

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
September 3, 2013
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Gross at 6:00 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 Gross, Committeewoman Chamblings, Committeeman Fisher, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Mike Garofalo.

ABSENT: Deputy Mayor Scott

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by **Mrs. Straway**, seconded by **Mr. Fisher** and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:07 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 – Substitute Solid Waste Worker-David H. Bell; Contract – Change of Work Order-Municipal Building; Public Safety - EMS.
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 **Ms. Chamblings**, seconded by **Mrs. Straway** to conclude the Executive Session at 6:57 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 SEPARATELY ON THE REGULAR AGENDA.

Minutes:

July 16, 2013 Regular Minutes – Executive Minutes Carried to September 17, 2013 Meeting

August 14, 2013 Regular Minutes

Resolutions:

2013-087 Authorizing Refund of Recreation Camp Fee

2013-088 Amending 2013 Budget

2013-089 Mayor's Appointment of Tami Richardson to Recreation Commission – Pulled for Discussion

2013-090 Mayor's Appointment of Anthony Ashley to Recreation Commission – Pulled for Discussion

2013-091 Refunding Overpayment of Taxes

Reports:

Tax Department July 2013
SCBOH July 2013

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

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

Resolution 2013-092: Mayor's Appointment of David H. Bell as Substitute Solid Waste Attendant:

Ms. Chammings made a **motion** to approve the appointment of David H. Bell as Substitute Solid Waste Attendant at a rate of \$8.49 per hour, seconded by **Mr. Fisher**.

Mayor Gross stated he would like Mr. Bell to be a full-time employee at the Recycling Center.

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

Resolution 2013-093: Bill List Cycle #15: \$846,702.02

Mrs. Straway made a motion to approve Bill List Cycle #15, seconded by Mr. Fisher.

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

Amendments to the Agenda:

2013-089 Mayor's Appointment of Tami Richardson to Recreation Commission:

Ms. Chammings asked for a list of the current of the Recreation Commission members. Mr. Nothstine is the Chairperson, Rachael Gullette is the Vice-Chairperson; Donna Fritsch, Tina Sugar and Michele Hess complete the Commission. Ms. Chammings asked if there is a legal issue appointing a paid town employee to a Commission. Mr. Garofalo stated it can be done and is becoming more common. Ms. Chammings then asked if any other applications for membership have been received. Mrs. Knott stated another application has been received, which is the reason for updating the ordinance to include two alternates. Ms. Chammings would like to hold off on the appointments until the changes are made to the ordinance. Discussion followed concerning the updating of the ordinance.

Mrs. Straway made a **motion** to approve the appointment of Tami Richardson to the Recreation Commission, seconded by **Mr. Fisher**.

Ms. Chammings asked whose terms are being filled. The terms belong to Mr. Fritsch and Mr. DeLade. Discussion followed concerning when the terms will end.

Ms. Chammings made a **motion** to have Tami Richardson appointed to serve the remainder of Mr. Fritsch's term on the Recreation Commission, seconded by **Mr. Fisher**.

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

2013-090 Mayor's Appointment of Anthony Ashley to Recreation Commission:

Ms. Chammings made a **motion** to have Anthony Ashley appointed to serve the remainder of Mr. DeLade's term on the Recreation Commission, seconded by **Mr. Fisher**.

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

Ms. Chammings asked Mrs. Knott to provide a list of the terms of the members of the Recreation Commission. Mrs. Knott stated she can provide a list as of last year.

Change Order to the Town Hall Renovations:

To be discussed in Old Business.

Open Public Session:

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 school opens this week. Security measures were updated over the summer. There is now a second set of entry doors and new locks were placed where there previously were none.

Mr. Fisher: The school will now be recycling milk cartons and juice boxes. There is no additional equipment needed at the Recycling Center for this program. The Green Team will be at the school initially to help the children with the new recycling.

Ms. Chammings: There was a Planning Board meeting on August 21. Castners was initially approved for a farm building, and solar ordinances were discussed. The water PAC meeting was canceled. There was a discussion about the Verizon tower and what is needed to move forward.

Mayor Gross: The Zoning Board of Adjustment meeting was canceled for two reasons: there wasn't a quorum, and the applicant was late with his notices and would not have been able to be heard. The next meeting is scheduled for September 23.

OLD BUSINESS:

Change of Work Order: **Mr. Fisher** made a **motion** to accept the proposal from Daniel Rivera for a \$17,320 change of work order for phase one of the renovations for the filing room, seconded by **Mrs. Straway**.

What needs to be done to make the area ready for record storage was explained and Mrs. Straway stated it was an oversight and the money is available.

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

Carl Wolfe Proposal: **Ms. Chammings** made a **motion** to approve Carl Wolfe Communications proposal for \$1,980 to keep the computers and networking system running throughout the renovations, seconded by **Mr. Fisher**.

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

NEW BUSINESS:

ORDINANCE #2013-007 Introduction [Public Hearing and Adoption September 17, 2013]

Amending Chapter 10 "Board of Recreation Commissioners" to provide for two alternate members.

Mr. Fisher made a **motion** to introduce Ordinance# 2013-007, seconded by **Mrs. Straway**.

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

DISCUSSION ITEMS:

Amendment to Chapter 382 Trees: Mrs. Straway asked to have verbiage added to include smaller lot size restrictions. Mayor Gross has reviewed the ordinance and feels it is a good ordinance. Mr. Fisher agrees with the ordinance and agrees with Mrs. Straway that smaller lot restrictions should be included. Ms. Chammings will bring the concern before the Environmental Commission to amend the ordinance, and asked that it be included on the September 17 Town Committee meeting agenda.

Bike to Beat Epilepsy – October 20, 2013: All necessary paperwork has been provided. Mrs. Straway stated this has been done for many years and is very well done.

Mr. Fisher made a **motion** to approve the Bike to Beat Epilepsy event on October 20, 2013, seconded by **Mrs. Straway**.

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

Ambulance/Fire Truck: There was discussion about the purchase of a new ambulance. Mayor Gross began a discussion about the town's debt and surplus. A quote was requested for the difference in cost between a 2-wheel drive and a 4-wheel drive ambulance. The difference is approximately \$30,000. Discussion continued about the town's financial situation, a capital spending plan, and a Recreation Commission bill for photographs. The discussion then included the requested purchase of Fire Police badges and jackets. Ms. Chammings asked Chief Pavone if he had an estimate of the cost and a spec sheet for the new fire truck. The cost was estimated at between \$300,000 and \$400,000. There was

discussion of the PSE&G money available for emergency services and any criteria necessary for its usage. The Committee discussed the possible purchase of a new fire truck. The purchase of a new ambulance and fire truck will be on the agenda for the September 17 meeting. Mrs. Straway expressed concerns about the purchase of a new ambulance due to the fact that the town has already cosigned a note for a \$50,000 ambulance accessory. She also raised the question of merging the town's two fire departments. Justin Francomacaro, Deputy Chief Stillwater Fire Department, questioned Mrs. Straway's assertion that Stillwater Fire is the most funded fire department in Sussex County. Mrs. Straway stated the Town needs to examine how it does business. She praised the departments for their service, but feels there needs to be a change financially. It was understood that Mrs. Straway's concern was redundancy. Ms. Chamblings would like to supply the fire departments with a spreadsheet showing a compilation of how Sussex County municipalities fund their fire and rescue services.

Mayor Gross returned to the discussion of the requested purchase of Fire Police badges and coats.

Mrs. Straway made a **motion** NOT to purchase fire police badges and coats, seconded by **Mr. Fisher**.

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

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

Ron Volk, 914 Deer Run, sent a letter to Eilene Close, Hampton Township Municipal Clerk, and Lynda Knott, Stillwater Acting Municipal Clerk, on June 28, 2013. He has received a voucher from Hampton for the amount requested for tree removal under the NJ Municipal Services Law. He presented the Committee with copies of the letter written and a copy of the voucher received. Mr. Garofalo stated Stillwater's decision in this matter does not hinge on the actions of Hampton. Mr. Volk stated when he appeared previously, there was a question asked about Hampton. He stated he would get back to the Committee which he is now doing. Mr. Garofalo stated the opinion he had given the Committee was he did not think payment should be authorized without any back-up paperwork. Mrs. Straway explained the FEMA rules were different for Sandy than they were for Irene and Lee. She stated Mr. Ashley had done a great job surveying and documenting the damage in the town, and there is no documentation for the tree removal. Mr. Volk stated for two days the State was under a state of emergency. The only vehicles out in Paulinskill Lake at the time were clearing trees. No pictures were taken. He has been told there are pictures of the areas where the trees were down. He didn't see any fire department vehicles in the area, but wasn't out and may not have seen them. Pictures can still be taken because most of the trees remain where they were. Mayor Gross stated there was a time limit to submit claims and that time has passed. Mr. Garofalo stated the obstruction would have to block the roadway to qualify. Mayor Gross asked **Anthony Ashley, OEM Coordinator**, to approach the microphone. Mayor Gross asked Mr. Ashley if he covered any Paulinskill Lake roads. Mr. Ashley stated he covered all roads and streets, and some private roads and driveways in the town. He was updating what roads were closed and why they were closed for two weeks following the storm. Most of the roads that were closed were due to downed power lines. The fire departments and DPW had cleared most of the trees until they were pulled off the streets by the County OEM. The fire department cleared one tree in Paulinskill Lake at the corner of Ridge Road and Rte 622. They cleared half of the tree at which time Hampton DPW and Fire came, thanked them and finished the work. Mrs. Straway stated JCP&L sent crews to clear trees with power lines on them. Mr. Ashley stated the fire department didn't clear any trees involving power lines. There was discussion about the fire departments, the rescue squad and the DPW being sent out with cameras to document the damage. Mr. Volk questioned Mr. Ashley about specific roads in Paulinskill Lake.

Kathy Fobes-Jacoby, 964 Mt. Holly Road, thanked everyone who attended Green Fest on August 18. There was a really great turn out of approximately 200 people. It was a success and she is looking forward to next year. She also stated she has been told the funnel on the used oil container at the Recycling Center leaks. Mayor Gross is aware of the problem. The latest replacement was stolen. **There being no further members of the public wishing to speak, this portion of the meeting was closed.**

Attorney Report: None

Correspondence: Mayors' Advisory Correspondence is available in the Correspondence Binder at the Municipal Building.

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

Respectfully submitted,

Tammy Leonard