G grant update were provided. A response was received to Mr. Szabo's 14 questions regarding the Sustainable Jersey program. Resident Ian Blanchard proposed the establishment of a community orchard/garden on township property, between 3 to 5 acres, starting out with fruit trees. He will provide a presentation to the Township Committee in the future. Mrs. Straway asked if Hardyston established their community garden through a Sustainable Jersey grant. Ms. Chammings would look into the matter.

Mr. Gross: Mr. Gross reported the Recycling Center is short one employee and he asked for authorization to hire a replacement on a temporary basis. On a recommendation from Mr. Hogan, Mr. Gross interviewed an individual this morning. Ms. Chammings asked if there were qualified applicants from the last posting for the position. Mr. Gross stated the two most qualified candidates were hired from that list. Ms. Chammings asked if the position would have to be advertised and Mr. Gross indicated it would not be necessary as it was temporary. The temporary hire will replace an employee who is out with an injury. The individual Mr. Gross would like to hire cannot start until Sunday, and a DPW employee will cover Saturday.

Mr. Gross made a **motion** to hire a temporary employee for the Recycling Center at the same rate as the current employee he is replacing due to injury, seconded by Mayor Scott.

Ms. Chammings expressed concern with hiring someone for a position that may only be open for a day. Mr. Gross indicated he informed the candidate that it would be on a day to day basis.

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

Mayor Scott: The phone and power companies have been trimming the trees throughout the township, and the DPW is currently paving potholes. The Planning Board meeting will be held June 20, 2012.

OLD BUSINESS:

ORDINANCE #2012-004 Adoption/Public Hearing:

Ordinance Providing for Various Capital Improvements in the Amount of \$322,000 and Authorizing the Issuance of \$306,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof.

Mr. Fisher made a **motion** to open the meeting for public comment on Ordinance 2012-004, seconded by Mr. Gross.

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

There being no public comment, this portion of the meeting was closed and Mr. Fisher made a **motion** to adopt Ordinance 2012-004, seconded by Mr. Gross.

**TOWNSHIP OF STILLWATER
SUSSEX COUNTY, NEW JERSEY
ORDINANCE 2012-004**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF
STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE
AMOUNT OF \$322,000 THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$306,000 BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.**

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 members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Stillwater, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$322,000 and including the aggregate sum of \$16,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$306,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefore, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Providing for upgrades and repairs to Baldwin Gate Bridge, including all work and materials necessary therefore or incidental thereto.

APPROPRIATION	BOND AUTHORIZATION	PERIOD OF USEFULNESS
\$60,000 (this amount is in addition to the \$100,000 appropriated under Bond Ordinance No. 10-02)	\$57,000	15 years

(b) Providing for the purchase of a tandem axel dump truck with plow and sander for the Department of Public Works.

APPROPRIATION	BOND AUTHORIZATION	PERIOD OF USEFULNESS
\$172,000	\$163,500	5 years

(c) Providing for the purchase of a roadside tractor/mower for the Department of Public Works.

APPROPRIATION	BOND AUTHORIZATION	PERIOD OF USEFULNESS
\$90,000	\$85,500	5 years
TOTAL APPROPRIATION	TOTAL BOND AUTHORIZATION	AVERAGE PERIOD OF USEFULNESS
\$322,000	\$306,000	6.86 years

Section 4. 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 notes issued pursuant to this 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:2-8.1. 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 date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Township of Stillwater is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 6.86 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the 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. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$306,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

New Business:

Driving Age for Emergency Vehicles: Following a brief discussion, Attorney Cohen recommended drafting an ordinance requiring a minimum age of 21 years old to operate emergency vehicles; and he will do so for the next meeting. The ordinance will include a provision requiring a driving record that is acceptable to the Chief Administrative Officer of each department. Mr. Gross suggested requiring a driver to hold a driver's license for at least three years prior to being able to operate emergency vehicles. The Committee agreed.

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

Kathy Draghi, 1016 Route 619 asked for clarification on Ordinance 2012-004 and the hiring of Appraisal Systems, Inc. She asked for a copy of proposed ordinances to be provided at Committee meetings for the public to view. Ms. Chammings explained Ordinance 2012-004 is for three expenditures: Baldwin Gate Bridge repairs, purchase of a DPW roadside mower and purchase of a DPW Tandem Axle Dump Truck with plow. The hiring of Appraisal Systems, Inc. to conduct the revaluation was done by Resolution, and Attorney Cohen clarified the difference in procedure between an ordinance and a resolution, and awarding of the contract based on the bids received through a non-fair and open process in which the township requested proposals. Ms. Chammings explained her reason for voting no on the adoption of Ordinance 2012-004 as she was concerned with the cost and maintenance of the mower. Mrs. Straway indicated she had the same concern, however the CFO clarified the ordinance was only to secure the funding not to order the mower. Mr. Gross stated the last mower was an inexpensive model purchased between 8-10 years ago and the motor was made in Italy requiring all parts to be ordered from that country. The DPW researched the type of mower to purchase, comparing those used by other municipalities, and it is needed to trim the roadsides as the current mower is in disrepair again.

Carol Drace, 937 West End Drive referred to the discussion on the driving age for emergency vehicle operation and she asked who would be responsible for the fee associated with the motor vehicle report for each driver, which can cost up to \$75. Mayor Scott felt the municipality should be responsible as the equipment operated is owned by the township.

Michele Hess, Captain, Stillwater Emergency Rescue Squad, provided a brief history on the origin of the emergency vehicle driving age issue, which stemmed from a meeting with the insurance company. Ms. Hess indicated that since the Rescue Squad owns their First Response vehicle their policy is the driver must

be 21 years old, have a valid driver's license, and must have completed CEVO and defensive driving. It was the recommendation of the insurance agent that drivers should be 21 years old. Ms. Hess has asked for the insurance company to provide the recommendation in writing as she has two individuals that are 18 years of age who wish to operate the emergency vehicles and before she provides permission she would like a ruling from the insurance company. With respect to the motor vehicle reports, she provides a report for each driver to the insurance company.

Dave Van Gorden, Chief, Stillwater Fire Department also attended the meeting with the insurance company and he stated the fire department has written standard operating procedures (SOP) on the driving of the ambulances and fire trucks, and 20 hours of training on the different vehicles. The written procedures were accepted by the insurance company. The Morville Agency indicated there is a recommendation for a minimum age of 21 years old, unless the individual holds a CDL and has completed the required training courses. Mr. VanGorden would provide a copy of the SOP to Attorney Cohen for his review.

Bob Piontkowski, Sussex County Habitat for Humanity (SCCH) referred to a letter submitted to the Township Committee on June 4, 2012, regarding township property located in Plymouth Lake. He explained SCCH is requesting the donation of the property for the construction of a single family house. Donation of the property will increase the property setbacks and size of the lot. Mayor Scott indicated the item would be added to the July 3, 2012 agenda, allowing Committee members to visit the site.

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

Attorney Report: No report.

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

Respectfully submitted,

Kathy Wunder