

**STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES OF MAY 6, 2014
REGULAR MEETING**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Deputy Mayor Fisher 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 (8:10), Committeeman Gross, Committeewoman Chammings, Committeeman Fisher, Acting Municipal Clerk Lynda Knott, and Attorney Richard Stein ABSENT: Committeewoman Straway

Deputy Mayor Fisher invited all present to join him in saluting the flag

PRESENTATION: Middleville Road Project - Phase II – Michael Vreeland, Municipal Engineer
Mr. Vreeland went over details of the scope of work involved with Middleville Road Project Phase II. The project will begin at Fairview Lake Road and extend to the end of the Middleville Road project Phase I. There will be a pavement overlay with center striping and drainage issues along the route will be addressed. The plan includes closing the section of roadway during the day (exception will be school buses during the morning and afternoon routes) so that the residents and the contractor will not have to deal with safety issues in low sight areas. The cost of this phase will be approximately \$290,000.00 which includes a New Jersey Department of Transportation Grant of \$180,000.00. The difference in cost will be made up of surplus funds from the Phase I project. Mr. Vreeland suggested to help keep costs down the twenty two various size trees being removed in the project be pulled from the bid specs and be quoted separately from the Morris County Co-op. Mr. Vreeland will send the complete package to the NJDOT to approve. After approval the project will be ready to go out for bids.

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: March 4, March 18, April 1, and April 15 Regular Minutes

RESOLUTIONS: 2014-053 Amending 2014 Budget
2014-054 Accepting the terms and conditions of Shared Service Agreement
with the County of Sussex for Enforcement Agency Services – Fire Code
2014-055 Authorizing Mayor to execute Agreement with Garden State
Fireworks, Inc.
2014-056 Authorizing Compensation John deJager for Smoke
Certifications

REPORTS: Tax Department Reports of April 2014

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

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes,— the Consent Agenda was adopted.

2014 Bill List Cycle # 7: \$1,447,037.93

Resolution 2014-057 Motion by **Mr. Gross**, seconded by **Ms. Chammings** to approve the 2014 Bills List Cycle #7.

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross,

Amendments to the Agenda: None

Open Public Session: Deputy Mayor Fisher invited members of the public to speak.

Tami Richardson, 1056 Route 521, questioned several bills on the bills list.

There being no one else from the public who wished to speak Mr. Fisher closed this portion of the meeting.

COMMITTEE REPORTS:

Mr. Gross: April's Zoning Board of Adjustment meeting was cancelled.

Mr. Fisher: Reported that Miss Stillwater application and information will be added to both the Township Website and Face Book page. Mr. Fisher added the Recreation Commission is looking into bleachers for Veterans Park and SLAP will be working in Stillwater on May 26, 2014.

Ms. Chammings: Reported the Planning Board is working on an application for a pavilion at Camp Hoover and on a solar ordinance. The DPW is working on cleaning up the grit from the roads and the Environmental Commission had completed the ERI and the Planning Board will hold a public hearing on adopting the updated ERI as part of the Master Plan on May 20, 2014.

The Acting Clerk noted that the Planning Board Secretary had asked for two additional hard copies of the ERI and The Land Conservancy will charge an additional \$28.00 per hard copy in addition to the one provided in their contract.

Upon Motion by Ms. Chammings, seconded by Mr. Gross and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes,— 2 additional hard copies of the Environmental Resource Inventory will be ordered through the Land Conservancy.

RESOLUTION 2014-051 Authorizing the Mayor to Execute the 2013-2015 DPW Collective Bargaining Agreement

Upon Motion by Mr. Gross, seconded by Ms. Chammings and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes,— the Mayor was authorized to execute the 2013-2015 DPW Collective Bargaining Agreement.

Ms. Chamblings asked Mr. Vreeland his opinion on using the stone from the PSE&G easements to fill holes at the Recycling and Convenience Center. Mr. Vreeland would check out the stone to see if it could be used.

Attorney Report: Mr. Stein asked the governing body's permission to have Mr. Collins, Byram's Municipal Attorney sign a tax appeal stipulation on behalf of Stillwater Township as conflict attorney because Mr. Stein represents the other party.

Upon Motion by Ms. Chamblings, seconded by Mr. Gross and **Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Committeeman Gross, Mr. Collins was given permission to sign the stipulation on behalf of Stillwater Township

Mr. Stein stated until Mayor Scott arrived there was no quorum for the Township Committee to vote on the Bond Ordinances so the Township Committee would be moving into Executive Session and come back to Open Session when Mr. Scott was there.

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by **Ms. Chamblings**, seconded by **Mr. Gross** and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 7:50 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 (Construction Official position)–Contract – DPW, Real Property and Litigation.
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.

Mayor Scott arrived at 8:10 p.m.

There being no further business to attend to, a **motion** was made by **Mr. Fisher**, seconded by **Ms. Chamblings** to conclude the Executive Session at 8:30 p.m., unanimously carried by roll call vote.

OLD BUSINESS:

BOND ORDINANCE 2014-008 Public Hearing and Adoption

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE TOWNSHIP OF STILLWATER, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$415,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$180,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF

\$223,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Stillwater, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$415,000, including a grant in the amount of \$180,000 expected to be received from the State of New Jersey Department of Transportation and, including the aggregate sum of \$12,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$223,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Providing for renovations to the Municipal Building and improvements to parking lot, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$100,000	\$ 95,000	10 years

(b) Providing for road resurfacing to, but not limited to, Millbrook Road, including all work and materials necessary therefor or incidental thereto..

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 90,000	\$ 85,500	10 years

(c) Providing for Phase II road improvements to Middleville Road, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$225,000 (including a grant in the amount of \$180,000 expected to be received from the State of New Jersey Department of Transportation)	\$ 42,500	10 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$415,000	\$223,000	10 years

Section 4. 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 notes issued pursuant to this 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:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes 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 date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the names of the purchaser.

Section 5. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Township may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$223,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Upon Motion by Mr. Fisher, seconded by Mr. Gross and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, and Mayor Scott, yes – Ordinance 2014-008 was adopted.

ORDINANCE 2014-009 Public Hearing and Adoption

ORDINANCE REAPPROPRIATING \$221,766 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE FOR THE PURCHASE OF TWO DUMP TRUCKS WITH PLOWS AND SANDERS AND OTHER RELATED ITEMS IN AND BY THE TOWNSHIP OF STILLWATER, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring)

AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$221,766 of the proceeds of obligations originally made available pursuant to Bond Ordinance No. 2012-4 finally adopted on June 19, 2012, by the Township of Stillwater (the “Township”) are no longer necessary for upgrades and repairs to Baldwin Gate Bridge and for the purchase of a tandem dump truck with plow and sander. The \$221,766 proceeds are hereby

reappropriated to provide for the purchase of two dump trucks with plows and sanders and other related items.

Section 2. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 3. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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 this portion of the meeting was closed.

Upon Motion by Mr. Fisher, seconded by Mr. Gross and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Committeeman Gross, yes, and Mayor Scott, yes – Ordinance 2014-009 was adopted.

CAPITAL ORDINANCE 2014-010 Public Hearing and Adoption
CAPITAL ORDINANCE APPROPRIATING \$193,300 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 \$193,300, 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 \$193,300 appropriations, the Township will use \$193,300 from the General Capital Improvement Fund.

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:

Fire Dept – Equipment – Including AED’s, Hose & Applicances \$15,300.00 General C.I.F.

Furniture & Fixtures for Municipal Offices	\$17,000.00	General C.I.F.
Public Works – Equipment, Including Hydraulic Broom	\$11,000.00	General C.I.F.
Purchase of Dump Trucks with Plows & Sanders, to supplement Bond Ordinance	\$81,000.00	General C.I.F.
Infrastructure Repairs & Maintenance, Including Recycling Center Driveway, Crack Sealing Program – Year One & Guiderail Upgrade Program – Year One	\$57,500.00	General C.I.F.
Generator for Municipal Building – Additional Costs, Not Covered by Grant Funds	\$11,500.00	General C.I.F.

All the aforesated 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:

- (a) 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.
- (b) 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.

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

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chamming, yes, Mr. Fisher, yes, Committeeman Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-010 was Introduced and adopted.

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

Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

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 at 8:45 p.m., all were in favor.

Respectfully submitted,

Lynda Knott
Acting Municipal Clerk