

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
June 20, 2017
Regular Meeting
STILLWATER SCHOOL

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chamblings 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: Deputy Mayor Gross, Committeeman Fisher, Committeeman Morrison, Committeeman Scott, Mayor Chamblings, Municipal Clerk Lynda Knott, Attorney Angelo Bolcato

EXECUTIVE SESSION:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Scott, seconded by Mr. Fisher and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:13 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; Attorney-Client Privilege; Public Safety
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. Scott, seconded by Mr. Fisher to conclude the Executive Session at 7:04 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:

April 25, 2017 Regular Minutes
May 2, 2017 Regular Minutes
May 16, 2017 Regular and Executive Minutes

RESOLUTIONS:

2017-069 Amending the 2017 Budget – Clean Communities Grant Revenue
2017-070 Authorizing Refund of Permit Fees
2017-071 Authorizing Change Order #1 to Resolution 2017-053 Awarded to Pierson Landscaping & Design, LLC for Municipal Building Parking Lot
2017-072 Authorizing Liquor License Renewals
2017-073 Amending the 2017 Budget – ANJEC Grant Revenue

REPORTS:

QPA Report for May 2017

SC Office of Public Health Nursing Activity Report for May 2017

Building Department Report for May 2017

Tax Collector's Report of April and May 2017

Convenience Center Monthly Report of May 2017

Recreation Commission Minutes of April 3 and May 1 (Regular); May 10 (Workshop)

Tax Assessor's Report of 2017 Tax Appeals and Outcomes

DPW Monthly Report of May 2017

Environmental Commission Minutes of May 8, 2017

Zoning Officer/Code Enforcement Activity Report for April and May 2017

Stillwater Fire Department Report

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

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

BILLS LIST #7 \$670,760.59

RESOLUTION 2017-074 PAYMENT OF BILLS w/o PO #6843

Mr. Scott made a **motion** to adopt Resolution 2017-074, removing PO #6843 for separate consideration, seconded by Mr. Gross.

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

Mr. Fisher made a **motion** to pay PO #6843, seconded by Mr. Morrison.

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

PRESENTATION: Stillwater School Greenhouse/Garden Project – Rene Metzgar, Elaine Makarevich and Marissa Kramer

Mrs. Kramer provided a background on the project, stating the garden and raised bed have been constructed and through fundraising and grants they now have sufficient funding to construct the greenhouse. The group appeared before the Planning Board a month ago and are now presenting the plan for the project to the Township Committee.

Mrs. Makarevich discussed benefits to the students and community by having an outside classroom, hands-on area. She reviewed the location and three phases of the project: 1) fencing and garden-raised beds; 2) Plumbing and Greenhouse; and 3) Gazebo, Walkways and Benches. Ms. Metzgar explained the garden area originated when the community was invited to assist the school with developing a five-year plan. The design phase is completed and funding is in place. The site plan and zoning permit are complete and construction permits are in progress. She reviewed the site plan and Mrs. Makarevich provided the day to day vision for the space and beyond the classroom. Ms. Metzgar spoke about the funding raised to date including fundraising, donations and grants; the total estimated cost of the project is \$34,425. She thanked the volunteers, administration, Harold Pellow, Matt Morris and Lisa Chamblings for their help with the site drawings. Mrs. Makarevich provided an overview of the grant funding received. The new space will be filled with endless opportunities and will provide endless years of learning and joy for children and their families.

The Committee thanked the group for their presentation.

DISCUSSION: Lake Plymouth Community Association – John Torregrossa, President

Mr. Torregrossa asked if the Mayor had spoken to the County regarding the culvert pipe. Mayor Chamblings indicated it had been placed on their schedule for inspection. In response to questioning by Attorney Bolcato, Mr. Torregrossa clarified that 44 members belong to the association and there are 187

properties that are part of the Upper Plymouth Lake Development and will be responsible for payment of the dam assessment. The tax list does contain some properties that were foreclosed on by the township so the number may be less than 187. The process of assessing properties was discussed, noting it would be completed in tiers beginning with lakefront properties and continuing from there. Mr. Torregrossa indicated the loan request is for \$600,000 and includes fees for construction, permits, legal fees, and the cost of the assessor/appraiser. Mr. Bolcato suggested he meet with the association attorney to discuss all the details of the loan process, followed by an additional public meeting.

Ms. Chammings made a **motion** to open the meeting to the public for comments/questions on the Lake Plymouth matter at 7:50 p.m., seconded by Mr. Fisher. All were in favor.

Robert Kwiatkowski, 990 Owassa Road shared his concerns and questioned why individuals should be forced into something they neither want or need, or face potential liens on their property. He felt imposing an 18-year assessment is an added stress and the disparity in the dam quotes should be a red flag.

Ed Szabo, 978 Route 521 questioned if a credit check was run on the association. He referred to a similar dam repair issue in Wantage and a friend of his involved in that matter who indicated every promise that was made to protect the taxpayers was broken. He noted that Mr. Bolcato's firm represented Wantage in that matter and felt Mr. Bolcato may have knowledge that could be shared and be helpful in avoiding what happened in that situation.

Arnold Garrison, Lincoln Park owns property in Lake Plymouth. He discussed the notice received indicating a tax assessment would be done on all Lake Plymouth properties and was concerned with the taxing authority. Mr. Garrison had no problem with paying for road maintenance. Mr. Torregrossa explained that based on the Dam Safety statute, everyone that is part of the Upper Plymouth Lake development, whether or not they are part of the association, would be responsible for paying an assessment.

Susan Smith, 919 Upper Drive stated most people bought property in the lake community due to the beautiful mountains, lake and scenery. She provided a background on the development of the association, and noted taxes and insurance are paid on the clubhouse. She stated the alternative to maintaining the dam is draining the lake. The fire department would no longer have access to the standpipe resulting in loss of fire protection, and the aquifer that recharges the local wells would be affected. Mr. Torregrossa puts in hours of his own time maintaining the dam with the assistance of a few member volunteers. The assessment will only affect those deeded properties within the Brunswick development. She is not a lakefront property owner but it matters to her if the lake remains or not.

Mr. Morrison suggested obtaining an assessment report to determine the effect on property values if the dam is not addressed; it could affect the total tax base.

Mr. Bolcato will contact the association attorney to set up a meeting to obtain information and resolve the details; and Mr. Morrison will contact the Tax Assessor to discuss the matter further.

Mayor Chammings spoke with members of the Paulinskill Lake Association and their dam was repaired using a private loan through Newton Trust and the lake itself as collateral.

A member of the public suggested draining the lake and installing an Olympic-sized pool for the community.

Mr. Scott, as a member of the fire department, spoke on the importance of the standpipe and fire protection. He commended Mr. Torregrossa on his work in the community both with the association and on the road maintenance.

The Committee suggested Mr. Torregrossa schedule a meeting with the lake community residents to discuss the matter further and estimate a number of those who are willing to contribute.

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

AMENDMENTS TO THE AGENDA: Add Resolutions 2017-76, 2017-77 and 2017-78

**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.**

OLD BUSINESS:

ORDINANCE 2017-06: Public Hearing/Adoption

THE TOWNSHIP OF STILLWATER

SUSSEX COUNTY, NEW JERSEY

Ordinance No. 2017-06

CAPITAL ORDINANCE APPROPRIATING \$15,000 FOR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY

BE IT ORDAINED by the Township Committee of the Township of Stillwater, in the County of Sussex, New Jersey, AS FOLLOWS;

Section 1. The several improvements described in Section 3 of this capital ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Stillwater, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$15,000, which has heretofore been set aside for the improvements or purposes stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$15,000 appropriations, the Township will use \$15,000 from General Capital Fund Balance.

Section 3. The improvements hereby authorized and the several purposes for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for each such purpose, are respectively as follows:

Building & Grounds

Municipal Building Improvements, including parking lot, signage, and all related costs.....\$15,000.00 Capital Fund Balance

All the aforesaid improvements or purposes where applicable, are in accordance with specifications on file in the office of the Township Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated: The said purposes described in Section 3 of this capital ordinance are capital expenses and are each a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specifically assessed on property specially benefited thereby.

The average period of usefulness of said purposes within the limitations of said Local bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed by this capital ordinance, is five (5) years.

Section 5. The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 6. This capital ordinance shall take effect ten (10) days after the publication thereof after final adoption.

Mr. Scott made a **motion** to open the meeting for public comment on Ordinance 2017-06, seconded by Mr. Fisher. All were in favor.

There being no public comments on Ordinance 2017-06, this portion of the meeting was closed.

Mr. Scott made a **motion** to adopt Ordinance 2017-06, seconded by Mr. Morrison.

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

RESOLUTIONS: 2017-075 Appointing Josh Raff as Temporary DPW Supervisor

Mr. Scott made a **motion** to adopt Resolution 2017-075, seconded by Mr. Fisher.

Mr. Scott and Mayor Chamblings commended Mr. Raff on his work thus far, noting all reports are up to date.

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

DISCUSSION ITEMS:

Town Hall Parking Lot Update:

The project has been completed. A monitoring well will be installed in the parking lot on Thursday.

Recycling Center Driveway:

DPW will continue to fill the potholes.

Development of Veterans Park:

This item will be tabled. The pavilion looked nice on Stillwater Day.

Five Points Intersection:

Discussion to be held at July 18, 2017 meeting with Mr. Vreeland to be present.

Employee Handbook Update:

Discussion to be held at July 18, 2017 meeting.

DPW Position Additions/Job Descriptions:

This item was moved to New Business.

NEW BUSINESS:

STILLWATER TOWNSHIP

ORDINANCE #2017-07

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE MUNICIPAL BUILDING PARKING LOT IN AND BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING \$31,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$29,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$31,500, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$2,500 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes.

For the financing of said improvement or purpose and to meet the part of said \$31,500 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$29,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or

purpose, negotiable notes of the Township in a principal amount not exceeding \$29,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the municipal building parking lot in and by the Township, including the removal of an underground fuel storage tank, together with all site work, well installation, paving, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

The estimated maximum amount of bonds or notes to be issued for said purpose is \$29,000.

The estimated cost of said purpose is \$31,500, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$2,500 down payment for said purpose.

The following additional matters are hereby determined, declared, recited and stated:

The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby. The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is fifteen (15) years.

The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$29,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

An aggregate amount not exceeding \$21,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget

and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Mr. Scott made a **motion** to introduce Ordinance 2017-07, seconded by Mr. Gross.

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

***Public Hearing/Adoption: Special Meeting - July 5, 2017**

Resolution 2017-076: Mayor's Appointment of Sybil Jaretsky as a Member of the Stillwater Area Volunteer Fire Department with Committee Concurrence effective June 20, 2017

Mr. Scott made a **motion** to adopt Resolution 2017-076, seconded by Mr. Fisher.

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

Resolution 2017-077: Mayor's Appointment of Tammy Richardson as the Recreation Secretary at an Annual Salary of \$1,967 with Committee Concurrence effective June 20, 2017

Mr. Scott made a **motion** to adopt Resolution 2017-077, seconded by Mr. Fisher.

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

Resolution 2017-078: Mayor's Appointment of Josh Raff as Provisional Road Repair Supervisor with Committee Concurrence effective June 20, 2017

Mr. Scott made a **motion** to adopt Resolution 2017-078, seconded by Mr. Gross.

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

COMMITTEE REPORTS:

Mr. Scott: No report for Stillwater Day at this time. Garage Sale Day will be held on July 15th and 16th.

Mr. Gross: Fire Department wet down was a huge success and well attended.

Mr. Morrison: Planning Board meets on June 21st.

Mr. Fisher: Recommended placing concrete under the containers at the Recycling Center and moving two containers closer to the shed to allow for an additional commingle one. A new set of stairs is needed on the existing commingle container. New information board/sign will be installed at the Recycling Center. Mayor Chamblings will speak with Mr. Vreeland for alternative ideas for the driveway entering the center.

Mayor Chamblings: Environmental Commission (EC) is working on new signs for the containers at the Recycling Center. They will be made through the County shared service. The Mayor thanked Mr. Szabo for his rain barrel presentation at the last EC meeting. The barrel will be donated to town hall for the new garden.

DISCUSSION ITEMS:

Electrical Inspector Coverage for Vacation:

After a brief discussion, Mr. Scott made a **motion** to authorize vacation coverage for the Electrical Inspector for June 26 and June 28, 2017, \$35/hour, seconded by Mr. Gross.

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

Fencing Repairs for Stillwater Park:

A memo was received from the DPW regarding the fence repair and will be discussed by the Recreation Commission as part of their capital plan. The CFO indicated funding is currently available through a past

open ordinance for Veteran's Memorial Park. Mr. Scott noted the batting cage was installed by Little League. Mayor Chamblings requested quotes for the work.

Security Cameras for Town Hall:

Quotes will be obtained for security cameras at the Municipal Building.

Beavers:

Mr. Raff met with a representative of the division of the NJDEP overseeing beaver issues to discuss the matter at Crandon Lakes.

Attorney Report: No report.

Open Public Session:

At this point, this portion of the meeting was opened to the public at 8:44 p.m.

Ed Szabo, 978 Route 521 informed the public there will be an overnight Walleye fishing tournament sponsored by the Paradise Fishing Club on Big Swartswood Lake. He distributed applications to those interested. The contest will begin on Saturday at 4 p.m. and will conclude at 12 noon Sunday at the Boathouse for weigh-ins.

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

EXECUTIVE SESSION:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Scott, seconded by Mr. Fisher and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 8:50 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; Attorney-Client Privilege; Public Safety
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. Scott, seconded by Mr. Fisher to conclude the Executive Session at 9:15 p.m., unanimously carried by roll call vote.

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

Respectfully submitted,

Kathy Wunder