

**STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES OF MAY 20, 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, Committeewoman Chammings, Committeeman Fisher, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Angelo Bolcato
ABSENT: Committeeman Gross

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 6:05 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, Real Property, Litigation and 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 **Mrs. Straway**, seconded by **Mr. Fisher** to conclude the Executive Session at 7:02 p.m., unanimously carried by roll call vote.

Regular Session:

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

PRESENTATION: Mountain Shadows Lake Association – William J. Gold, Esq.

Mr. Gold was before the Township Committee to discuss the possibility of Mountain Shadows Lake Association receiving a short grace period to operate without the 2014 license renewal to allow discussion of possibly of amending the Township's ordinance prohibiting park model trailers. Prior to each year's license renewal the campground is inspected by the Construction Official and Zoning Officer to ensure all requirements are met. During the 2014 inspection it was discovered that a park model recreational trailer was on site. The Township's 2002 ordinance prohibits this type of trailer. Mr. Gold noted the State has changed their laws and now allows the park model recreational trailer, but Stillwater Township's ordinance makes them illegal in Stillwater Township. Mr. Gold asked the governing body to revisit their ordinance before he must evict the tenant who owns the park model recreational trailer. Mr. Bolcato substituting for Municipal Attorney Richard Stein advised the governing body to take Mr. Gold's request under advisement and further discuss with Richard Stein and the Zoning Officer.

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: May 6, 2014 Regular Minutes
March 4, April 1, April 15 and May 6, 2014 Executive Minutes

RESOLUTIONS: 2014-058 Mayor's Acceptance of resignation of Michael Nystrom and appointments on Environmental Commission
2014-059 Mayor's Appointment of Amanda Brokstrom as an Active Member of the Swartswood Fire Department
2014-060 Authorizing the advertisement of bids for two 2015 Dump Trucks
2014-061 Adopting Energy Conservation Behavioral Policies
2014-062 Authorizing Refund of Zoning Escrow Fees

REPORTS: Tax Department Reports of April 2014

The May 6, 2014 regular and executive minutes were pulled from the Consent Agenda to allow Mrs. Straway who was absent on May 6, 2014 to vote on the remainder of the Consent Agenda

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

Roll Call Vote: Ms. Chamming, yes, Mr. Fisher, yes, Mrs. Straway, no and Mayor Scott, yes – the Consent Agenda was adopted.

RESOLUTION 2014-063 Authorizing an Appropriation Reserve Transfer for the Year 2013

Mrs. Straway made a **motion** to approve the Resolution 2014-063, seconded by **Mr. Fisher**.

Roll Call Vote: Ms. Chamming, yes, Mr. Fisher, yes, Mrs. Straway, yes and Mayor Scott, yes – Resolution 2014-063 was adopted.

Ms. Chamming made a motion to approve the regular and executive minutes from May 6, 2014, seconded by Mr. Fisher.

Roll Call Vote: Ms. Chamming, yes, Mr. Fisher, yes, Mrs. Straway, abstained and Mayor Scott, yes – the minutes were approved.

2014 Bill List Cycle # 8: \$506,560.96

Resolution 2014-064 Motion by **Mr. Fisher**, seconded by **Mr. Scott** to approve the 2014 Bills List and Resolution 2014-064 Payment of Bills for Cycle #8.

Roll Call Vote: Ms. Chamming, yes, Mr. Fisher, yes, Mrs. Straway, yes, Mayor Scott, yes

Amendments to the Agenda: None

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

Mr. Bill Steckowich, 907 Hardwick Road, recited the Lord's Prayer.

Mrs. Darlene Scarince, 923 Middleville Road, asked about the new dump trucks being purchased for the Township. Mayor Scott responded they would be replacing a 1995 and a 1996 truck.

Mrs. Kathy Draghi, 1016 Route 619, thanked Mr. Steckowich for sharing the prayer and asked what actions the Township Committee would be taking to incorporate prayer into the Township's meeting? Mayor Scott stated that Stillwater Township has always recognized matters with a moment of silence and the governing body has no intention with changing their procedure.

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

COMMITTEE REPORTS:

Mr. Fisher: Reported the two sheds were installed at the recycling center.

Ms. Chammings: Reported the Environmental Commission will be hosting a clean-up of the Paulinskill River. She noted the YMCA camp was interested in having some campers volunteer to help and inquired if the campers and other volunteers would have to sign a hold harmless agreement. The Acting Clerk will speak with Mr. Morville to get an agreement. Ms. Chammings stated that the Environmental Commission did not receive the ANJEC grant. The Planning Board will be adopting the updated ERI (Environmental Resource Inventory).

Mrs. Straway: Reported the Green Team was working on actions for Bronze level Sustainable Jersey status. Mrs. Straway also reported that the municipal alliance grant time period has gone from a calendar year to a fiscal year.

Mayor Scott: Thanked all emergency services and mutual aid responders for their help at the May 19th fire on Possum Hill Road. Mayor Scott also noted that he and Mr. Gross attended the New Jersey Mayor's Conference in Atlantic City.

Ian Blanchard, Stillwater Township's representative to the Water Quality PAC reported that the William Penn Foundation will be donating \$35 million dollars over the next ten years for the conservation of the Delaware Water Shed. 1.4 million dollars will be given to the Nature Conservancy. Mr. Blanchard noted he has already been contacted by the Nature Conservancy for projects in Stillwater Township.

Mrs. Straway noted the Memorial Day service will begin at the Stillwater Presbyterian Church at 10:00 a.m. and then proceed to the Veterans Memorial Park for the laying of the wreath.

NEW BUSINESS:

ORDINANCE 2014-011 AMENDING ARTICLE II OF CHAPTER 195 OF THE CODE OF THE TOWNSHIP OF STILLWATER ENTITLED "FIRE PREVENTION" TO PROVIDE FOR ENFORCEMENT OF THE UNIFORM FIRE SAFETY CODE BY THE SUSSEX COUNTY FIRE MARSHALL[Public Hearing June 17, 2014]

WHEREAS, the Township of Stillwater heretofore adopted Article II of Chapter 195 of the Code of the Township of Stillwater entitled "Fire Prevention" to provide that the Township of Stillwater shall enforce the Uniform Fire Safety Act, pursuant to the provisions of N.J.S.A. 52:27D-202; and

WHEREAS, the Township of Stillwater is desirous of having the Sussex County Fire Marshall enforce the Uniform Fire Code in the Township of Stillwater effective July 1, 2014;

and

WHEREAS, Chapter 195 of the Code of the Township of Stillwater must be amended to allow therefore.

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

SECTION I.

Article II of Chapter 195 of the Code of the Township of Stillwater is hereby repealed in its entirety and replaced with the following:

§ 195-7. Enforcement of statute.

Pursuant to § 11 of the Uniform Fire Safety Act (P.L. 1983, c. 383), N.J.S.A. 52:27D-202, the New Jersey Uniform Code shall be enforced by the County of Sussex.

§ 195-8. Local enforcement agency; establishment.

The local enforcing agency shall be the County of Sussex.

§ 195-9. Duties of agency.

The Sussex County Fire Marshall shall enforce the Uniform Fire Safety Act and the codes and regulations adopted thereunder in in all buildings, structures and premises within the established boundaries of the Township of Stillwater covered by the Act and the codes and regulations and shall faithfully comply with the requirements of the Uniform Fire Safety Act and the New Jersey Uniform Fire Code.

§ 195-10. Inspections

The Sussex County Fire Marshall shall conduct all life hazard and non-life hazard building inspections. The Sussex County Fire Marshall shall carry out the periodic inspection of life hazard uses or whenever conditions which constitute an imminent hazard are found to exist as required by the Uniform Fire Code on behalf of the Commissioner of Community Affairs.

§ 195-11. Appeals.

Pursuant to §§ 15 and 17 of the Uniform Fire Safety Act, N.J.S.A. 52:27D-206 and 52:27D-208, any person aggrieved by any order of the Sussex County Fire Marshall shall have the right to appeal to the Construction Board of Appeals of Sussex County. The appeal shall be filed with the Construction Board of Appeals by the 15th day after the receipt by the person of notice of the ruling, action, order or notice complained of.

§ 195-12. Permit fees.

The permit fees will be established by the County of Sussex.

§ 195-13. Fire incident reports.

Fire incident reports shall be made available to interested parties after such parties make a request, in writing, to the Sussex County Fire Marshall for such reports.

§ 195-14. Recordkeeping of activities.

The Sussex County Fire Marshall shall maintain all records of its activities on file.

§ 195-15. Violation and penalties.

Violations and penalties shall be as prescribed by N.J.S.A. 52:27D-207 through 52:27D-211 and as set forth in the New Jersey Administrative Code pursuant to duly adopted regulations by the Department of Community Affairs.

SECTION II. When Effective

This ordinance shall take effect on July 1, 2014 after passage and publication as required by law.

Upon Motion by Ms. Chammings, seconded by Mrs. Straway and **Roll Call Vote**: Ms. Chammings, yes, Mr. Fisher, yes, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-011 was Introduced and adopted.

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

Mr. Bill Steckowich, 907 Hardwick Road voiced his concerns regarding foam in the stream near his home that he feels is caused by the PSE&G project. Mrs. Straway stated that when Mr. Sous is in town she will go out with him to investigate the foam.

Mrs. Darlene Scarince, 923 Middleville Road, asked about the Sustainable Jersey Grant. Mrs. Straway spoke about the different criteria used and actions performed to be eligible to receive grants

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

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 at 8:38 p.m., all were in favor.

Respectfully submitted,

Lynda Knott, Acting Municipal Clerk