

**STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES OF MARCH 4, 2014 REGULAR MEETING**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott 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: PRESENT: Mayor Scott, Committeeman Gross, Committeewoman Chammings (5:25), Committeeman Fisher, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Michael Garofalo ABSENT: None

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by **Mr. Fisher**, seconded by **Mrs. Straway** 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 – Employee Personnel Policy, Contract – DPW and Public Safety - Security.
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. Fisher**, seconded by **Mrs. Straway** to conclude the Executive Session at 6:58 p.m., unanimously carried by roll call vote.

Regular Session:

Mayor Scott invited all present to join him in saluting the flag

PRESENTATION: Shared Service with Sussex County for the enforcement of the Uniform Fire Code of the State of New Jersey - Mr. Joseph Inga, Sussex County Fire Marshall

Mr. Inga noted presently five Sussex County municipalities – Franklin, Newton, Andover Township, Fredon and Stanhope have adopted the provisions of Enforcing Agency services through the Sussex County Fire Marshal through a Shared Service Agreement. The benefit to the municipalities is the savings in insurances of the staff and equipment that is needed as well as having an inspector on call 24/7 at no additional cost. Currently all of the inspectors come from our own fire community here in Sussex County. The only cost to Stillwater Township would be a onetime fee of \$1500 to input/transfer data into the Enforsys Inspection System. Mr. Inga said it will be a two to three month process to enter an agreement with Sussex County and that the Division of Fire Safety only transfers municipalities on the quarter therefore the next quarter for transferring is July 1, 2014. Mr. Inga stated that only commercial buildings such as camp grounds, schools and businesses fall under this jurisdiction. Ms. Chammings asked if the fees have changed since 2013. Mr. Inga said they are still the same and that no unreasonable charges will be charged to anyone.

Mr. Gross made a **motion** to enter into the Shared Services Agreement between the County of Sussex and the Township of Stillwater for Local Enforcement Agency services, seconded by **Mr. Fisher**.

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

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: January 7, 2014 Re-organization Meeting, January 7, 2014 Business Meeting, January 28, 2014 Meeting

RESOLUTIONS: 2014-039 Rescinding and Replacing Resolutions 2014-05 and 2014-11 property tax interest

2014-040 Rescinding and Replacing Resolution 2014-033 Lien Redemption

REPORTS: Zoning Board of Adjustment 2013 Annual Summary

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

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – the Consent Agenda was adopted.

2014 Bill List Cycle #: \$780,467.20

Resolution 2014-034 Motion by **Mr. Gross**, seconded by **Mrs. Straway** to approve the 2014 Bills List Cycle #3.

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

Amendments to the Agenda: none

Open Public Session: No one from the public wished to speak.

COMMITTEE REPORTS:

Mr. Fisher: No Report

Ms. Chammings: No Report.

Mr. Gross: Mr. Gross also reported that the budget was complete.

Mrs. Straway: Reported that Stillwater Municipal Alliance Grant was approved by Sussex County. All monies fund programs 100%. New programs include Red Ribbon and Peer Leadership. Community programs will also be part of 2014.

Mayor Scott: Reported that Dave Emmons is the 2014 Planning Board Chairman and that the Planning Board is working on a wind/solar ordinance and a site plan approval for Camp Hoover.

OLD BUSINESS:

Ordinance 2014-004 Public Hearing and Adoption

**AN ORDINANCE AMENDING CHAPTER 240 THE LAND DEVELOPMENT
ORDINANCE OF THE TOWNSHIP OF STILLWATER TO AMEND SECTION 240-90Q
ESTABLISHING GIS UPDATE FEES FOR LAND DEVELOPMENT APPLICATIONS**

WHEREAS by the Township of Stillwater has created a geographic information system (GIS) data base which serves as the foundation for all tax map amendments and land development application work performed by the Township;

WHEREAS the Township desires to recover the incremental costs of continually updating and providing current GIS data to the public by charging fees to land developers for the updating of the GIS data;

NOW THEREFORE BE IT ORDAINED by the Township Committed of the Township of Stillwater as follows:

SECTION 1. Chapter 240 of the Code of the Township of Stillwater, Section 240-90Q is hereby amended as follows:

§240-90 Q. GIS Update Fees on Certain Development Applications

- (1) Subdivision: minor, amended minor: \$150
- (2) Subdivision: preliminary major, amended preliminary or amended final major: \$150, plus \$50 per lot.
- (3) Subdivision: final plat: \$200.
- (4) Site plan: minor, amended minor: \$150.
- (5) Site plan: residential preliminary major, amended preliminary or amended final major: \$150 plus \$50 per unit.
- (6) Site plan: nonresidential preliminary major, amended preliminary or amended final major:

\$150 plus \$50 up to 5,000 square feet; \$150 for up to 20,000 square feet; and \$300 for over 20,000 square feet.

- (7) Site plan: final major: 25% of the preliminary site plan GIS update fee if filed separately; \$0 if filed with the preliminary.
- (8) Planned development: preliminary plat, amended preliminary or amended final: \$150 plus \$50 per additional unit.
- (9) Planned development: final plat: 35% of the preliminary plat GIS update fee if filed separately; \$0 if filed with the preliminary.
- (10) Conditional use: \$150.
- (11) Dimensional or "C" variance: \$50 for each variance in conjunction with site plan or subdivision; \$25 for each variance without site plan or subdivision.
- (12) Use or "D" variance: residential: \$150.
- (13) Use or "D" variance: nonresidential: \$150.

SECTION 2. The remainder of Section 240-90 shall remain unchanged.

SECTION 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION 4. All Ordinances or parts of Ordinances or Resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency

SECTION 5. This Ordinance shall take effect after publication and passage according to law.

The Township Clerk is directed to give notice at least ten (10) days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after

public hearing, the Township Clerk is further directed to publish notice of the passage and file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

Upon Motion by Mr. Fisher, seconded by Mr. Gross and unanimous voice vote the meeting was open to the public for discussion on this ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Ms. Chammings, seconded by Mr. Fisher and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-004 was adopted.

NEW BUSINESS:

2014 BUDGET Introduction [Public Hearing and Adoption April 1, 2014]

Resolution 2014-035 Introduction and Adoption of 2014 Budget

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – the 2014 Budget was Introduced.

Mayor Scott announced that the 2014 Budget will be available for review at the Town Hall, on the Township website and at the Sussex County Library.

Resolution 2014-036 Self-Examination of Budget

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes, and Mayor Scott, yes – the Township Committee approved Self-Examination of the 2014 Budget.

ORDINANCE #2014-005 Introduction 1st Reading [Public Hearing March 18, 2014]

Ordinance for adoption of the Township of Stillwater Employee Handbook: Personnel Policies And Procedures, and as May be Further Revised by Resolution

Upon Motion by Mrs. Straway, seconded by Mr. Fisher and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes, Mayor Scott, yes – Ordinance 2014-005 first reading was adopted.

DISCUSSION ITEMS

Anti-Idling: Ms. Chammings stated that the Environmental Commission is requesting the Township Committee adopt a resolution that supports education of the public on the health and environmental impacts of anti-idling. Mr. Gross noted that the State has an anti-idling statute in place. Mr. Jack Branagan, Chairman of the Environmental Commission further explained the concerns of the Environmental Commission and why they would like the support of the governing body to educate the residents of Stillwater. Mrs. Straway questioned how the Township would enforce an anti-idling resolution or ordinance. Mr. Garofalo suggested the Township adopt the State's statute or adopt a

resolution as a show of support. Ms. Chammings added that Stillwater Sustainable Jersey organization will receive points for their certification by receiving support of the Township.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes, and Mayor Scott, yes – the Township Committee approved the anti-idling resolution submitted by the Environmental Commission with the omission of stipulation number five: Making the enforcement of existing violations and penalties under New Jersey’s existing no-idling law a priority pursuant to C. 39:3-70.2 and C. 26:2C-1.

Veteran’s Property Tax Exemption: A resident categorized as a fully disabled veteran has requested a property tax exemption. Mayor Scott noted it is the Township’s practice is to grant the exemption back to January 1st of the year.

Upon Motion by Mr. Gross, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes, and Mayor Scott, yes – the Township Committee approved the property exemption of the fully disabled veteran. The Acting Clerk will provide a resolution to refund the property taxes paid in 2014.

Open Public Session: Mayor Scott invited the public to speak on any matter.

Ms. Tami Richardson of the Swartswood Fire Department invited all to the Swartswood Fire Department’s St. Patrick’s Day Corn beef and Cabbage Supper on March 16, 2014 from 5:00 pm to 7:00 pm. The cost is \$12 per person and take out is available.

Mayor Scott announced that the next Public Safety Meeting will be held on Thursday, March 27, 2014 at the Swartswood Fire House. Mr. George Morville the Township’s Risk Manager will be in attendance.

Mayor Scott asked Ms. Hess, Captain of the Stillwater EMS, her opinion of their keyless entry system as the Township Committee is considering installing such a system. Ms. Hess said they were very pleased with the system they have and the company used.

Attorney Report: None

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

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

Respectfully submitted,

Lynda Knott
Acting Municipal Clerk