

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
April 19, 2016
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Fisher at 7:02 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, Deputy Mayor Scott, Committeewoman Chamblings, Mayor Fisher, Municipal Clerk Lynda Knott, Township Attorney Richard Stein.

EXECUTIVE SESSION:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Scott, seconded by Mr. Morrison and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:13 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, Attorney-Client, Real Property, Litigation/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 Mr. Scott, seconded by Mr. Gross to conclude the Executive Session at 7:15 p.m., unanimously carried by roll call vote.

At this point, the regular meeting commenced following a five-minute break.

Regular Session:

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:

April 5, 2016 Regular Meeting; April 5, 2016 Executive Meeting

RESOLUTIONS:

2016-062 Authorizing Renewal of Camp License – North Shore House

2016-063 Authorizing Renewal of Camp License – Mountain Shadows Lake Association

REPORTS:

Tax Collector March 2016

Building Department March 2016

Recycling Center January, February and March 2016

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

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

BILLS LIST #7 \$160,560.16

RESOLUTION 2016-064 PAYMENT OF BILLS

Mr. Scott made a **motion** to adopt Resolution 2016-064, removing P.O. #5820 for separate consideration, seconded by Ms. Chamblings.

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

Mr. Scott made a **motion** to pay P.O. #5820, seconded by Mr. Morrison.

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

AMENDMENTS TO THE AGENDA: None

Open Public Session:

At this point, this portion of the meeting was opened to the public at 7:23 p.m.

There being no members of the public wishing to speak, this portion of the meeting was closed at 7:23 p.m.

OLD BUSINESS

PUBLIC HEARING OF THE 2016 MUNICIPAL BUDGET

RESOLUTION 2016-065: Resolution of the Mayor and Township Committee of the Township of Stillwater Authorizing Reading of the Municipal Budget Title and providing for public hearing on the budget adoption

Mr. Gross made a **motion** to open the meeting to the public, seconded by Mr. Scott.

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

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

Mr. Morrison made a **motion** to adopt Resolution 2016-065, seconded by Mr. Gross.

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

Dana Mooney, CFO and Luisa Rodriguez, Nisivoccia LLP, were present and provided a summary of the overall budget.

Ms. Rodriguez reported the budget is fiscally sound and is \$162,000 below the appropriation cap and \$28,000 below the tax levy cap. There is approximately \$709,000 in the capital budget and the cost per household increase is \$14.35 per \$205,000 of assessed value.

Ms. Mooney reviewed the financing for the new fire truck. She reported reserve funds reduced the taxpayer cost of the truck to \$16/year per household for the next ten years.

Mr. Morrison asked about the percentage of bonding permitted. Ms. Mooney indicated the average levy for three and half-years must be under three and half percent.

Ms. Mooney reported the surplus prior to this budget was \$2,816,062.00 and the percentage of net debt is .404; total amount of outstanding notes as of 12/31/15 - \$1,813,000.00.

The Committee thanked Ms. Rodriguez and Nisivoccia for their work.

ORDINANCE 2016-004 Extending the Township's Open Space Trust Fund through April 4, 2026

ORDINANCE #2015-004

**AN ORDINANCE OF THE OF TOWNSHIP OF STILLWATER,
SUSSEX COUNTY, NEW JERSEY, TO EXTEND THE TOWNSHIP'S
OPEN SPACE TRUST FUND THROUGH APRIL 4, 2026**

WHEREAS, the Township of Stillwater heretofore adopted Chapter 76 of the Code of the Township of Stillwater entitled "Trust Funds"; and

WHEREAS, said ordinance was adopted pursuant to the provisions N.J.S.A. 40:12-15.7; and

WHEREAS, said ordinance created an Open Space Trust Fund to be funded through an Open Space Trust Fund Tax, with an annual rate not to exceed \$0.02 per \$100.00 of ratables for each and every taxable property located in the Township; and

WHEREAS, pursuant to the referendum originally approved by the voters of the Township of Stillwater, said Trust Fund was set to expire on April 4, 2016; and

WHEREAS, the Township Committee of the Township of Stillwater adopted Resolution 2015-065 on May 19, 2015, requesting the County Clerk to submit a non-binding referendum to the voters of the Township of Stillwater at the General Election of November 3, 2015 as to whether or not the authority for an Open Space Trust Fund for the Township should be extended for another ten years; and

WHEREAS, at the General Election held on November 3, 2015, the voters of the Township of Stillwater so approved the extension of the Township's Open Space Trust Fund for an additional ten years;

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

SECTION 1. Section 73-6-5 "Expiration" of Chapter 76 of the Code of the Township of Stillwater is hereby amended to read as follows:

"The provisions of taxation to create and fund the Open Space Trust Fund and the existence of the Township Open Space Trust Fund shall cease to exist at the close of business on April 4, 2026, unless the Township Committee extends the duration of this article."

SECTION 2. When Effective. This ordinance shall take effect upon passage and publication as required by law.

Mr. Scott made a **motion** to open the meeting for public comment on Ordinance 2016-004, seconded by Mr. Gross.

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

There being no public comment on Ordinance 2016-004, this portion of the meeting was closed.

Mr. Scott made a **motion** to adopt Ordinance 2016-004, seconded by Mr. Gross.

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

COMMITTEE REPORTS:

Ms. Chammings reported the Environmental Commission submitted a grant application for the trail at Veteran's Memorial Park.

Mr. Fisher reported Clean Up Day will be held on Saturday, April 23, 2016 from 9 a.m.-1 p.m.; free shredding from 10 a.m.-1 p.m. and free tire drop off, limit of 4 per household. Free tree seedling and seed packets will be handed out.

NEW BUSINESS

ORDINANCE 2016-005 Capital Ordinance Appropriating \$3,500 for Equipment to Outfit Fire Pumper 2015 (Public Hearing and Adoption May 3, 2016)

Ms. Chammings made a **motion** to introduce Ordinance 2016-005, seconded by Mr. Gross.

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

ORDINANCE 2016-006 Fixing Salaries and Wages of Officers and Employees of the Township of Stillwater (Public Hearing and Adoption May 3, 2016)

Mr. Scott made a **motion** to introduce Ordinance 2016-006, seconded by Mr. Gross.

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

ORDINANCE 2016-007 Bond Ordinance Appropriating \$939,200 and Authorizing the Issuance of \$328,475 Bonds or Notes for Various Improvement or Purposes (Public Hearing and Adoption May 3, 2016)

Mr. Scott made a **motion** to introduce Ordinance 2016-007, seconded by Mr. Morrison.

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

DISCUSSION ITEMS:

2016 Statewide Insurance Company Grant Program:

Ms. Knott reported the security lighting in the parking lot costs \$15 per month and only works intermittently. Mr. Hendershot and Mr. Whitehead obtained pricing for a three-way sensor light at Home Depot for \$120 plus electrician costs to install it.

Other projects items will be reviewed by the Committee in addition to the lighting.

Property Donation Request of Mr. and Mrs. Cartabona:

Ms. Knott reported Mr. Cartabona has indicated that since he purchased the property in 1982 there have been no road maintenance fees or dues charged. Following discussion, Ms. Chammings made a **motion** to accept the property from the Cartabonas as of October 1, 2016, seconded by Mr. Morrison. The property will become tax exempt in January 2017; a title search will cost approximately \$120.

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

2016 Polling Places:

Ms. Knott reported the polling place for District 2 and District 3 has been approved and will now be located at the Stillwater Firehouse – upstairs. Senior and handicapped parking will be in the upper parking lot.

20' Container for Recreation Commission Storage:

Mr. Morrison reported the Stillwater Fire Department needs storage for a fire truck and other equipment. Heat will need to be installed in the bay. The Conex storage container would be used for Recreation Commission storage which is currently in the bay. The container will be funded through the general budget not the Recreation Commission budget. Ms. Knott reported on pricing: used boxes range between \$1,250 and \$1,700 with a delivery charge of approximately \$415; new boxes approximately \$2050.00.

Following further discussion, Mr. Scott made a **motion** to purchase the new 20' container for Recreation Commission storage, authorizing expending up to \$3,000 for the project – purchase, delivery, site costs and outfitting with shelves included, seconded by Ms. Chammings.

Mr. Fisher expressed concern, noting the bay was designated not only for Recreation Commission storage but also for archiving records and DPW storage. Ms. Knott explained the documents were temporarily stored in the bay during the renovation and the permanent records are now required to be moved back into the main building. The Recreation Commission can determine the best location for the container. Gravel will be placed underneath.

Roll Call Vote: Mr. Gross, yes, Mr. Morrison, yes, Mr. Scott, yes, Ms. Chammings, yes, Mayor Fisher, no

The Committee authorized the Clerk to solicit quotes for the installation of a ceiling propane heater in the last garage bay.

Utility Truck for Use as a Rehab Unit – EMS:

Mr. Scott explained that after conferring with the OEM Coordinator, it was determined the utility truck would best serve the emergency services as a rehab unit for the EMS. The unit would be used to serve at a fire scene to assess and aid firemen and emergency staff.

Mr. Scott made a **motion** to donate the utility truck to the EMS to be used to as a rehab unit, seconded by Mr. Fisher. The Committee noted all outfitting of the vehicle would be the responsibility of the EMS.

Mr. Morrison expressed concern and questioned where the vehicle would be stored. Five apparatus have water and need to be stored in a heated bay, leaving no additional room for the rehab unit. Following further discussion, it was determined the storage would be the responsibility of the EMS.

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

Attorney Report:

Ordinance to Freeze Fire Insurance Claim Payment:

Mr. Stein reported on a proposed ordinance that would ensure payment of any municipal liens on a property following a fire. It would place a freeze on homeowners insurance claims for fires until the insurance company pays off any liens owed to the municipality. The Committee reviewed a model ordinance Mr. Stein provided and Mr. Scott made a **motion** authorizing Mr. Stein to draft the ordinance, seconded by Mr. Fisher. All were in favor; none opposed, none abstained.

2016 Salary Ordinance:

Mr. Stein explained that Mayor Fisher is required to recuse himself from the introduction, discussion and final vote for adoption of the salary ordinance as his wife is the Zoning Officer. He suggested separating the ordinance into two; one for the Zoning Officer and the other for all remaining employees. The Zoning Officer ordinance would be on the agenda for introduction at the next meeting and adoption at the following meeting. Mayor Fisher will be required to step down for both.

Municipal Clerk Report:

After conferring with Mr. Vreeland, Ms. Knott reported she is waiting to hear back from the State Police regarding the intersection at Five Points. The requirement to install the stop signs is 300 cars per hour through the intersection; or a minimum of five accidents in the last 12 months. She is waiting for documentation on the number of accidents.

Mr. Vreeland provided a “not to exceed” price of \$7,000 to put together specifications and other necessary items for the paving of the town hall parking lot and Recycling Center.

Ms. Chamblings made a **motion** authorizing Mr. Vreeland to provide the specifications, not to exceed \$7,000, seconded by Mr. Morrison.

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

Ms. Knott reported C&V will complete paving of the path at Veteran’s Memorial Park tomorrow, both sides of the bridge.

Open Public Session:

At this point, this portion of the meeting was opened to the public at 8:35 p.m.

Marion Gross, 912 Stillwater Road inquired about the free shredding day at the Recycling Center.

Diane Apostola, 916 Five Points Lane referred to the New Jersey Herald article depicting Swartswood Fire Department donating a fire truck to another municipality. She strongly expressed her concerns with the donation and urged the Committee to take action. She was concerned with years of taxpayer donations simply walking away.

Kathleen Draghi, 1016 Route 619 commented on the same article that indicated the fire department purchased the fire truck on their own, and she felt it was insulting as taxpayers have been paying for this

service for years. She questioned when the property would no longer be tax exempt. Mr. Stein stated the tax exempt status was lost as of March 1st and taxes were incurred on the building and the land. She referred to the purchase of the Conex box and asked about the Recreation Commission equipment that will be stored in it.

There being no members of the public wishing to speak, this portion of the meeting was closed 8:48 p.m.

There being no further business, Mr. Scott made a **motion** to adjourn the meeting at 8:48 p.m., seconded by Ms. Chammings. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder