

**STILLWATER TOWNSHIP COMMITTEE MEETING  
MINUTES OF AUGUST 19, 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 Gross, Committeeman Fisher, Committeewoman Straway, Municipal Clerk Lynda Knott, and Attorney Richard Stein ABSENT: None

**Executive Session:**

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by **Mrs. Straway**, seconded by **Mr. Fisher** and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:00 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, Contract, Real Property and Potential 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.

There being no further business to attend to, a **motion** was made by **Ms. Straway**, seconded by **Mr. Fisher** to conclude the Executive Session at 6:54 p.m., unanimously carried by roll call vote.

**Regular Session:**

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

**William Gold, Esq.** representing Mountain Shadows came before the Township Committee and gave a brief history of the campground and its bi-laws. Mr. Gold noted he and his client understand the Township's desire of keeping the campground a seasonal recreational area, but he has no personal knowledge of any Mountain Shadow lessee living at the campground year round. Mr. Gold asked the Township Committee to reconsider the ban on Park Model Trailers. Ms. Chammings asked if the lessee who owns the park model trailer was a new tenant. Mr. Gold replied to the best of his knowledge new. Mayor Scott asked Mr. Gold to let the Township Committee know how many park model trailers are in the campground along with their dimensions in comparison to the new park model trailer. Mr. Gold stated that some trailers are grandfathered being placed their before the current ordinance and he would have his answer to Mayor Scott's question by the September 16, 2014 meeting. Mr. Stein said he would review the

leases and bi-laws of Mountain Shadows Campground and make a recommendation to the Township Committee regarding their request.

**Mr. Robert Walker**, Interim Superintendent of Wallkill Valley Regional High School came before the Township Committee to discuss Sussex County Technical School Tuition. Mr. Walker feels the SC Technical School tuition is a hidden tax charged to residents of Sussex County. County vocational-technical schools receive funding from three sources: State Aid, support from the County Board of Chosen Freeholders and a local share paid by sending districts based on the per pupil costs for their students that are not covered by other funding sources. The Township Committee thanked Mr. Walker for sharing his concerns.

**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:** Regular and Executive Minutes July 1 and 15, 2014  
Executive Minutes June 17, 2014

**REPORTS:** Stillwater Rescue Squad Monthly and Monthly Day Calls Report of July 2014  
Construction Department Report of July 2014  
Tax Collector Report of July 2014

**RESOLUTIONS:** 2014-082 Resolution Regarding William Martin Jr.  
2014-083 Adopting Revisions to the Employee Handbook  
2014-084 Renewal of Liquor License – Mountain Brook Inn LLC

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

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

**RESOLUTION 2014-085 Awarding Contract for Middleville Road Improvements – Phase II**

**Mrs. Straway** made a **motion** to approve Resolution 2014-085, seconded by **Mr. Gross**.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes –Resolution 2014-085 was adopted.

**RESOLUTION 2014-086 Appointing Walter VanKirk as Fire Inspector/Fire Sub Code Official**

Mrs. Straway made a **motion** to approve Resolution 2014-086, seconded by **Mr. Gross**.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes –Resolution 2014-086 was adopted.

#### **RESOLUTION 2014-087     Resolution Regarding Block 702, Lot 1**

**Mr. Fisher** made a **motion** to approve Resolution 2014-087, seconded by **Ms. Chammings**.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes –Resolution 2014-087 was adopted.

**2014 Bill List Cycle # 12:** \$953,933.98.00

#### **RESOLUTION 2014-088** Authorizing Payment of Bills

Motion by **Ms. Chammings**, seconded by **Mr. Fisher** to approve the 2014 Bills List and Resolution 2014-088 Payment of Bills for Cycle #12.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Gross, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – Resolution 2014-088 was adopted.

**Amendments to the Agenda:** None

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

Mrs. Jeanne Gibson, 1071 Route 619, voiced her concerns about the safety of West End Drive not having white lines painted on the sides of the road as a guide for motorists. Mrs. Gibson stated she spoke with the DPW Supervisor and was told the road was redone last fall, but Mrs. Gibson said the yellow line is barely there less than a year later. Ms. Chammings told Mrs. Gibson the Township would look into rethinking the side road white lines.

Mr. Kenneth Bradley, 10 East Side Drive, Newton, NJ asked who took out the building permits and who is the contractor of the cell tower being constructed on the Swartswood Fire Department's property on Newton Swartswood Road. None of the Township Committee members knew the answer and Mr. Bradley was asked to contact Kathy Wunder in the Township's Building Department or fill out an OPRA form for the information.

Mr. Frank Russo, 912 Poplar Terrace, Stillwater stated the Township owned properties need to be assessed at a reasonable rate for interested parties to purchase and return to the Township's tax rolls. Mr. Russo feels these vacant properties are priced too high for residents to purchase.

Mr. Jack Branagan, 961 Old School House Road, voiced his concerns regarding the invasive plants planted by PSE&G's contractor in the power line right-of-ways. Mrs. Straway suggested Mr. Branagan call George Sous from PSE&G directly and the Township Clerk will send Mr. Branagan an e-mail with Mr. Sous' contact information. Ms. Chammings noted the seed mix used by PSE&G is mandated and enforced by the DEP.

Mr. Steckowich, 907 Hardwick Road, asked if the Township Clerk could read a prayer he brought but could not read himself. The Mayor and Township Attorney denied his request.

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

### **COMMITTEE REPORTS:**

**Mr. Gross:** Stated the August meeting of the Zoning Board of Adjustment is August 25<sup>th</sup> at 7:30 p.m.

**Mr. Fisher:** Reported that Stillwater Township won 2<sup>nd</sup> place for its display board at the Sussex County Fair. The display board was designed by the members of the Recreation Commission and will be on display at the Town Hall .

**Ms. Chammings:** Reported the DPW is busy patching roads and also resurfacing roads with oil and stone. Ms. Chammings also noted that Millbrook Road will be repaved. Ms. Chammings said that she and Mr. Gross would form a sub-committee to look at job descriptions for the employees at the Convenience and Recycling Center and hope to address the Township Committee and residents at the September 16<sup>th</sup> meeting. Ms. Chammings also gave kudos to Mrs. Emmetts for continuing to lead the fight against water chestnuts in Swartswood Lake.

**Mrs. Straway:** Reported Green Team will host the 2014 Green Fest on Sunday September 7, 2014 from 1:00 to 4:00 p.m. at Fairview Lake Camp. Some activities during the Green Fest will be a bicycle parade and an art show. Mrs. Straway also noted that Old Tannery Road Bridge was being replaced by Salmon Brothers and is expected to be completed by Thanksgiving. Mrs. Straway stated the contract for Middleville Road Phase II was awarded and sent to Top Line Construction and upon acceptance a pre-construction meeting will be scheduled.

**Mayor Scott:** Reported the Planning Board is discussing the solar ordinance and the pole barn for Franciscan Ministries. Mayor Scott also noted the many sightings of gypsy moths reported.

### **OLD BUSINESS:**

### **ORDINANCE 2014-014 AUTHORIZING THE SALE OF BLOCK NO. 602, LOT NO. 2 STILLWATER, NEW JERSEYPublic Hearing and Adoption**

**WHEREAS**, the Township of Stillwater is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

**WHEREAS**, said lots are less than the minimum size required for development under the municipal ordinance and are without capital improvements thereon; and

**WHEREAS**, the Township Committee of the Township of Stillwater have deemed it in the best interest of the Township of Stillwater to sell said lots to owners of contiguous properties in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

**WHEREAS**, certain of said contiguous owners have offered to purchase lots adjacent to their real property as set forth in Schedule A for the sums set forth thereon; and

**WHEREAS**, the Municipal Assessor of the Township of Stillwater has advised that said sums, taking into consideration all factors relative thereto, are fair and just;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Stillwater that:

1. The Township of Stillwater shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2, the lots to the contiguous property owners for the amounts as set forth in Schedule A attached hereto, subject to the right of other contiguous property owners to bid an amount in excess of the amount offered as set forth in Schedule A. Pursuant to the provisions of said statutes, these conveyances shall be to an owner of adjoining property as the properties to be sold are less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvement thereon. The minimum sale price for said properties are as set forth in Schedule A, which sums are not less than the fair market value of said real properties.
2. Upon final passage of this Ordinance on August 19, 2014 at the Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey, the Township of Stillwater shall sell the property set forth in Schedule A, subject to receiving no higher bids for said parcels, after offering same at public auction to the highest bidder at said time and place.
3. The said properties shall be sold subject to the following terms and conditions:
  - (a) The said properties shall be sold for not less than the amount set forth in Schedule A.
  - (b) The sale shall be made at public auction, after legal advertisement of this Ordinance, and shall be made to the highest bidder who is the owner of contiguous property, which property shall become consolidated with the property being sold herein, and become part of the contiguous property owned by the successful bidder.
  - (c) The Township does not warrant or certify title to the property and in no event shall the Township of Stillwater be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for the same, shall not be required to refund money or correct any defect in title or be held liable for damages..
  - (d) Acceptance of the offers made as set forth in Schedule A or the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
  - (e) The purchaser will be required to pay no later than August 19, 2014, ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser, without interest, if the title to said property is legally determined to be

unmarketable, providing claims made therefor within sixty (60) days after the sale.

- (f) A Bargain and Sale Deed without covenants will be delivered at the office of the Township Clerk on or before sixty (60) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deeds.
- (g) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Stillwater and reserving an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.
- (h) The purchaser shall also pay to the Township of Stillwater the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.
- (i) The property will be sold subject to 2014 taxes, prorated from the date of sale.
- (j) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

4. This Ordinance shall take effect after final passage and publication according to law.

Mayor Scott opened the meeting for public comment on this Ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-014 was adopted.

**PUBLIC SALE OF BLOCK 602 LOT 2 – Adjoining Property Owners Only.**

**No Adjoining Property Owners bid.**

**ORDINANCE 2014-015 AUTHORIZING THE SALE OF BLOCK NO. 301, LOT NO.7 STILLWATER, NEW JERSEY Public Hearing and Adoption**

**WHEREAS**, the Township of Stillwater is the owner of all those lots, parcels and tracts of land as hereinafter set forth in Schedule A, which land is not needed or required for municipal use; and

**WHEREAS**, said lots are less than the minimum size required for development under the municipal ordinance and are without capital improvements thereon; and

**WHEREAS**, the Township Committee of the Township of Stillwater have deemed it in the best interest of the Township of Stillwater to sell said lots to owners of contiguous properties in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

**WHEREAS**, certain of said contiguous owners have offered to purchase lots adjacent to their real property as set forth in Schedule A for the sums set forth thereon; and

**WHEREAS**, the Municipal Assessor of the Township of Stillwater has advised that said sums, taking into consideration all factors relative thereto, are fair and just;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Stillwater that:

5. The Township of Stillwater shall sell, pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2, the lots to the contiguous property owners for the amounts as set forth in Schedule A attached hereto, subject to the right of other contiguous property owners to bid an amount in excess of the amount offered as set forth in Schedule A. Pursuant to the provisions of said statutes, these conveyances shall be to an owner of adjoining property as the properties to be sold are less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvement thereon. The minimum sale price for said properties are as set forth in Schedule A, which sums are not less than the fair market value of said real properties.
6. Upon final passage of this Ordinance on August 19, 2014 at the Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey, the Township of Stillwater shall sell the property set forth in Schedule A, subject to receiving no higher bids for said parcels, after offering same at public auction to the highest bidder at said time and place.
7. The said properties shall be sold subject to the following terms and conditions:
  - (k) The said properties shall be sold for not less than the amount set forth in Schedule A.
  - (l) The sale shall be made at public auction, after legal advertisement of this Ordinance, and shall be made to the highest bidder who is the owner of contiguous property, which property shall become consolidated with the property being sold herein, and become part of the contiguous property owned by the successful bidder.
  - (m) The Township does not warrant or certify title to the property and in no event shall the Township of Stillwater be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township

shall not be responsible for the same, shall not be required to refund money or correct any defect in title or be held liable for damages..

- (n) Acceptance of the offers made as set forth in Schedule A or the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
- (o) The purchaser will be required to pay no later than August 19, 2014, ten percent (10%) of the bid, in cash or check; said payment shall be returned to the purchaser, without interest, if the title to said property is legally determined to be unmarketable, providing claims made therefor within sixty (60) days after the sale.
- (p) A Bargain and Sale Deed without covenants will be delivered at the office of the Township Clerk on or before sixty (60) days after the date of the sale, at which time and place the balance of the purchase price shall be required to be paid in cash or bank check. The Mayor and Clerk are hereby authorized to execute said Deeds.
- (q) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Stillwater and reserving an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.
- (r) The purchaser shall also pay to the Township of Stillwater the cost of preparation of this Ordinance and the Deed of Conveyance plus all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.
- (s) The property will be sold subject to 2014 taxes, prorated from the date of sale.
- (t) The Governing Body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said property or to waive any informality in relation thereto.

8. This Ordinance shall take effect after final passage and publication according to law.

Mayor Scott opened the meeting for public comment on this Ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and **Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-015 was adopted.

**PUBLIC SALE OF BLOCK 301 LOT 7 – Adjoining Property Owners Only.**

**No Adjoining Property Owners bid.**

**ORDINANCE 2014-016 ORDINANCE ENFORCING THE NEW JERSEY MOTOR VEHICLE IDLING REGULATIONS Public Hearing and Adoption**

**WHEREAS**, the Township Committee of the Township of Stillwater believes it to be in the best interest of the Township to regulate the emission of smoke and other contaminants from idling motor vehicles; and

**WHEREAS**, the State of New Jersey, Department of Environmental Protection, has adopted standards for preventing extended idling of motor vehicles; and

**WHEREAS**, Stillwater Township may adopt an ordinance not inconsistent with the State standards in enforcing motor vehicle idling regulations with the Township.

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

**Section 1.** A new Section 470:1 shall be added to Part III of the Code of the Township of Stillwater entitled “Board of Health Legislation” and shall read as follows:

**General Prohibitions - Diesel Powered Motor Vehicles Idling**

(a) No person shall cause, suffer, allow, or permit the engine of a diesel-powered motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion, except:

1. A motor vehicle that has been stopped for three or more hours may idle for up to 15 consecutive minutes when the ambient temperature is below 25 degrees Fahrenheit; and
2. A diesel bus while it is actively discharging or picking up passengers may idle for up to 15 consecutive minutes in a 60-minute period.

(b) The provisions of (a) shall not apply to:

1. Any motor vehicle idling in traffic, or a motor vehicle other than a school bus idling in a queue of motor vehicle, that are intermittently motionless and moving because the progress of the motor vehicles in the traffic or the queue has stopped or slowed by the congestion of traffic on the roadway or by other conditions over which the driver of the idling motor vehicle has no control.

2. A motor vehicle whose primary power source is utilized in whole or in part for necessary and definitely prescribed mechanical operation other than propulsion. This includes, but is not limited to, operating lift gate pumps and controlling cargo temperature. This exemption does not apply to passenger compartment heating or passenger compartment air conditioning;

3. A motor vehicle being or waiting to be examined by a State or Federal motor vehicle inspector;

4. Vehicles that are actively performing emergency services. Examples include fire vehicles, first aid vehicles, police vehicles, public utility vehicles, military tactical vehicles and snow removal vehicles during the time that such vehicles are actively performing emergency services;

5. A motor vehicle while it is being repaired or serviced, provided that operation of the engine is essential to the proper repair or service.

### **General Public Highway Standards - Diesel Powered Motor Vehicles**

(a) No person shall cause, suffer, allow or permit the operation of any diesel-powered motor vehicle upon the public roads, streets or highways of the Township or upon any public property or upon any quasi-public roadway in the Township, if the vehicle:

1. Emits smoke in the exhaust emissions, the opacity of which exceeds any applicable smoke opacity standards set forth in N.J.A.C. 7:27-14.6;

2. Emits visible smoke of any color in the exhaust emissions for more than three consecutive second when the engine is a normal operating temperature;

3. Does not have a properly functioning and properly maintained emission control apparatus, as determined according to the emissions control apparatus examination procedures established at N.J.A.C. 7:27B-4.4;

4. Has an emission control apparatus or an element of design installed on the vehicle or diesel engine or exhaust system, which has been disconnected, detached, deactivated or in any other way rendered inoperable or less effective than designed by the original equipment or vehicle or engine manufacturer; or

5. Has a retrofit device or any part thereof, or a closed crankcase ventilation system or any part thereof, that was installed pursuant to N.J.S.A. 26:2C-8.26 et seq. and N.J.A.C. 7:27-32 and that has been disconnected, detached, deactivated, or in any other way rendered inoperable or less effective, with respect to limiting or controlling emissions, than it was designed to be by the original retrofit device or closed crankcase ventilation system manufacturer.

### **Idle Standard - Gasoline Fueled Motor Vehicles**

(a) No person shall cause, suffer, allow, or permit the engine of a gasoline-fueled motor vehicle to idle for more than three consecutive minutes if the vehicle is not in motion.

(b) The provisions of (a) above shall not apply to:

1. Autobuses while actively discharging or picking up passengers. This exemption is limited to 15 consecutive minutes in a 60-minute period;

2. Any motor vehicle idling in traffic, or a motor vehicle other than a school bus idling in a queue of motor vehicles, that are intermittently motionless and moving because the progress of the motor vehicles in traffic or the queue has been stopped or slowed by the congestion of traffic on the roadway or by other conditions over which the driver of the idling motor vehicle has no control;

3. Motor vehicles whose primary and/or secondary power source is utilized in whole or in part for necessary and definitely prescribed mechanical operation other than propulsion. This use includes, but is not limited to, operating lift gate pumps and controlling cargo temperature. This exemption does not apply to passenger compartment heating or passenger compartment air conditioning;

4. Motor vehicles being or waiting to be examined by the State or Federal motor vehicle inspectors.

5. Motor vehicles that are actively performing emergency services. Examples include fire vehicles, first aid vehicles, police vehicles, public utility vehicles, military tactical vehicles and snow removal vehicles, during the time that such vehicles are actively performing emergency services;

6. Motor vehicles while being repaired or serviced, provided that operation of the engine is essential to the proper repair or service; or

7. Motor vehicles manufactured with a sleeping berth while being used, in a non-residentially zoned area, by the vehicle's operator for sleeping or resting, unless the vehicle is equipped with a functional auxiliary power system designed in whole or in part to maintain cabin or sleeper berth comfort or to mitigate cold weather start-up difficulties.

**Section 2. Penalty.** Any person violating any provision of this chapter shall, upon conviction, be punishable by a fine of not less than \$250.00 nor more than \$1,000.00. Each

violation of any of the provisions of this chapter and each day that such offense shall continue shall be deemed to be a separate and distinct offense.

**Section 3. Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Section 4. Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Section 5. Effective Date.** This ordinance shall take effect after publication and passage according to law.

Mayor Scott opened the meeting for public comment on this Ordinance only. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

Upon Motion by Ms. Chamings, seconded by Mr. Fisher and **Roll Call Vote:** Ms. Chamings, yes, Mr. Fisher, yes, Mr. Gross, no, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-016 was adopted.

## **NEW BUSINESS**

### **ORDINANCE 2014-017 ORDINANCE AMENDING ORDINANCE 2014-006 FIXING THE SALARY AND WAGES FOR TOWNSHIP EMPLOYEES AND OFFICIALS [Public Hearing and Adoption September 2, 2014]**

**BE IT ORDAINED** by the Township Committee of the Township of Stillwater in the County of Sussex, New Jersey as follows:

Section 1. The annual salary, wage and compensation to be paid to Township Employees and Officials as contained in Section 1 of Ordinance 2014-006 is hereby amended to add the positions as follows, retroactive to July 1, 2014:

File Clerk	\$ 8.25 per hour
Receptionist	\$11.00 per hour

Section 2. The annual salary, wage and compensation to be paid to Township Employees and Officials as contained in Section 1 of Ordinance 2014-006 is hereby amended as follows, retroactive to July 1, 2014:

Construction Official	\$5,000.00 Pro-Rated
Building Sub-code Official	\$5,000.00 Pro-Rated

Section 3. The annual salary, wage and compensation to be paid to Township Employees and Officials as contained in Section 1 of Ordinance 2014-006 is hereby amended as follows, retroactive to September 1, 2014:

Electrical Sub-Code Official

\$8,000.00 Pro-Rated

Section 4. This ordinance shall become effective immediately upon final adoption and publication as required by law, and shall be retroactive to the date of appointment.

Upon Motion by Mr. Fisher, seconded by Mrs. Straway and Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, no, Mrs. Straway, yes and Mayor Scott, yes – Ordinance 2014-017 was Introduced and adopted.

### **DISCUSSION ITEMS**

Veterans Property Tax Exemption: The Tax Assessor forwarded a memo to the Township Committee stating there is a new totally disabled Veteran that is now entitled to a property tax exemption and asked the Township Committee if they wished the exemption to be retroactive to January 1, 2014. The Township Committee asked Mr. Stein to prepare a resolution for the next meeting granting the resident a tax exemption beginning January 1, 2014.

Two fund raising groups looked to the Township Committee for approval to have their events come through Stillwater Township. United Way BOOMR Fall Foliage Bike Tour scheduled for September 27<sup>th</sup> and Bike, Run, Walk to Beat Epilepsy scheduled for October 11, 2014. Both events have now been successfully run through Stillwater Township in prior years and the Township Committee directed the Clerk to give the Township Committee's approval for their events in 2014.

The Environmental Commission asked the Township Committee to consider collecting mixed rigid plastic at the Convenience and Recycling Center. The EC suggested charging residents one or two cents more than Sussex County Municipal Utilities Authority charges Stillwater Township to cover the costs. Mr. Fisher, liaison to the Convenience and Recycling Center will speak with Mr. Whitehead, the Township's Recycling Coordinator.

Mrs. Straway asked the Clerk to distribute to the Township Committee a copy of the Fire Department Ordinance for discussion at the next meeting.

Open Public Session: Mayor Scott opened the meeting to the public to speak on any matter. Seeing no one wishing to speak Mayor Scott closed this portion of the meeting.

**Attorney Report:** Attorney Stein noted that before any work can be done on Middleville Road Phase II the NJDOT must approve the contract between Stillwater Township and Top Line Construction. Mr. Stein also stated he was waiting for additional documentation from the Nature Conservancy regarding the Schuler Property before he could give the Township Committee his opinion.

There being no further business a Motion was made by Mr. Fisher to attend to adjourn the meeting, seconded by **Mrs. Straway**. In a voice vote at 8:50 p.m., all were in favor.

Respectfully submitted,

Lynda Knott, Municipal Clerk