

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
July 17, 2012
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott 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: Mayor Scott, Deputy Mayor Fisher, Committeewoman Chammings, Committeeman Gross, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Howard Vex

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.

Minutes: July 3, 2012

Report: Sussex County Board of Health, June 2012
Building Department, June 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, abstain

Bill List Cycle #14: \$168,240.86

Mr. Gross made a **motion** to approve Bill List Cycle #14, seconded by Mrs. Straway.

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

Amendments to the Agenda: Add Under New Business: Liquor License for Drake House

Open Public Session (Agenda Items Only):

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.

Committee Reports:

Mr. Fisher: The following memorandum dated July 17, 2012 from the Zoning Officer was read into the record by Mr. Fisher:

I received a complaint regarding a family who apparently allows their teenage son to ride his quad and a pick-truck recklessly on the road. The complaint also stated that the teen also brings his friends over to ride with him and that the teens apparently are drinking alcohol. The NJ State Police were called and the Trooper that responded told the complainants that they could not do anything because Thoenig Road is not a public road. I spoke to the desk Sergeant at the barracks who told me that the Trooper who had made that claim was wrong and that they would send patrols to Thoenig Road and would be talking to the family.

Mr. Fisher reported two quotes were received for the Municipal Building renovation drawings with the lowest bid being from Steve Boshart, AIA Architect in the amount of \$2,000. Mr. Fisher asked for authorization to move forward with the drawings. In response to questioning, he explained he sent copies of the drawings he had drafted, approved by the Committee and employees, to architects/engineers for estimates and only two quotes were received. Mr. Gross stated that one of the architects included on Mr. Fisher's list

indicated he had not received any information and he felt that architect should be given additional time to provide an estimate. The Committee agreed and the item would be added to the next agenda.

Ms. Chammings: An Environmental Commission (EC) meeting was held on July 9, 2012 and the following items were discussed: "No Littering" signs at the entrances to Stillwater, the EC Chair will work with the CFO on acquiring the signs through the Morris County Co-op with funding through the Clean Communities grant; the PSE&G grant deadline has passed and the EC will work toward the next grant cycle; site survey reports for the Zoning Board were accepted and a site inspection and report will be conducted on the Cellco Partnership application; Mr. Szabo provided a letter regarding Sustainable NJ/Agenda 21 to the EC for their review and further discussion at their August meeting.

Ms. Chammings discussed the current review of the zoning map and planning map for the Master Plan amendment. She hoped to incorporate the trail map which Cory Stoner has indicated would be possible and he could provide GIS coordinates to Sandy Urgo of the Land Conservancy (LC) to do so. She stated Paul Klimek would like to meet with the LC to review the blocks and lots and the lands acquired. She asked for authorization for Mr. Klimek to do so and to act as the point person for the process. Mr. Klimek has indicated that the map is almost completed and should be available for Township Committee review by the first meeting in August. Mrs. Straway felt Mr. Klimek should meet with the Tax Assessor first as she has accurate information on all acquisitions. Ms. Chammings indicated that Mr. Klimek has reviewed the Planning Board County GIS map and there are many discrepancies. Mrs. Straway recommended having Mr. Klimek meet with the Zoning Officer and Tax Assessor prior to the LC as Mr. Klimek may not have all the information available. She noted several different maps are being worked on in the town hall and it would be better that they all meet so everyone is on the same page. Ms. Chammings asked to be included in the meeting. Ms. Knott will contact the LC to request a copy of the draft map to determine their progress.

Ms. Chammings reported the Planning Board meeting will be held on July 18, 2012. They are amending the Master Plan and a draft has been made available, and zoning is being reviewed to amend the Recreation/Conservation areas to include public properties. Solar ordinances are also being reviewed.

The Water Quality Management meeting was held on July 12, 2012 and the main topic of discussion was the submittal of the update to the Sewer Service Area Map required by the NJDEP.

Mr. Gross: Zoning Board meeting will be held on July 23, 2012 at 7:30 p.m.

Mr. Gross read the following memo he wrote to the Township Emergency Departments regarding emergency scene protocol, dated July 13, 2012, into the record:

I spoke with George Morville and discussed the best way to handle non-member citizens who may be on an emergency scene.

When emergency personnel arrive the non-member should be thanked for helping and told that the emergency personnel will now take over. Thank the citizen again for their help and ask them to step back. Under no circumstances should emergency personnel have a confrontation with the citizen. If the citizen resists a law enforcement official should be contacted to intervene.

Mrs. Straway: PSE&G has indicated they will be working in the area and she provided a copy of the PSE&G memo to the Committee, fire departments and rescue squad. She is in contact with George Sous of PSE&G for updated information.

Mayor Scott: Mayor Scott will have a list of roads that will be worked on by the DPW available at the next meeting. He spoke with the County Administrator regarding the bridge on Old Tannery Road and it is on the list to be addressed.

OLD BUSINESS:

Sick/Vacation Time Audit: Mr. Fisher explained due to past discrepancies in employee sick and vacation time the auditor was asked to review the records. During the review the auditor was asked to stop doing so and Mr. Fisher would like an explanation as to why. He stated the Committee had approved the audit for the last five years and the auditor only completed through 2009. Mrs. Straway recommended holding the discussion in Executive Session as it pertained to personnel matters. Some Committee members did not recall authorizing such an audit. Ms. Knott would review the minutes to see if authorization was provided.

ORDINANCE #2012-005: Final Reading/Adoption

ORDINANCE CREATING CHAPTER 275 OF THE STILLWATER TOWNSHIP CODE ENTITLED "OPERATION OF TOWNSHIP MOTOR VEHICLES" AND PROVIDING CERTAIN STANDARDS WITH REFERENCE TO OPERATION

Mr. Fisher made a **motion** to open the meeting for public comment on Ordinance 2012-005, seconded by Mr. Gross.

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

Bill Steckowich, 907 Hardwick Road referred to maintenance problems over the past few years that were blamed on operator error. He asked about proper training for the operation of such vehicles and township equipment. Mrs. Straway stated if a CDL is required training is mandated, and the emergency organizations provide training to their members for the operations of their equipment and vehicles. An age limit and three year license holder requirement has been put into place and the Chief of each organization will be responsible for monitoring their members. Mr. Fisher noted the ordinance was recommended by the safety officer/insurance representative to ensure that all equipment/vehicle operators are 21 years of age.

Dave Van Gorden, Stillwater Fire Department Chief, asked for the ordinance to be read into the record so he could comment if necessary. Mayor Scott proceeded to do so.

Mr. Steckowich felt a CDL operator should be required to have a minimum of two years experience. Mr. Gross noted fire department personnel are exempt from a CDL requirement. Ms. Chamblings noted that Mr. VanGorden had described the fire department training at one of the past Committee meetings.

Tammy Richardson, Swartswood Fire Department asked for clarification on the minimum number of years you must have your license. Mrs. Straway explained the requirement is 21 years old and you must have your license for at least three years.

Dave Van Gorden felt the ordinance should be reviewed further with respect to a DPW worker who holds a CDL but is not 21 years old. He was concerned that a member of the fire department, who currently works for the DPW in another municipality and holds a CDL and also drives the fire truck for Stillwater, will not be permitted to do so under the new ordinance.

There being no further public comment on Ordinance 2012-005, this portion of the meeting was closed.

TOWNSHIP OF STILLWATER

Sussex County, New Jersey

ORDINANCE #2012-05

ORDINANCE CREATING CHAPTER 275 OF THE STILLWATER TOWNSHIP CODE ENTITLED "OPERATION OF TOWNSHIP MOTOR VEHICLES" AND PROVIDING CERTAIN STANDARDS WITH REFERENCE TO OPERATION

BE IT ORDAINED by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, that there is hereby established Chapter 275 of the Stillwater Township Code entitled "Operation of Township Motor Vehicles" as follows:

SECTION I

SECTION 275-1. Any person who operates a Township owned motor vehicle where the same is under the control of the Department of Public Works, a fire department of the Township or the Rescue Squad of the Township of Stillwater shall possess a valid New Jersey driver's license for a minimum of three years, be at least twenty-one (21) years of age and possess a good driving record. No person who has a driving violation for driving while intoxicated, reckless driving or has accumulated more than ten (10) points as assessed by the New Jersey Department of Motor Vehicles shall be permitted to drive any Township owned motor vehicle for a period of three (3) years from said infraction.

SECTION 275-2. RIGHT OF SUSPENSION OF DRIVING PRIVILEGES.

The head of the Department of Public Works, any fire chief or a captain of the rescue squad shall have a right to suspend any person's right to operate Township owned motor vehicles if they determine that said person is unfit to drive for any reason including that they may have operated a Township owned motor vehicle in a careless manner. The period of suspension shall rest with such officer.

This Ordinance shall take effect immediately upon final publication as provided by law.

Mr. Gross made a **motion** to adopt Ordinance #2012-005, seconded by Mayor Scott. Following a brief discussion with reference to Mr. VanGorden's comments, Ms. Chamblings made a **motion** to open the meeting for further comment on Ordinance 2012-005, seconded by Mrs. Straway. All were in favor.

Diane Schlecter, 1010 Route 521 felt the Committee needed to consider if a 17-year old has the same judgment as a 21-year old.

There being no further public comment on Ordinance 2012-005, this portion of the meeting was closed and roll call taken.

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

NEW BUSINESS:

Resolution 2012-082:

RESOLUTION NO. 2012-082

WHEREAS, THE Township Committee of the Township of Stillwater, County of Sussex and State of New Jersey, pursuant to the authority vested in it by an act of Legislature, has heretofore by ordinance, provided for the sale of alcoholic beverage in the Township of Stillwater; and

WHEREAS, the following named Liquor License holder has filed an application for the license renewal and the Municipal Clerk has received the Tax Clearance Certificate for this establishment and all fees have been paid.

NOW, THEREFORE, BE IT RESOLVED, that the following liquor license known as Plenary Retail Consumption License be granted renewal for the period of July 3, 2012 to June 30, 2013.

LICENSE NUMBER

1920-33-001-005

LICENSEE AND ADDRESS

Diane's Drake House Inc.

P. O. Box 20

Swartswood, New Jersey 07877

Mr. Gross made a **motion** to renew the liquor license for Diane's Drake House, Inc., seconded by Mr. Fisher.

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

DISCUSSION:

DPW Computer:

Mr. Gross expressed concern with a laptop being purchased as opposed to a desktop computer as the laptop would be more vulnerable to breakage or damage during the DPW work day. He also noted that replacement of a laptop battery is costly. Other Committee members explained the laptop is more energy efficient, plugs in and was recommended by MSI.

Following the discussion, Mr. Fisher made a **motion** to purchase a laptop computer for the DPW Supervisor at a cost of \$775.00 for the computer and \$200 for the operating system, seconded by Mrs. Straway.

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

Courthouse Building:

Ms. Knott reported the Wantage Court has removed all related items from the Courthouse Building.

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

Bill Steckowich, 907 Hardwick Road referenced New Jersey Herald articles on power line problems and wire sagging. Mr. Steckowich took photos of power lines in Fredon and spoke on the temperature range of the sagging wires. He was directed by an inspector to contact PSE&G directly for answers to his questions regarding the hanging lines. Mr. Steckowich felt PSE&G is able to redirect power to different grids without installing new power lines. Mrs. Straway asked Mr. Steckowich not to put himself in danger and to contact someone to rectify any issues with the lines rather than approaching the area of the wires himself.

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

Old Business:

DPW Tractor: Ms. Chamming asked Mayor Scott to clarify the events leading up to the purchase of the tractor as he was not present during the discussion held at the last Committee meeting. Mayor Scott stated the purchase should move forward as the grass is high and the current tractor is in disrepair. The new tractor/mower will be ready in early August.

Ms. Chamming questioned why only one quote was obtained for a tractor costing \$83,000. She referred to the following information she obtained:

Cherry Valley Tractor – (New Holland tractors) State Contract – awarded contract by County for one of their recent purchases and will provide a quote to Stillwater for price comparison.

Other contractor (Kubota tractors) – not State Contract – came in at the same price as International Tractor.

Ms. Chamming was concerned with moving forward on such an expensive item without knowing if the current Case tractor can be traded in or if a tractor is available that can provide more than one use such as a sweeper or blower. Mr. Gross stated he was in favor of the purchase based on the recommendation of the DPW Supervisor and there being a safety issue as the current tractor is in disrepair and the roadsides/corners need to be mowed. Ms. Chamming asked for the Case and New Holland tractor to be placed on the next Committee agenda for auction consideration. Mayor Scott stated he would meet with the DPW Supervisor and compose a list of equipment to be auctioned and schedule a date. Ms. Chamming asked to be included in the process. Mrs. Straway stated she brought John Deere information back from the League of Municipalities for the DPW Supervisor to review. She felt there was some confusion when voting on joining the co-op and the purchase of the tractor. She noted an additional quote was submitted earlier in the spring and the Supervisor worked closely with the CFO, other municipalities, and conducted thorough research, all resulting in the purchase of this specific tractor. Ms. Chamming felt proper specifications and more than one quote should be provided when future items of this magnitude are being purchased.

Stillwater/Middleville/Swartzwood Post Offices:

Ms. Chamming reported the three township post offices are being reduced to part-time, four hours daily. She asked for a letter to be sent from the Committee opposing the change. Mayor Scott indicated he forwarded a letter to Washington regarding the matter, copied to the local legislators.

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Gross, seconded by Mrs. Straway and unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 8:35 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 – Donna Clouse
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 conclude the Executive Session at 8:36 p.m., unanimously carried by roll call vote.

Sick/Vacation Time Payout - Former Tax Collector, Donna Clouse: Mr. Gross made a **motion** to pay Donna Clouse in three payments as per the contract, seconded by Mrs. Straway.

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

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

Respectfully submitted,

Kathy Wunder