

STILLWATER TOWNSHIP COMMITTEE MEETING

MINUTES

October 25, 2011

Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6 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, Committeeman Gross, Committeeman Morrison, Committeewoman Straway, Acting Municipal Clerk Lynda Knott and Attorney Lawrence 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 6:15 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; Contract; Potential Litigation; Real Property
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 Mr. Gross, seconded by Mrs. Straway to conclude the Executive Session at 7:02 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.

Department Reports:

Stillwater Emergency Rescue Squad Monthly Calls: September 2011

Stillwater Emergency Rescue Squad Monthly Day Calls: September 2011

Minutes:

Regular Meeting: October 4, 2011

Executive Session: October 4, 2011

Resolutions:

2011-65 Opposing S-2887 and A-3992, Which Revises Standards for Wind Generation Facilities on Farmland

2011-66 Mayor's Acceptance of Resignation of Michael Losey as Recycling Center Attendant with Committee Concurrence

2011-67 Authorizing the Sale of Alcotest Instrument and Accessories to Readington Township Police Department

2011-68 Adopting Sussex County, New Jersey All-Hazards Pre-Disaster Mitigation Plan

2011-69 Awarding Five Points Lane Road Project to Jackman Excavating

2011-70 Mayor's Appointment of Dana M. Selis as an Active Member of the Stillwater Fire Department

2011-71 Mayor's Appointment of James A. Welch as an Active Member of the Stillwater Fire Department

Approving Blue Light Application for Gayle Losey

Approving Vacation Carry Over for Brian Hendershot and Joel McAllister

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

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

Bill List Cycle #18: \$45,564.20

After a brief discussion, Mr. Morrison made a **motion** to approve Bill Cycle #18, in the amount of \$45,564.20, subject to the approval of the Municipal Auditor, removing Vendor #154, PO #729; Vendor #286, PO #724; and Vendor #100, PO #690 from Bill List #18 for further review, seconded by Mrs. Straway.

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

Amendments to the Agenda: Added Under New Business: Liberty Power

Committeeperson Reports:

Mrs. Straway reported the following on the Stillwater Board of Education meeting: A presentation was provided on bullying. A special meeting has been scheduled for October 27, 2011, Executive Session, for the purpose of hiring a new Business Administrator, action is anticipated.

Mr. Fisher reported the following: Rescue Squad: 26 total calls for September 2011; 23 in Stillwater, 3 mutual aid. He commended the fire departments on protecting and saving the surrounding buildings during the Stillwater Inn fire. The Comedy Night sponsored by the Stillwater Fire Department on October 22, 2011 was sold out.

Mr. Morrison reported on the Middleville Road project. He explained drainage work is being completed and part of the process requires the road to be driven on to stabilize the road base prior to paving. The final six inches of pavement should be completed within the next week to ten days.

Mr. Morrison stated a report was submitted by Mr. Vreeland on the West End Drive flooding issue. Mrs. Straway stated the findings indicated there is nowhere for the water to go.

Mr. Morrison reported the Municipal Auditor will begin the regular year-end audit process during the next two weeks.

Mr. Gross reported the following on the Environmental Commission meeting: Past stream water testing results were reviewed by Ernie Hofer and Nathaniel Sadjak (water quality experts) and recommendations were made for future testing. A Land Conservancy report was submitted by Sandy Urgo and reviewed by the Commission. The Open Space Map will be completed pending the receipt of the digital tax maps, and the Land Conservancy and Environmental Commission are working together on an open space brochure including fishing, hiking and walking trails, hunting, swimming, athletic fields and playground areas. The Commission also discussed the County bridge in Swartswood and invasive species removal at Veteran's Memorial Park. A lengthy discussion was held on the Sustainable Jersey Certification grant program and its possible connection with UN Agenda 21. The Commission decided to continue pursuing the certification at this time while researching Agenda 21 further. Mr. Gross stated copies are available on Agenda 21 for those interested. The EC also reviewed an article on the announcement of President Obama and the Department of Energy to "fast-track" the Susquehanna-Roseland transmission line project.

Mr. Gross announced that a drug disposal will be held at various locations throughout the County on October 29, 2011 from 10 a.m.-2 p.m. with the nearest location at the Newton Shop Rite and an anti-fracking movement will take place on November 21, 2011 in Trenton.

Mr. Gross reported a brief Zoning Board meeting was held in October and the Nextel application was carried to the November 28, 2011 meeting at Stillwater School at 7:30 p.m.

Mayor Scott reported a Safety Meeting was held on October 21, 2011 with the fire departments and Rescue Squad in attendance. Mr. Scott attended a FEMA meeting on October 24, 2011 regarding Tropical Storm Lee and applying for relief. Mrs. Straway reported Lee was designated as a disaster for Sussex County and a FEMA specialist will be in Stillwater later this week. She stated that anyone that has damage from Lee must contact their insurance company and have the documentation to begin the FEMA process. Contact information for FEMA will be available at the Municipal Building.

Mayor Scott stated the Planning Board meeting was cancelled due to the lack of a quorum. Anthony Ashley was appointed as an Assistant OEM by Mayoral appointment. Mayor Scott recommended the appointment of Josh Raff to the Department of Public Works. He commended his work as a part-time employee and stated he is working toward his CDL. Mr. Morrison stated the DPW has struggled over the past year being one worker short, and with respect to the budget there is no issue.

Mayor Scott made a **motion** to hire Josh Raff as a provisional DPW employee, pending the CDL road test, seconded by Mr. Gross.

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

Mr. Gross reported he interviewed Dan Hogan for the Recycling Center position and he recommended hiring Mr. Hogan to fill the position beginning Saturday morning. Mr. Gross made a **motion** to hire Dan Hogan as an employee of the Recycling Center, seconded by Mr. Fisher.

Roll Call Vote: Deputy Mayor Fisher, yes, Mr. Gross, yes, Mr. Morrison, yes, Mrs. Straway, yes, Mayor Scott, yes
Mrs. Straway clarified that Dan Hogan would be replacing Mike Losey who has resigned from the position.

Open Public Session (agenda items only):

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

Carol Fredericks, 913 Middleville Road stated the hiring of Josh Raff was an excellent choice and she asked if there was an additional opening at the Recycling Center. Mr. Gross stated once Josh becomes a DPW employee, his position at the Recycling Center will be open. Mrs. Fredericks thanked and commended the Rescue Squad, State Police and fire department for their help during a recent emergency with her husband. Mr. Morrison clarified that Mr. Raff will transfer from his position at the Recycling Center to the DPW at this time and he will take his CDL test within the month and will be paid at the rate of a laborer.

Denise Current, 955 Fairview Lake Road asked for clarification on the vote for the Consent Agenda. Mayor Scott stated the vote was taken and then he read the items on the agenda for the public following the vote.

Kathy Draghi, 1016 Route 619 asked for clarification on the policy of promoting from within with respect to the hiring of Mr. Raff. Mayor Scott explained that Mr. Raff was a part-time employee for the DPW on Thursday and Friday in addition to working at the Recycling Center and he will now work five full days for the DPW. Mrs. Draghi expressed concern with adequate County road maintenance during the winter as Route 619 is still closed due to the flooding and trucks will have to go all the way around and enter from the other end. Mrs. Straway stated she is in contact with the County Administrator on this and other issues and she will be attending a County meeting on October 26, 2011 to address those concerns.

Mrs. Draghi asked for clarification on what bills were not voted on. As the bill list is public information, Mrs. Straway reported the three bills not voted on were as follows:

- 1) Institute for Professional Development – payroll workshop
- 2) Tri-State Rentals – tent rental
- 3) Vital Communications – 2012 Notice for Assessments

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

ORDINANCE #2011-14 Public Hearing/Adoption:

2011-14 Ordinance Fixing Salaries and Wages of Officers and Employees of the Township of Stillwater, County of Sussex and State of New Jersey, for the year 2011

ORDINANCE #2011-14

AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2011

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

Section 1. The Township of Stillwater shall pay its municipal officers and employees for services rendered as shown below. Figures shown represent annual salary, unless otherwise noted.

POSITION	SALARIES & WAGES
Township Committee Member	\$ 3,648.54
Acting Township Clerk	\$38,000.00
Principal Clerk/Typist	\$42,194.34
Chief Financial Officer	\$39,000.00
Tax Assessor	\$26,118.12
Tax Collector	\$28,500.00
Construction Official	\$19,472.82
Electrical Inspector	\$ 35.00/hour
Fire Sub-Code Official	\$ 4,139.16
Fire Prevention Official	\$ 5,885.40
Plumbing Inspector	\$ 6,688.14
Technical Assistant to CO	\$ 16.65/hour
Crossing Guard	\$ 11.30/hour
SWR Worker	\$ 10.46/hour
Recycling Worker #1	\$ 10.37/hour
Recycling Worker #2	\$ 8.32/hour
Secretary-Recreation Commission	\$ 1,224.00
Secretary-Environmental Commission	\$ 2,250.12
Secretary-Planning Board	\$ 5,610.00
Secretary-Zoning Board	\$ 5,610.00
Zoning Officer	\$32,196.06
Acting DPW Supervisor	\$ 19.56/hour per contract
DPW Laborer #3	\$ 17.66/hour per contract
DPW Laborer #4	\$ 17.66/hour per contract

DPW Laborer #5	\$ 17.66/hour per contract
Recycling Coordinator	\$ 1,447.38
Emergency Management Coordinator	\$ 1,288.00
Animal Control Officer	\$ 7,344.00

Section 2. Specific salaries or wages established by this Ordinance shall be made retroactive to January 1, 2011 unless otherwise notes.

Section 3. Nothing in this ordinance shall be construed as making mandatory the payment of annual salary increments to any officer or employees of the Township of Stillwater. Salary or wage increases shall be contingent upon availability of the funds.

Section 4. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall take effect after publication and passage according to law.

Mr. Gross made a **motion** to open the meeting for public comment on Ordinance 2011-14, seconded by Mr. Fisher.

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

Lisa Chamings, 928 Mt. Holly Road asked if the ordinance was for all employees or only certain employees.

Attorney Cohen explained the ordinance covered all employees, fixing a salary for each position.

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

Mr. Gross made a **motion** to adopt Ordinance 2011-14, seconded by Mr. Fisher.

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

DISCUSSION ITEMS:

Liberty Power: Mrs. Straway provided a background on the contract with Liberty Power which has expired. The company is currently charging an adjustable rate of between .10 and .12 cents and has offered a fixed rate. Mrs. Straway felt the township should research the matter to see if a better rate can be obtained. Following further discussion, Mr. Morrison agreed to follow-up on the matter.

Old Tannery Road Pedestrian Walkway: Mrs. Straway reported that a resident had inquired if the County would consider building a pedestrian bridge over the damaged County bridge on Old Tannery Road. The County has indicated they would consider doing so as long as the Township assumed the responsibility and liability for the pedestrian bridge, including falling debris, maintenance, snow removal, injury, etc. The Township insurance carrier was consulted and he advised against such a liability.

New Municipal Website: Mrs. Straway provided an update on the website progress. Christine Ramberger is currently outlining a new website and it should be completed within a few weeks.

Open Public Session:

Denise Current, 955 Fairview Lake Road expressed concern with Mrs. Straway addressing so many township issues when the Municipal Clerk is being paid to do so. Ms. Knott explained that she is not a member of the governing body and Mrs. Straway provides the reports on issues that are being worked on jointly. Mrs. Current was also concerned with one of her employees being questioned at one of her properties about the property and Mrs. Straway was present at the time. Mrs. Straway explained that she was at Mrs. Current's property, as well as many others, due to the Neldon Brook flooding in that area and she was not aware that it was her property. Mrs. Straway stated she was in contact with those residents on a daily basis due to the disaster.

Lee Hammond, 904 Maple Lane asked about the joint solar project that was being considered between the school and the municipality. Mr. Morrison explained the township was not eligible for the grant funding.

Mr. Hammond referred to Resolution 2011-65 proclaiming October as a community planning month and he asked for clarification. Mayor Scott explained the resolution was to recognize volunteers serving on the boards and commissions and he thanked Mr. Hammond for his service on the Zoning Board. Mr. Hammond suggested holding an open public forum, possibly covered dish event, including all associations, boards, commission, groups, etc. to discuss their visions for the community and provide their public input. Mr. Morrison felt a forum including so many groups may be too large to be advantageous. Mr. Gross explained that township meetings are open to the public and all are welcome to attend.

Lisa Chamings, 928 Mt. Holly Road asked for the cost of the Five Points Lane road project, Resolution 2011-69, and Mayor Scott indicated it was \$44,925, to be completed by Jackman Excavating and was approved at the last Committee meeting. Ms. Chamings referred to Neldon's Brook and asked who was overseeing the recommended mitigation by the County included in their draft plan of 2010, and did anyone attend the meetings concerning this matter. She noted problems resulting from Lee and Irene were part of the mitigation plan. Mayor Scott indicated the former OEM Coordinator handled the issue. Mr. Morrison and Mrs. Straway explained the DEP would not provide approval for the mitigation and following an aerial survey did not believe the brook posed any life safety issues. It was less than 30 days later that the hurricane and flooding occurred. In response to further questioning by Ms. Chamings, Mrs. Straway stated all Committee members, Township Engineer, County Engineers, County Administrator and local legislators were involved in addressing the matter. Mr. Morrison stated the County still has to fulfill their obligation on the other side of

the bridge, and Mrs. Straway noted there are many County projects that must be addressed and prioritized. Mrs. Straway would follow up with our FEMA representative to obtain an answer for Ms. Chamings on whether the work at Neldon's Brook was a project or an action.

Ms. Chamings asked if Blue Acres was considered for West End Drive. Mrs. Straway was aware of Blue Acres and stated the Committee is pursuing options to aid the flood victims on West End Drive and are working with a FEMA representative. When precise information is available it will be provided.

Ms. Chamings asked Mr. Fisher if the township has received any correspondence from PSE&G regarding utility maintenance. Mr. Fisher stated the township has not.

Ms. Chamings stated she submitted a report to Ms. Knott regarding the volunteer hours at the parks following the hurricane, which totaled between 86 and 87 hours.

Mr. Gross provided a background history on the West End Drive/Duck Pond Road area, stating the Township Engineer has provided a report on the flooding in that location and it is available at the Municipal Building.

Carol Drace, 937 West End Drive stated the town should not have issued a building permit if they knew the property flooded and did nothing to prevent it. Mrs. Fisher, Zoning Officer, stated the soil logs were completed and approved by the County allowing those properties to be developed.

Ms. Ramberg, Environmental Commission, reported she is currently in contact with other municipalities regarding Sustainable NJ certification and hoped the Committee would consider the information she obtains and not just the Agenda 21 information that has been provided. Mr. Morrison asked Ms. Ramberg to provide a clear delineation between the two when the information is submitted.

Bill Steckowich, 907 Hardwick Road expressed concern with the police vehicle still located at the DPW property. Mayor Scott stated the vehicle will be addressed and will be scrapped in the near future.

Kathy Draghi, 1016 Route 619 asked if the minutes from March 2011 forward that are not on the current website would be placed on the new website. Mrs. Straway indicated they would be included.

Lee Hammond, 904 Maple Lane hoped the township would preserve the uniqueness of Stillwater Township with respect to the Stillwater Inn property. Mrs. Straway stated she and Mr. Gross were at the scene during the fire and it was very sad to see. She recognized the local and neighboring fire companies and the neighbors in the area, including the Parsons, for all they did during the fire. Ms. Chamings acknowledged the help of County Sheriff's Officer Walter Chadwick and the State Forestry Service, as well as others.

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

Attorney Report

Correspondence:

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

There being no further business, Mr. Morrison made a **motion** to adjourn the meeting at 8:35 p.m., seconded by Mr. Gross. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder