

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
June 18, 2019
Regular Meeting

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: Committeeman Gross, Committeeman Morrison, Committeeman Fisher, Deputy Mayor 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. Gross and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:11 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 (2); Attorney/Client (2); Real Property; Contract; 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 7:15 p.m., unanimously carried by roll call vote.

REGULAR SESSION:

ROAD PROJECTS: Township Engineer Michael Vreeland

Mr. Vreeland reported on the following road projects:

-Bids were received for Old Schoolhouse Road today, low bidder was Atlantic Management and Construction \$180,110 – engineer estimate was approximately. \$183,000 – 2nd bidder River View Paving Inc. \$183,000.

Atlantic Management provided references and included bid submittal items which were reviewed by Mr. Bolcato. Mr. Bolcato reported the Public Works Contractors Registration for both Atlantic Management and subcontractors was expired and the bid was disqualified.

Mr. Bolcato reviewed the bid package for River View Paving finding it satisfactory.

Mr. Morrison made a **motion** to award the bid for the Old Schoolhouse Road project to River View Paving, Inc., in the amount of \$183,294.50, seconded by Mr. Scott.

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

RESOLUTION 2019-072:

STILLWATER TOWNSHIP
SUSSEX COUNTY, NEW JERSEY
RESOLUTION 2019-072
RESOLUTION AWARDING CONTRACT FOR OLD SCHOOLHOUSE RD SECTION III

WHEREAS, the Township of Stillwater advertised for the receipt of sealed competitive bids for Old Schoolhouse Road Section III; and

WHEREAS, the Township accepted sealed, competitive bids on June 18, 2019 for Old Schoolhouse Road Section III; and

WHEREAS, the Township received four (4) sealed competitive bids in the following amounts: Atlantic Management & Construction \$180,110.00, Riverview Paving Inc. \$183,294.50, Salmon Brothers Inc. \$221,200.00 and Newman Contracting LLC \$246,930.00 ; and

WHEREAS, the Township Attorney has reviewed the bids for compliance with the Local Public Contracts Law and the Township's bidding requirements; and

WHEREAS, the bid from Atlantic Management & Construction contained a fatal flaw and was therefore rejected by the Township Committee; and

WHEREAS, Riverview Paving Inc. is the lowest responsive, responsible bidder for the Township's request for bids on June 18, 2019; and

WHEREAS, the Township Engineer concurs in the recommendation of the award of a bid to Riverview Paving Inc.;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Stillwater that the Township does hereby award a bid Riverview Paving Inc. in an amount not to exceed \$183,294.50 for Old Schoolhouse Road Section III; and

BE IT FURTHER RESOLVED that the award of this bid is subject to certification of the availability of funds by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Township Clerk shall notify all bidders of the award of the bid to Riverview Paving Inc.

Mr. Morrison made a **motion** to adopt Resolution 2019-072, seconded by Mr. Scott.

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

Recycling Center Driveway: Mr. Raff and Mr. Vreeland obtained a quote to address the driveway at the Recycling Center. They are currently following up to schedule the project. Millings will be spread, reclaimed, compacted and rolled.

Kohlbocker Road: Mayor Chammings referred to Kohlbocker Road and a section of the bank that is destabilizing rapidly. A tree has fallen in the same area causing the Paulinskill to push into the embankment aggravating the issue and causing a possible hazard in the road way. Mr. Vreeland will visit the site when reviewing the proposed road projects for next year with Mr. Raff, as the application deadline for municipal aid is nearing in early July.

Jean Gibson, 1071 Route 619 referenced the temporary surfacing on West End drive that was done about five years ago and obliterated all the lines. She stated at night it is very hazardous. Mr. Vreeland indicated State aid was received to complete the entire project and will include resurfacing and restriping the road. He anticipated the project being completed during the 2020 construction season.

MINUTES:

Executive Session Minutes: May 7, 2019

Mr. Scott made a **motion** to approve the minutes as listed, seconded by Mr. Gross.

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

Regular and Executive Meeting Minutes: May 21, 2019

Mr. Scott made a **motion** to approve the minutes as listed, seconded by Mr. Gross.

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

RESOLUTIONS:

2019-073 Amending the 2019 Budget
2019-074 Authorizing Liquor License Renewals for 2019-2020
2019-075 Authorizing Refund of Property

Mr. Scott made **motion** to adopt the resolutions as listed, removing the Boat House from Resolution 2019-074, seconded by Mr. Fisher.

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

REPORTS:

Recreation Commission Report for March, April and May 2019
Building Department Report for May 2019
DPW Report for May 2019
Tax Collector's Report for May 2019
QPA Report for May 2019
Convenience Center Report for April 2019
SC Division of Health Report for May 2019
Fire Department for May 2019

Mr. Scott made a **motion** to accept the reports as submitted, seconded by Mr. Gross.

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

BILLS LIST #10: \$955,973.95

RESOLUTION 2019-076 PAYMENT OF BILLS

Mr. Scott made a **motion** to adopt Resolution 2019-076, seconded by Mr. Gross.

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

AMENDMENTS TO AGENDA: None

COMMITTEE REPORTS:

Mr. Gross reviewed the Fire Department report for May 2019.

Mr. Scott reported Stillwater Day was held on Saturday, June 15, 2019. He will report further following the next Recreation Commission meeting. Mayor Chamblings noted there were several vendors and the fireworks were well attended. The playground project for Veteran's Memorial Park is moving forward.

Mayor Chamblings has been researching the legalization of marijuana for medicinal purposes. The Committee received an email from an individual interested in meeting with the Mayor regarding a dispensary in Stillwater. The Mayor stated she would prefer a presentation to the whole Committee. Mayor Chamblings reported she will be meeting with two CEOs and a representative of CenturyLink on June 25th. They will tour the township and she will point out issues that need to be addressed.

Mayor Chamblings reported correspondence was received from Planet Networks. She asked the Committee to review the information and determine if they would like to have a future presentation. A letter was also received from Crandon Lakes resident Debra Petry regarding Fern Court. Mayor Chamblings asked Mr. Scott to share it with Mr. Raff.

The Zoning Officer has been working diligently with a resident on Ridge Road regarding a drainage issue. Mayor Chamblings has received several follow-up emails from that resident.

Commercial farm inspections will need to be inspected by the fire official. This information will be passed on to the Tax Assessor as well.

Crack sealing will be conducted on several County roads in the area; notice will be posted on the website – Lake Owassa Road, Paulinskill Lake Road, Newton-Swartwood Road, Mt. Benevolence Road, Fairview Lake Road and Stillwater Fredon Road.

OPEN PUBLIC SESSION

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

Vera Rumsey, 956 Fairview Lake Road asked the Committee to contact the State Police and Sheriff's Office to request additional coverage and patrols in the township due to speeding, burglaries, alcoholic debris on the roads related to intoxicated driving as well as other suspicious activities.

Andre Bratuscenkov and Sanita Redere, 903 Dove Island Road brought several matters to the attention of the Committee. Mr. Bratuscenkov stated his daughter was bitten by a neighborhood dog and the Animal Control Officer was contacted but never showed up. The State Police were contacted and indicated the ACO would address the matter. The ACO finally called and provided no instructions. Ms. Redere stated she and Andre followed up with the Clerk a few days later expressing their concerns and outlining them in a certified letter to the Mayor; no response was received. The ACO later prevented them from filing a court complaint as he was not present at the scene. The hospital medical report enabled them to move forward without him. Mayor Chamings stated the ACO indicated in his report that he had visited the home and spoke with Ms. Redere and he stated he would be issuing a warning for a dog running at large. He did the same with the owner of the dog. Mr. Bratuscenkov and Ms. Redere stated he never visited their home; they only spoke with him on the phone.

Mr. Bratuscenkov discussed an issue with the Zoning Officer regarding their dispute with a neighbor over debris along the property line. There was no follow-up and they received a letter from the ZO indicating they needed to move the debris. Mr. Bratuscenkov also mentioned a fence that was installed by the neighbor and his concern over its location, around trees along the property line. Their concerns again were not addressed by the Zoning Officer. The neighbor felt the six foot fence did not provide sufficient privacy and she hung sheets higher than the fence. The Zoning Officer indicated this was permitted. The sheets have been hanging for over a year and have mold on them. They also spoke about the Zoning Officer requesting that they remove the cement blocks holding their surveying stakes in the ground. Ms. Redere presented photographs to the Committee, as well as letters from the Zoning Officer and a summary of their discussions with her. The matter has been ongoing for years and they felt it needed to be brought to the attention of the Committee.

Mr. Bratuscenkov and Ms. Redere discussed the most recent letter received from the Zoning Officer regarding an above ground pool they installed. They have no issue paying fees that are due, but they would like to see other permits that have been required for the same type of pool. Mr. Fisher indicated that they would need to obtain a permit for zoning, building and electrical according to code. The Clerk informed them of an OPRA request form. Mr. Bratuscenkov and Ms. Redere stated they have requested several times to meet or speak with the Mayor and there has been no response. They expressed great concern with the Mayor not responding to their letter regarding the animal bite incident. Mayor Chamings stated there are department heads that handle the issues they have discussed. She asked them for a copy of all their documents and would follow up with the ACO. She provided them with her cell phone number.

Jeanne Gibson, Swartwood Lake resident expressed concern with neglect on the part of the State. There have been several algae blooms closing the lake and the five aerators were in disrepair for five or six weeks prior to the bloom. This past summer the aerators were out of service again due to a tree falling on wires. The State indicated the power could not be restored until State inspectors visited the site. It has been five weeks and no inspectors have showed. Ms. Gibson asked the Committee to consider having a representative on the lake association. The Mayor indicated Margaret Emmetts, a member of the Environmental Commission, also serves on the lake board and reports to the Commission on all Swartwood Lake matters. Ms. Gibson asked that when these issues arise could the Mayor contact the Freeholder Board to follow up with the State. Mr. Scott recommended sending a letter to the State.

Vincent Torres, 924 Cedar Drive stated he thought he was attending a Paulinskill Lake Association meeting to discuss what he felt was harassment. He read the following letter into the record:

To Whom it may concern,

I'm writing this letter to bring to your attention several disturbing incidents that took place over the last few months that have me and my husband very angry and upset.

The first took place in June, my husband parked his car by the lake to relax and take in the scenery, he was confronted by one of the life guards that was on duty who told him that this was a private lake and he couldn't be parked there. My husband very politely provided his driver's license and informed the life guard that he is a Paulinskill lake resident.

One month later, my husband returned to the same location and parked his car and again he was confronted by yet another life guard and informed that this was a private beach and he couldn't be parked there, this time he was asked for his driver's license and he produced it. The life guard step away with his license and returned shortly after and handed it back after He checked his address corresponded as a resident of Paulinskill Lake. In order to avoid any further problems he started the vehicle and decided to leave when he noticed, a woman in his rear view mirror taking pictures of the plates on his truck as he was pulling out.

My husband didn't make a big deal about it because he is not a confrontational person and left it at that. On Saturday, November 3rd, a State Police Detective and a State Trooper were dispatched to our residence to investigate a complaint someone made alleging my husband was parked in the lake to take unauthorized pictures of the people going there. This claim was not only false but unsubstantiated. My husband cooperated fully with the Officer's and even produced his phone to prove it. After the officers went through the gallery of pictures on my husband's phone they realized that no crime was committed, they apologized and left.

It's obvious by the actions of the life guards, residents in this community and by the reaction my husband gets wherever he goes, Stillwater residents are not use to seeing Hispanics in the neighborhood . No one else is ever asked to produce identification which says a lot about the mindset of this community's residents. Me and my husband have been living in Paulinskill Lake for almost 4 years now and never have ever experienced such a blatant disregard for our privacy and rights. We are very hardworking law abiding residents that share a great relationship with our neighbors and never created problems for anyone in this community, and to call the cops to our residence to investigate frivolous accusations to satisfy someone's sick paranoia about Hispanics is a little disturbing. Not all Hispanics are bad people. As I mentioned before we have been living in Paulinskill Lake for 4 years and this is finally the first year we have been offered passes to use the amenities that we pay dues for which is the reason we stopped paying. It is ludicrous in our times, today, in the United States of America, we must ask to respect and promote inclusiveness and diversity within the community that it presides over. But make no mistake, me or my husband have no intention of altering our habits and will continue to park wherever we please despite the Paulinskill Lake Community's paranoia over Hispanics, for we have just as much right to the lake and it's amenities as anyone else in this community. We don't care who sent the police to our house, but one thing is for sure, we want the harassment to stop immediately!!!! If it happens again we will be consulting our family lawyer to see what legal recourse we can pursue to stop the harassment. We have just as much right to coexist peacefully in our community as anyone else.

A copy of this letter will be filed with the Newton Police Department and the Newton State Trooper Barracks to inform them of what's going on in this community. Should someone else wish to waste the tax payers money by sending them to our residence to investigate false claims about my husband just to satisfy someone sick paranoia about Hispanics. Thank you for your time and have a great day.

Mayor Chamings thanked Mr. Torres for voicing his concerns.

John Torregrossa, 917 Plymouth Lake Drive East representing the Lake Plymouth Community Association. He provided a brief history on the township agreeing to co-sign a low interest loan to repair the Plymouth Lake dam and the delay with moving forward. The Governor released the dam safety funding on January 31, 2019 and an engineering report was completed on March 21, 2019. A construction permit has been issued and the township has requested funding up front to cover certain costs. Mr.

Torregrossa indicated the documentation must be signed by the township prior to the release of any monies. Mr. Bolcato and Mayor Chamblings indicated verification from the NJDEP that administrative expenses would be covered under the loan was only received by the township yesterday. Upon that confirmation the township can now draft a co-borrower agreement.

Plymouth Lake Dam Repair:

Mr. Scott made a **motion** to draft a co-borrower agreement, seconded by Mr. Fisher.

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

Ted L'Estrange, 43 Prospect Hill Road, New York spoke on the topic of illegal organ harvesting in China. He reported that prisoners in China are being killed to provide the organs. Mr. L'Estrange asked the Committee to consider passing a proclamation opposing such actions and provided an information packet for their review.

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

OLD BUSINESS:

Speed Reduction for Newton-Swartswood Road:

Mayor Chamblings stated the County provided a data report in July 2018 for Newton-Swartswood Road indicating approximately 15% of those traveling that road exceed the speed limit. Several residents have expressed concern with the speeding problem. Mayor Chamblings emailed Chief County Engineer Koppenaar for additional striping and digital speed limit sign, and she will pursue additional police coverage for the Stillwater end of Swartswood Road.

Land Sales:

Mr. Morrison will meet with Mr. Raff, DPW Supervisor, to review the list of properties.

NEW BUSINESS:

DPW Vacancy:

Due to the retirement of a DPW employee on October 1, 2019, Mr. Scott asked Ms. Knott to advertise for the position on the township webpage, NJ Herald and League of Municipalities website.

DISCUSSION ITEMS:

Employee Hours/Handbook:

Resolution 2019-077:

**STILLWATER TOWNSHIP,
SUSSEX COUNTY, NJ
RESOLUTION NO. 2019-077**

**RESOLUTION AMENDING STILLWATER TOWNSHIP'S
EMPLOYEE HANDBOOK POLICIES AND PROCEDURE MANUAL**

WHEREAS, the Township of Stillwater ("Township") maintains an Employee Handbook Policies and Procedures, last revised November 2017 ("Handbook"); and

WHEREAS, the Township Committee has requested that the Township Attorney review certain provisions within the Handbook and make amendments to the Vacation time provision;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, that the Handbook is revised to incorporate the changes recommended by the Township's Attorney as reflected on the attached documents referenced as Section 5 "Vacation".

NOW, THEREFORE, BE IT FURTHER RESOLVED, the Employee Handbook Policies and Procedures ("Handbook") is amended effective as of this date to include these changes.

If any section, subsection, sentence, clause or phrase in this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

Mr. Bolcato explained the policy was amended to require 90-day notice for an employee vacation request; less than 90-day notice must be approved at the discretion of the Department Head, and any denial of vacation time can be disputed at the Township Committee level. If there is no Committee meeting prior to the vacation time requested, an employee can address the matter with the Personnel Committee. The change to the policy was made to prevent a shortage in office coverage.

Mr. Scott made a **motion** to adopt Resolution 2019-077, seconded Mr. Gross.

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

Open Public Session:

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

Vincent Torres, 924 Cedar Drive commented on the terrible condition of Kohlbocker Road. Mayor Chamblings noted the Township Engineer will conduct a site inspection with the DPW Supervisor to address the bank erosion.

Dana Bodensieck, Five Points Lane asked for an update on the Five Points intersection. Mayor Chamblings stated it will be realigned creating a true right-hand turn and brush will be cut back for improved site distance. The changes will be completed in conjunction with the Stillwater Road project. Solar digital signs will also be installed. Vera Rumsey suggested placing rumble strips on both sides of Old Foundry Road to slow vehicles down and alert them to the stop.

Andre Bratuscenkov, 903 Dove Island Road asked if there was an alternative to using grit on the roads in the winter as it floods driveways and damages vehicles. Mayor Chamblings stated it is necessary for winter maintenance and the County has changed the ratio to two parts salt and one-part grit. The ratio will be reassessed for this winter.

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

Attorney Report: No report.

There being no further business, Mr. Scott made a **motion** to adjourn the meeting, seconded by Mr. Morrison at 9:03 p.m. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder