

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
July 19, 2016
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Fisher 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: Committeeman Gross, Committeewoman Chammings, Committeeman Morrison, Deputy Mayor Scott, Mayor Fisher, Municipal Clerk Lynda Knott, Township Attorney Thomas Prol.

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.

MINUTES:

Regular and Executive Minutes of June 21, 2016

RESOLUTIONS:

2016-087 Mayor's Acceptance of the Resignation of David Emmons as Member of the Planning Board with Committee Concurrence

2016-088 Mayor's Acceptance of the Resignation of Betty English as Member of the Planning Board with Committee Concurrence

2016-089 Authorizing Payment of Lien Redemption for Block 506, Lot 10

2016-090 Amending the March 2014 Stillwater Township Employee Handbook by Requiring Background Checks for New Employees

2016-091 Extending the Grace Period for 3rd Quarter Property Taxes

2016-092 Mayor's Acceptance of the Resignation of Christopher Carbone as Alternate #2 of the Environmental Commission

REPORTS:

Convenience Center May 2016 Report

Building Department Report of June 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, Ms. Chammings, yes, Mayor Fisher, yes

BILLS LIST #11 \$1,104,838.53

RESOLUTION 2016-093 PAYMENT OF BILLS

Mr. Scott made a **motion** to adopt Resolution 2016-083, removing PO #6072 and PO#5820 for separate consideration, seconded by Mr. Gross.

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

Mr. Scott made a **motion** to pay PO #5820, seconded by Mr. Gross.

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Ms. Chammings, abstain, Mayor Fisher, yes

PRESENTATION: Aquatic Analysts, Inc. – Larry Kovar – Lower Crandon Lake

Mr. Kovar visited Lower Crandon Lake with Committeeman Morrison and provided an evaluation. The lake is currently in an ecological change, is unmanaged and emergent vegetation and water lilies are causing the lake to take on the characteristics of a wetland. Depending on the goals of the township he would like to bring the lake to ecological balance and customize a small scale management plan to meet those goals. Costs involved: NJDEP Aquatic Use Permit for the implementation of herbicide (Clipper) - (2-year permit); legal notification in two newspapers; small scale management plan – using herbicide - one-time application with touch-up applications to follow if needed. The lake could be used for kayaking, fishing and row boating and would be more aesthetically pleasing.

Mr. Morrison provided a background on his meeting with Mr. Kovar. He explained the township acquired the lake due to foreclosure and it is not open for activities at this time. He recommended implementing a small scale management plan geared toward clearing the perimeter of the lake and progressing toward the middle. He spoke about possibly having the Recreation and Environmental Commissions oversee its use in the future; the lake will remain closed at this point.

Mr. Morrison noted the lake is on the ROSI and can be funded through the Open Space Trust. Mr. Morrison made a **motion** to appropriate \$2,000 from the Open Space Fund to manage the lake, opening the east shore toward the center of the lake, seconded by Mr. Scott.

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

AMENDMENTS TO THE AGENDA:

Discussion – Old Schoolhouse Road; DPW Contract

Open Public Session:

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

Jack Branagan, 961 Old Schoolhouse Road looked forward to meeting with Mr. Kovar as part of the Environmental Commission. He asked for clarification on how the Clipper herbicide will work.

Margaret Emmetts, 1035 Route 619 suggested advising residents of the lake who are using fertilizer to use the one with the zero in the middle (10-0-4) as there is no phosphorus. She has worked with Mr. Kovar for many years as part of the Swartswood Lake Watershed Association, he is very knowledgeable and excellent to work with.

Pete Deighan, 917 Lower Lake East expressed concern with the beaver issue at Lower Crandon Lake. Ms. Knott explained Stillwater has a permit for trapping and are currently looking for a trapper to address the matter.

Rebecca Dey, 907 Marigold Way indicated there are 39 houses that would need access to the lake for water drafting during an emergency.

Mr. Prol recommended contacting Nathaniel Sajdak, who is part of the SCMUA Watershed Management group that manages watersheds and water sources and can provide information and grant funding options for addressing Lower Crandon Lake.

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

COMMITTEE REPORTS:

Mr. Gross reported no fire report has been submitted at this time.

Mr. Morrison asked about the Planning Board with respect to the recent resignations and a quorum. Mr. Scott stated they do have a quorum.

Ms. Chammings reported the EC met on July 11th. Certificates of Appreciation will be sent to the Paulinskill River Clean Up participants. Sustainable Jersey certification is moving forward. Ms. Chammings asked about the SCMUA recycling ordinance and whether a copy was available.

Mr. Branagan will obtain a quote for an information board at the Recycling Center. Mr. Branagan and Mr. Fisher will meet to determine the best location. Water testing has been completed and the EC was

commended for doing so. EC members participated in Stillwater Day – Mr. Szabo, Mrs. Emmetts and Ms. Fobes-Jacoby. Swartswood Lake will be removing 5-6 acres of Lotus.

Ms. Chammings reported the Township Engineer has provided the proposed plan for the parking lot, accommodating 29 parking stalls in the front and side and 7 along the rear for a total of 36. Mr. Fisher liked the garden beds that were added and he suggested also adding a sign designating the Municipal Building.

Mr. Fisher made a **motion** to approve the plan as submitted, seconded by Ms. Chammings.

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

Mr. Scott reported he and Mr. Gross met with the Labor Attorney and the negotiating committee for the DPW workers; a few changes were made to the contract and it was accepted.

Grass will be cut on the roads and JCP&L has been trimming back the trees from the wires.

Mr. Fisher provided a draft of the signage for Veteran’s Memorial Park. This item will be addressed under the discussion portion of the meeting.

Open Public Session:

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

Jackie Espinosa, JCP&L provided a handout for the residents about understanding electricity usage and costs. She asked if information was received from the Newton Town Manager regarding the Sussex County Economic Development Partnership, Inc.; Ms. Knott stated the item is on the agenda for discussion.

Jack Branagan, 961 Old Schoolhouse Road thanked the Recreation Commission for a great Stillwater Garage Sale Day. He asked about the potholes on Old Schoolhouse Road and when they would be addressed; and when would the road be repaired overall. Ms. Chammings explained the Township Engineer is currently working on the plan for Old Schoolhouse Road. Ms. Knott stated it will be done from the intersection of Mt. Holly Road to the Hardwick line. Ms. Chammings recommended continuing to Fairview Lake Lane. The narrowness of a portion of the road will be referred to the Engineer but no funding is available at this time to widen the road. Ms. Knott explained at a minimum drainage will be addressed, as well as the potholes and oil and stone. The remainder of the drainage and asphalt paving will be addressed in the spring. The DPW will address the current potholes before the project begins.

Lou Sylvester, 945 Old Schoolhouse Road spoke about the lack of progress on Old Schoolhouse Road noting he first addressed it with the Committee over a year ago. He hoped the potholes would be addressed in a timely manner and it should be a priority.

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

OLD BUSINESS:

ORDINANCE 2016-010:

**STILLWATER TOWNSHIP,
SUSSEX COUNTY
ORDINANCE #2016-010
AN ORDINANCE OF THE TOWNSHIP OF STILLWATER
COUNTY OF SUSSEX, NEW JERSEY AMENDING
CODE SECTION 240-118G REGARDING
AFFORDABLE HOUSING DEVELOPMENT FEES**

BE IT ORDAINED by the Township Committee of the Township of Stillwater, Sussex County, New Jersey, as follows:

Section 1.

Section 240-118G(4) “Eligible Extraction, Ineligible Extraction and Exemptions:” is hereby amended by the addition of a new subsection (e) to read as follows:

“(e) Owner-Occupied residential structures demolished and replaced as a result of a fire, flood or natural disaster shall be exempt from paying a development fee.”

Section 2.

This ordinance shall take effective upon passage and publication as required by law.

Mr. Gross made a **motion** to open the meeting for public comment on Ordinance 2016-010, seconded by Mr. Morrison.

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

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

Mr. Scott made a **motion** to adopt Ordinance 2016-010, seconded by Ms. Chamblings.

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

ORDINANCE 2016-011:

**STILLWATER TOWNSHIP,
SUSSEX COUNTY
ORDINANCE #2016-011
AN ORDINANCE OF THE TOWNSHIP OF STILLWATER
SUSSEX COUNTY, NEW JERSEY REPEALING CHAPTER 190 OF
THE CODE OF THE TOWNSHIP OF STILLWATER ENTITLED
“FIRE INSURANCE CLAIMS”**

WHEREAS, the Township of Stillwater has heretofore adopted Ordinance 2016-008 entitled “Fire Insurance Claims”, which ordinance has been adopted pursuant to the provisions of N.J.S.A. 17:36-8; and

WHEREAS, the Township heretofore adopted Chapter 190 of the Code of the Township of Stillwater “Fire Insurance Claims”, which chapter is no longer applicable and is to be replaced by Ordinance 2016-008;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Stillwater, Sussex County, New Jersey as follows:

Section 1.

Chapter 190 of the Code of the Township of Stillwater entitled “Fire Insurance Claims” is hereby repealed in its entirety and is replaced with Ordinance 2016-008 entitled “Fire Insurance Claims”.

Section 2. When Effective

This ordinance shall take effect upon passage and publication as required by law.

Ms. Chamblings made a **motion** to open the meeting for public comment, seconded by Mr. Morrison.

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

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

Mr. Scott made a **motion** to adopt Ordinance 2016-011, seconded by Mr. Gross.

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

NEW BUSINESS:

ORDINANCE 2016-012: Amending Chapter 289 of the Code of the Township of Stillwater Entitled “Parks and Recreation Areas” to Provide for Regulations for the Use of Public Parks and Recreation Areas (Public Hearing and Adoption – August 16, 2016)

Mr. Scott made a **motion** to introduce Ordinance 2016-012, seconded by Ms. Chammings.

In response to questioning by Mr. Morrison, Ms. Knott explained the ordinance will allow for enforcement of the regulations posted.

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

DISCUSSION ITEMS:

DPW Contract: Mr. Scott briefly discussed the terms of the contract agreed upon.

Stillwater Township BOE – Crossing Guard/Traffic Signs/Speed Bumps:

Ms. Knott asked for authorization to advertise for the crossing guard position. She will do so on the SCCC job board, the township and PLA website. The TC agreed the position should be advertised.

Stillwater Rescue Squad Coin Toss Events: July 16 & 17; September 3 & 4, 2016:

Mr. Scott made a **motion** authorizing the coin toss dates, seconded by Mr. Gross.

All were in favor; none opposed; none abstained.

Pavilion for Veterans Memorial Park: The Committee reviewed the quote from Pioneer Pole Building, including the 4” concrete pad (updated to include prevailing wage). The funding will be encumbered from the Open Space Fund. Dave Manser, Recreation Commission member, reviewed the proposals submitted and felt Pioneer Pole Building was the most economical with quality materials and better warranty. Mr. Manser discussed possible locations and installing electric for the future. Overhangs will be included on the pavilion eave and gable ends to address inclement weather and water run-off. The interior of the roof will be finished. Colors, etc. to be determined. Mr. Manser thanked the Committee for their help and the Committee thanked Mr. Manser for his work on the project.

Ms. Chammings made a **motion** to approve the Pioneer Pole Building proposal, in the amount of \$31,263.00, funded through the Open Space Fund, seconded by Mr. Scott. Funds have been certified by the CFO.

Mr. Morrison was concerned with moving forward with the proposal without first obtaining updated proposals from the other contractors. A lengthy discussion followed and the floor was opened to Recreation Commission member Michele Hess who urged the Township Committee to move forward on the project tonight as it has been a very long process to get to this point. Ms. Knott would obtain updated quotes with prevailing wage included. After further review of the proposals Mr. Morrison felt comfortable to move forward.

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

Sussex County Economic Development Partnership, Inc.:

The SC Economic Development Partnership, Inc. is seeking members. The Committee was not interested in joining at this time.

Katie’s House:

Ms. Knott provided a background on the group home’s request to have the taxes they have paid to date donated back to them. They are currently seeking tax exemption through the Tax Assessor for January 1, 2017. Mr. Prol would research the matter further to determine if it is allowable to do so and if it would possibly qualify as a COAH unit.

Gas Tax Resolution: This item was tabled until Mayor Fisher attends the meeting regarding the issue on July 27th at the Lafayette House at 6 p.m. for more information. Ms. Knott suggested other Committee members should attend if available.

Veteran's Memorial Park Signage:

The Committee reviewed the rules on the sign and added the following items:

- No littering
- No skateboards
- No swimming (removing "no wading")

Ms. Knott will obtain quotes for the signage which will be funded through the Open Space Fund. The Recreation Commission would also like to purchase an aerial map to be posted and marked to display the different areas of the park. The Township Engineer will provide the map at a cost not to exceed \$500. An Eagle Scout will construct the stand for the map.

Alternative Energy Associates, LLC – Proposal:

Mr. Glueck provided a presentation on the cost savings to the municipality with solar installation. The town hall building is ideal for solar as it faces south and is unobstructed. He asked the Committee to consider the proposal. Mr. Morrison clarified that this proposal is in no way similar or related to that of the County solar project and Mr. Glueck agreed noting that financing is through New Jersey Natural Gas which is a publicly regulated entity. It is a profitable company and they use tax credits that are available through the federal government, offering a fixed monthly lease. There are no upfront costs and New Jersey Natural Gas pays Alternative Energy Associates, and then retains the srex and tax credits. Mr. Glueck asked for authorization to conduct a solar audit so a detailed proposal could be submitted for the Committee to review. The Committee agreed, requesting proof of insurance to be submitted prior to any roof inspections. Mr. Glueck agreed and would attend the next meeting to be held on August 16th.

Portasoft Maintenance Contract:

Due to mandatory testing requirements by the NJDEP, a maintenance agreement is necessary. Ms. Chamblings made a **motion** to authorize the maintenance agreement with Portasoft in the amount of \$275.00, seconded by Mr. Scott.

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

Removal and Replacement of Town Hall Oil Tank(s):

Mr. Scott made a **motion** to hire Applied Service to remove (1) underground tank and install (2) 275 gallon Roth tanks, for the amount of \$4,450.00, seconded by Mr. Gross.

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

Tour de Blirstown Bike Ride:

Mr. Scott made a **motion** to approve the bike ride, seconded by Ms. Chamblings. A certificate of insurance to be provided by the food pantry to handout water at Stillwater Park to the bike riders.

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

Letter from Dawn Delaney, Recreation Commission member, dated July 19, 2016:

The letter submitted to the Committee expressed concerns regarding procedures followed by Recreation Commission for Stillwater Day with respect to the one-day liquor license, food license, and reprimanding Ms. Delaney for her attempt to incorporate the Stillwater Fire Department into the event.

Ms. Delaney appeared before the Committee addressing her letter and expressing concern that these issues were not brought before the Township Committee for approval. She did not agree with the

orchestration of the fundraising or the way the Recreation Commission is conducting township business without community and town officials' knowledge and approval.

Mr. Scott made a **motion** to form a subcommittee to address Ms. Delaney's letter of concern with the Recreation Commission, seconded by Ms. Chammings. The subcommittee will consist of Mr. Morrison and Ms. Chammings.

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Ms. Chammings, yes, Mayor Fisher, abstain

Recreation Newsletter Mailing: Mr. Gross expressed concern with the number of newsletters that came back undeliverable. He suggested including them in the tax bill mailing next year.

Ms. Hess stated the newsletter does not coincide with the tax bill mailing and has to be done in February to include all events. The item was budgeted and approved. She used last year's mailing list which may not have been up to date. She offered to pay for those newsletters that were returned.

Attorney Report: No report.

Open Public Session:

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

Lou Sylvester, 945 Old Schoolhouse Road thanked the Recreation Commission, Township Committee and Clerk for all the progress at Veteran's Memorial Park and town hall.

Dave Manser, 993 Stillwater Road thanked the Committee for moving forward with the pavilion and addressing Lower Crandon Lakes.

Rebecca Dey, 907 Marigold Way suggested contacting the insurance carrier regarding the solar installation and research the weight of the panels and related issues to that. She suggested the Committee look into any mismanagement of power in organizations so it is not a continuing trend.

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

Bill #6072:

Ms. Chammings questioned who had contacted the Labor Attorney resulting in fees of \$525 and expressed concern with procedure. Mr. Prol briefly referenced the content of the bill.

Ms. Chammings made a **motion** to pay bill #6072, seconded by Mr. Scott.

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Ms. Chammings, yes, Mayor Fisher, abstain

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

Respectfully submitted,

Kathy Wunder