

**STILLWATER TOWNSHIP COMMITTEE MEETING  
MINUTES  
July 5, 2011  
Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Committeeman Morrison at 7:03 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, Committeeman Gross, Committeeman Morrison, Committeewoman Straway, Municipal Clerk Judy Fisher and Attorney Howard Vex.

ABSENT: Deputy Mayor Fisher  
Mayor Scott arrived at 7:30 p.m.

**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.**

**Department Reports:** Tax Collector – June 2011

**Minutes:** Regular Session – June 14, 2011; June 21, 2011  
Executive Session – June 14, 2011

**Resolutions:**

2011-39 Supporting A-3412 Sharing the Burden of Property Assessment Appeal Refunds

2011-40 Fair Distribution of State Aid for Education

2011-41 Support A-196 Discretion to Assess Court Costs for Certain Dismissals and Changes Costs for Certain Violations

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

Mr. Gross briefly discussed Resolution 2011-39.

**Roll Call Vote:** Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes

**Bill List Cycle #11:** \$763,327.78

Mr. Morrison made a **motion** to approve Bill Cycle #11 in the amount of \$763,327.78, seconded by Mr. Gross.

**Roll Call Vote:** Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes

**Amendments to the Agenda:** None

**Committeeperson Reports:**

**Mr. Gross** reported the June Zoning Board meeting was cancelled.

**Mrs. Straway** reported on a quote of \$580.00 from MSI to install a computer system on the counter in the Municipal Building for the Tax Collector. A letter will be included with the annual tax bill providing information relating to the tax office. A link will be placed on the township website allowing property owners to look up their tax record.

**Mrs. Straway** reported that Bill Shelton, Superintendent of Stillwater School, has announced his retirement. The school has advertised for an Assistant Principal and if anyone has questions they should attend the next Board of Education meeting. Mrs. Straway is working with Kathy Kane, Business Administrator on a potential solar agreement and a joint meeting is tentatively scheduled for July 11<sup>th</sup>.

**Mrs. Straway** reported on the Recreation Commission (RC) meeting held on June 30, 2011, as follows: The bus trip has been cancelled; Miss Stillwater 2011 is Amanda Thompson; discussion was held on the tree lighting and possible Halloween event; the RC will do the municipal display at the County Fair; and a gift certificate to the Boat House will be raffled off during garage sale day. Discussion was held on the proposed raffle and the Recreation Commission will require a State identification number to do so.

**Mr. Morrison** reported the Planning Board met in June and they are working on reviewing the Master Plan and updating ordinances.

**Ordinance 2011-08 2<sup>nd</sup> Reading/Public Hearing:**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND DEVELOPMENT CHAPTER OF THE STILLWATER TOWNSHIP CODE TO AMEND THE REQUIREMENTS FOR ACCESSORY STRUCTURES AMENDING ORDINANCE 2011-07**

**At this point, this portion of the meeting was opened for public comment on Ordinance 2011-08.**

**There being no public comment, this portion of the meeting was closed.**

Mr. Morrison made a **motion** to adopt Ordinance 2011-08, seconded by Mrs. Straway.

**STILLWATER TOWNSHIP ORDINANCE 2011-08**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND DEVELOPMENT CHAPTER OF THE STILLWATER TOWNSHIP CODE TO AMEND THE REQUIREMENTS FOR ACCESSORY STRUCTURES**

BE IT ORDAINED by the Township Committee of the Township of Stillwater that Chapter 240 of the Stillwater Township Code is hereby amended as follows:

SECTION 1. Section 240-104G(9) is hereby amended to read as follows:

“(9) Principal structures in residential districts shall not exceed 35 feet in height. Accessory buildings in residential districts shall not exceed 15 feet in height and may not exceed 1,000 square feet in floor area. The height calculation shall exclude cupolas and weather vanes with a height not to exceed 4 feet. Accessory buildings shall be limited to a maximum of four such buildings per lot. Swimming pools are not considered accessory structures for purposes of calculation of lot coverage.”

SECTION 2. Section 240-113B(6) is hereby amended to read as follows:

“(6) Not more than four accessory structures shall be permitted on any lot in the R-7-5, R-5 or R-30 Residence Districts, except agricultural uses on farms.”

SECTION 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION 4. All ordinances or part of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect after the publication and passage according to law.

SECTION 6. The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Township Clerk is further directed to publish notice of the passage and file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**Roll Call Vote:** Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes

**Open Public Session (agenda items only):**

**This portion of the meeting was opened for public comment on agenda items only.**

**Kathy Draghi, 1014 Route 619** asked if access to the computer installed on the counter would be limited to the Tax Collector. Mrs. Straway stated both the Tax Collector and public would have access to the block and lot tax records. The public would not have access to the payment portion of the system.

**Bill Steckowich, 907 Hardwick Road** spoke on updated solar technology available at a lower cost in California. He would provide the information to the Committee.

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

**Old Business:**

**Proposal:** Sunray Solar, Inc., Lakewood, New Jersey

Mrs. Straway spoke with Attorney Cohen regarding bidding for the solar energy program. She is waiting to hear back from him with clarification on whether or not bidding will be required. Mrs. Straway is currently working with the school and is researching a third solar program option at this time.

**Mountain Shadows Campground:** Update on Inspections

Mayor Scott and Committeeman Fisher were not present to discuss the meetings they attended concerning Mountain Shadows Campground. Mrs. Straway reported the campground is doing their best to comply and the site owners have been notified and provided with options to correct their violations. A form letter has been established to contact the Building Department to inform them how the violation will be corrected, if an electrician has been hired or if the violation has been removed. Mr. Morrison felt there were several versions of what is occurring, and the Committee agreed it would be better to table the discussion until Mr. Fisher and Mayor Scott are present. Mr. Gross reported the pool inspection passed and is currently in operation.

**Discussion:** Building, Courthouse

Mr. Morrison reported Attorney Cohen has reviewed the deed and provided his opinion on what purposes the building can be used for. The Committee will have to meet with the Northern Region Directors of the church to see if they are willing to take the building back. If they do not want to do so, the Committee will have to find another non-profit, non-church organization to take custody of the building.

Mr. Gross spoke with Sgt. Seaman of the New Jersey State Police to discuss the possibility of using the building as a temporary satellite office. A meeting will be scheduled once the Lieutenant involved returns from vacation.

**Sparta Dispatch Report:**

Mr. Gross provided the dispatch report for June 2011: Road Department 10 calls; State Police 6 calls; First Responders/First Aid 21 calls; fire departments 6 calls; and 6 burn permits issued – total of 53 calls dispatched for Stillwater.

**Mountain Shadows Campground:** Further Discussion with Mayor Scott present.

Mrs. Straway recapped the prior discussion on the campground for Mayor Scott. Mayor Scott stated the campground association is doing their best to bring all sites into compliance. Mr. Morrison was concerned with the Building Department sending out a letter indicating fines would be incurred when at the same time the Committee was working with the campground to bring everyone into compliance. It was confusing to the association and there seems to be a disconnect between the Committee and the Building Department. Mrs. Straway stated fines have to be imposed for outstanding violations according to State law. Mayor Scott explained a meeting was held on Tuesday to clarify any issues, and in attendance were members of the association, Construction Official, Technical Assistant, Mrs. Straway and the Electrical Inspector. A list was provided to Mountain Shadows including all sites in violation with a brief description of each violation. The association posted a list of three local electricians that could help address the violations. Mrs. Straway and Mr. Fisher attended a meeting held on Sunday at the campground meeting hall. It was determined that there were 58 more sites to inspect; long distance out of state site owners would be extended more time to address the violations; and there are 30 site owners that are not permitted to use their sites due to non-compliance with the association. Mr. Morrison was concerned with a few non-compliant site owners causing the closing of the campground when all others are addressing their issues. Mrs. Straway stated July 15<sup>th</sup> would be a good date to reassess the matter.

**Open Public Session:**

**Bill Steckowich, 907 Hardwick Road** discussed his experience with solar energy proposals for his residence.

He asked if the township has any ordinances in place with respect to solar energy. Mr. Morrison stated it is currently being reviewed.

**Margaret Emmetts, Swartwood Lake** reported that a joint Environmental Commission meeting was held on June 28, 2011 in Blairstown with a presentation by Ernie Hofer and Nathaniel Sadjak regarding their work on a grant funded

Paulinskill River study. They are reviewing the EC water testing and will help to revise it to test only for those items that are necessary.

**Lisa Chammings, 928 Mt. Holly Road** stated a member of the Recreation Commission is going to miss a few meetings due to a medical issue and the member wanted to know if she would have to take a leave of absence. Mayor Scott explained it would be an excused absence. Mrs. Straway confirmed that the matter could have been discussed in Executive Session.

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

**Attorney Report: No report.**

**Correspondence:**

•Mayor's Advisory Correspondence is available for review in the Correspondence Binder.

**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 7:56 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; Possible Litigation
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. Gross to conclude the Executive Session at 8:44 p.m., unanimously carried by roll call vote.

There being no further business, Mrs. Straway made a **motion** to adjourn the meeting at 8:44 p.m., seconded by Mr. Gross. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder