

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
August 21, 2012
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6:03 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, Deputy Mayor Fisher, Committeewoman Chamblings, Committeeman Gross, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Larry Cohen.

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 6:05 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 – Recreation Commission Secretary Interviews; Potential 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. Fisher to conclude the Executive Session at 7:11 p.m., unanimously carried by roll call vote.

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.

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

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

Bill List Cycle #16: \$105,797.82

Mrs. Straway made a **motion** to approve Bill List Cycle #16, seconded by Mr. Gross.

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

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:

Mrs. Straway: The Stillwater School Board will meet on August 27, 2012. Mrs. Straway met with the CFO to discuss compiling preliminary budget information for 2013, analyzing some of the larger areas of expenditures and beginning work on a financial plan. Reviewing income vs. expenses for the Recycling Center, and preparing for the future closing of the SCMUA.

Mrs. Straway referred to two New Jersey Herald articles entitled, "SCCC students learn business ropes in summer intern program," and "Focused on road ahead." The first article involved a Stillwater resident, Megan Wilson, who served a summer internship at Ames Rubber Co. and the second article focused on Camp Neveda, a juvenile diabetes camp located in Stillwater. Camp Neveda recently hosted guest speaker race car driver Charlie Kimball who spoke on his experiences with diabetes and his career. Mrs. Straway reported that Camp Neveda will hold their 2012 Fundraiser Walk-A-Thon on Saturday, September 29, 2012 and all are encouraged to participate. She noted there are only six dedicated diabetes facilities in the country and Camp Neveda has been operating in Stillwater for 50 years.

Ms. Chamings: The Environmental Commission finalized changes to the Open Space Map and the Township Committee reviewed the map and agreed to forward it on to the Land Conservancy for completion. Ms. Chamings inquired if enforcement of the dog and littering ordinances would require signs to be posted. Attorney Cohen indicated signs were not necessary to enforce ordinance regulations.

Mr. Gross: The Zoning Board meeting will be held on August 27th and the Verizon cell tower application will be heard.

Mayor Scott: A Public Safety Meeting was held on August 16th with the Mayor, Mr. Gross, Rescue Squad Captain Hess and Swartswood Fire Chief Ashley in attendance. The Rescue Squad is requesting signs to alert the public there is an ambulance crossing at the access point of the squad building. There has been an issue with the public when the ambulance vehicles are leaving the driveway responding to a call.

DISCUSSION:

Stillwater Emergency Rescue Squad – Stryker Power Load Systems:

Following a lengthy discussion, Mr. Fisher made a **motion** authorizing Mayor Scott to co-sign a loan agreement on behalf of the Township for the purchase of a Stryker Power Load System for the Stillwater Emergency Rescue Squad, seconded by Mayor Scott.

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

OLD BUSINESS:

Assembly Bill 323:

A discussion was held on Assembly Bill 323 which permits special occasion events that promote agricultural tourism to be conducted on preserved farmland under certain circumstances. The pros and cons were discussed and no formal position was taken either for or against the bill at this time.

NEW BUSINESS:

Recreation Commission Secretary:

Ms. Chamings made a **motion** to hire Maureen Block as the Recreation Commission Secretary, at a salary of \$1,200 per year, seconded by Mr. Gross.

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

A letter of acknowledgement will be forwarded to Tammy Leonard thanking her for her service as the Recreation Commission Secretary over the past few years.

Zoning Board of Adjustment Appointment – Alternate #2:

Mayor Scott made a **motion** to appoint Krista Galante as an Alternate #2 member of the Zoning Board of Adjustment, seconded by Mr. Fisher, term expiring 12/31/12.

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

Donna Clouse – Former Tax Collector:

Mr. Fisher made a **motion** authorizing Mayor Scott to sign a sick/vacation pay agreement with Ms. Clouse, seconded by Mayor Scott.

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

Attorney Cohen provided a brief history on the agreement for sick/vacation pay due to Ms. Clouse following her retirement.

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

Bill Steckowich, 907 Hardwick Road asked for clarification on township paid cell phone usage. Ms. Chamblings explained that the DPW employees are using the cell phones previously used by the police department as it is more cost effective to do so, and she noted the cell phones are used according to policy.

Bob Fritsch, 1009 Stillwater Road asked for the status of the dog signs for Veteran's Memorial Park. Mayor Scott indicated the matter is being addressed.

Michael Losey, 920 Fredon Road stated he is a Stillwater EMT and felt he was wrongly punished for leaving his work duties to respond to an emergency call. He asked the Committee how they planned to address the matter with the Committeeperson involved. Attorney Cohen explained that if the Committee felt it was necessary to take action against an employee, notice would have to be provided to that employee. He stated no discussion can be held without first noticing the employee and he advised the Committee not to discuss the matter without doing so. Mr. Losey explained that he was sent home from work after he responded to an emergency call. He asked for the letter submitted to the Committee by Robert Losey to be read into the record. Attorney Cohen stated it would be a Committee decision as to whether or not the letter would be read and he noted there was no request included in the letter to do so. Mrs. Straway asked for the letter not to be read into the record as she did not have sufficient time to read it.

Robert Losey, 920 Fredon Road requested that his letter be read into the record and Ms. Chamblings offered to do so. Attorney Cohen stated it would have to be authorized by Committee decision and noted the letter is a public document and can be acquired by OPRA request. Attorney Cohen stated that no one questions the right of a municipal employee to respond to an emergency situation as a member of the Rescue Squad or as a designated EMT, and the Committee is grateful to those members for their service to the community. Attorney Cohen stated the incident has concluded and the employee did not suffer by loss of pay or any other issue, and there is no adverse employment action proposed. Mr. Losey explained there were several members of the squad present during the incident who were verbally assaulted and they did not dedicate their time to be treated in such a manner by a member of the Committee.

Michael Losey, 920 Fredon Road asked that Mr. Gross be removed as liaison due to a conflict of interest, and on behalf of all parties involved Mr. Losey asked for an apology from Mr. Gross.

Mr. Gross rebutted accusations included in the letter submitted by Robert Losey, and he provided a brief history of his service as a fireman. Robert Losey stated he had the utmost respect for Mr. Gross with regards to his service but he felt the issue at hand needed a resolution. Attorney Cohen explained that no liaison has the right to make unilateral decisions or take action against an employee. A liaison reports to the Committee who then make any necessary decisions. Mr. Gross apologized and stated he never did anything to jeopardize Mr. Losey's employment.

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

Swartwood Fire Department Report: January through July 20, 2012: Total Calls – 50; Total Hours – 482.6

Ms. Chamblings asked the Committee to consider amending the ordinance adopted with respect to a minimum age of 21 years old for operating emergency vehicles. She asked for consideration for those under that age who have had additional training. Attorney Cohen recommended sending information to the Risk Management Agent to review. Ms. Chamblings agreed to do so and Mr. Gross asked for the process to be conducted through the Clerk.

Attorney Report: None

There being no further business, Mr. Gross made a **motion** to adjourn the meeting at 8:42 p.m., seconded by Mrs. Straway. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder