

STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES
June 6, 2012
Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6 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: Mayor Scott, Deputy Mayor Fisher, Committeewoman Chammings, Committeeman Gross, Committeewoman Straway, and Acting Municipal Clerk Lynda Knott.

Executive Session:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Fisher, seconded by Mr. Gross and unanimously 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: Tax Assessor, CFO/Fire Department, DPW-Computer, TACO-Seminar; Contract: Baldwin Gate Bridge; Potential Litigation: COAH Allegations, Tanis Agreement, Donna Clouse
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 Ms. Chammings to conclude the Executive Session at 6:57 p.m., unanimously carried by roll call vote.

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 SEPERATELY ON THE REGULAR AGENDA.

Regular Minutes: May 15, 2012

Executive Minutes: May 15, 2012

Reports: Tax Assessor 2012 Report of Tax Appeals
Tax Collection Report – May 2012
Building Department Report – May 2012
Stillwater Rescue Squad Day Calls – May 2012
Stillwater Rescue Squad Calls – May 2012

Resolutions:

- 2012-069 Authorizing the Township of Stillwater to Enter into a Cooperative Pricing Agreement
- 2012-070 Authorizing the Refund of Tax Overpayment for 100% Disabled Veteran
- 2012-071 Authorizing the Execution of an Agreement with Land Conservancy of NJ
- 2012-072 Authorizing Renewal of Liquor Licenses
- 2012-073 Appointing Penny Holenstein as tenured Tax Assessor
- 2012-074 Approving Affordable Housing Agreement with Peter J. Tanis
- 2012-075 Granting Extension to Sussex County Habitat for Humanity

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

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

Bill List Cycle #11: \$515,049.71

Mr. Fisher made a **motion** to approve Bill List Cycle #11, removing Check #19994, Vendor #189, Swartwood Fire Department, in the amount of \$790.12, seconded by Mr. Gross. Bill List Cycle #11 total amount: \$514,259.59.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

Amendments to the Agenda: Add Under New Business: Reimbursement to Rita Bernstein, Technical Assistant for Seminar

Open Public Session (Agenda Items Only):

Jackie Kraft, 1047 Owassa Road stated she sent a letter to the Township Committee/Board of Health regarding the septic code. She explained she had a contract on the sale of her house and an issue arose with the septic due to a discrepancy between the home inspection and the State code. The home inspection indicated the system failed although the County confirmed that it did not. Mrs. Kraft chose to upgrade the leech field to facilitate the contract and the County informed her that the Stillwater septic code, which is stricter than the State code, would require the installation of an additional 500 gallon tank to meet the Stillwater 1,500 gallon requirement. Mrs. Kraft stated Stillwater does not allow upgrades to components of the system without upgrading the entire system. She indicated the sale of the house has fallen through since the sale price was not consistent with the additional \$20,000 it would cost to upgrade the septic tank. Mrs. Straway stated she reviewed the township ordinance adopted in 1999 and agreed it is more stringent than the State requirements. She suggested revisiting the ordinance and addressing the issue at the July 3, 2012 Board of Health meeting. Mrs. Straway believed a waiver could be granted by the Township Board of Health. Attorney Cohen suggested forwarding a letter to the County Board of Health asking for recommendations and possible language changes to the existing ordinance, and whether or not a waiver could be granted. **There being no further members of the public wishing to speak, this portion of the meeting was closed.**

Committee Reports:

Mr. Gross: The annual Memorial Day ceremony was held on May 28, 2012 at the First Presbyterian Church, followed by a wreath laying at Veteran's Memorial Park (VMP), honoring veterans for their service. Mr. Gross expressed concern with individuals parking in close proximity to the Veteran's Monument at VMP. He spoke with the parent of the Eagle Scout who constructed the monument and they agreed poles with chains could be installed to prevent it. Dave VanGorden suggested contacting the Boy Scouts to see if there is an Eagle Scout candidate who is seeking a project and could install the barrier.

Mr. Fisher: The Recreation Commission met on June 4, 2012 and preparations are being made for Stillwater Day.

Mayor Scott: Mayor Scott met with the Rescue Squad in Matawan and visited a factory that manufactures ambulances. A presentation will be provided at a future Safety Meeting.

Mayor Scott and Deputy Mayor Fisher met with the Township Engineer regarding West End Drive.

New Business:

Reimbursement to Technical Assistant: Mr. Fisher made a **motion** to reimburse Rita Bernstein, Technical Assistant, \$20.00 for attendance at the Technical Assistants' Association Meeting/Seminar held on June 6, 2012, seconded by Mrs. Straway.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

ORDINANCE #2012-004 Introduction (Public Hearing and Adoption June 19, 2012):

Ordinance Providing for Various Capital Improvements in the Amount of \$322,000 and Authorizing the Issuance of \$306,000 Bonds or Notes of the Township to Finance Part of the Cost Thereof.

Mr. Fisher made a **motion** to introduce Ordinance 2012-004, seconded by Mr. Gross, public hearing to be held on June 19, 2012. Ms. Chamblings explained the ordinance is for the purpose of required upgrades to the Baldwin Gate Bridge for \$57,000; the purchase of a DPW Tandem Axle Dump Truck with plow and sander for \$163,500; and roadside tractor/mower for \$85,500.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

Resolution 2012-075 Approving Bid by Appraisal Systems for Revaluation of the Township of Stillwater:

Mrs. Straway made a **motion** to adopt Resolution 2012-075, seconded by Mr. Fisher.

TOWNSHIP OF STILLWATER

RESOLUTION 2012-075

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR REVALUATION PROGRAM

WHEREAS, the Township of Stillwater has a need to acquire a company to perform a complete revaluation program as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4; and,

WHEREAS, the Municipal Clerk has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year and may be extended as approved by the Stillwater Township Committee; and

WHEREAS, Appraisal Systems, Inc. has submitted a proposal May 31, 2012 indicating they will provide the complete revaluation program for the \$188,615; and

WHEREAS, Appraisal Systems, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Appraisal Systems, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Stillwater in the previous one year, and that the contract will prohibit Appraisal Systems, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, a Certificate of Availability of Funds has been provided in accordance with N.J.A.C. 5:30-5.4.

NOW THEREFORE, BE IT RESOLVED that the Stillwater Township Committee of the Township of Stillwater authorizes the Mayor to enter into a contract with Appraisal Systems Inc. as described herein subject to entry into a contract in conformance with requirements set forth in the Township's Request for Proposals dated May 18, 2012 and in form satisfactory to municipal counsel; and,

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

Resolution 2012-076 Approving Special Emergency Resolution for Expenses to be Incurred by Revaluation:

Mr. Fisher made a **motion** to adopt Resolution 2012-076, seconded by Mrs. Straway.

TOWNSHIP OF STILLWATER

RESOLUTION 2012 – 076

SPECIAL EMERGENCY RESOLUTION OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, STATE OF NEW JERSEY TO MEET EXPENSES INCURRED TO CONDUCT A TOWNSHIP-WIDE REVALUATION AND FINANCING OF SAME (N.J.S.A. 40A:4-53)

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, by reason of the need to perform a revaluation of real property; and

WHEREAS, N.J.S.A. 40A:53et seq., provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Stillwater, in the County of Sussex, that in accordance with the provisions of N.J.S.A 40A:4-55:

An emergency appropriation is hereby made for:

Revaluation of Property in the total amount of \$225,000

That the emergency appropriation shall be provided for in the budgets of the next succeeding Years by the inclusion of not less than \$45,000.

That the Township of Stillwater is hereby authorized to issue negotiable notes to meet this emergency appropriation in the manner and method provided for by N.J.S.A. 40A:4-55, and provision for payment thereof shall be provided for in the succeeding annual budgets by the inclusion of at least one-fifth of the amount authorized pursuant to said act until the appropriation has been fully provided for. Such notes shall bear the designation: "Special Emergency Notes — Preparation and Execution of a complete Township -wide Program of Revaluation of Real Property."

That an "emergency note", not in excess of the amount authorized pursuant to law, be provided.

That such note shall be executed by Dana Mooney, Chief Financial Officer.

That the statement required by the Local Finance Board has been filed with the Clerk and a copy will be transmitted to the Director of the Division of Local Government Services.

BE IT FURTHER RESOLVED that two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

Discussion:

Johnson Scale & Balance Company – Recycling Center: Mr. Gross reported a new scale is required at the Recycling Center at a cost of \$649, and an additional fee of \$600 for the installation of the associated electronics. The expenditure for the new scale will be funded through the Recycling Trust. Mr. Gross has been in contact with the fire departments to supply a generator to allow the Recycling Center to remain open during a power outage. He also reported the County inspection of the Recycling Center passed.

Stillwater Day Parking – Zweig Letter

Mayor Scott reported a letter was received from the Zweig family regarding the parking during Stillwater Day. They have requested to have their property roped off to eliminate individuals from using it as a turn-around point or parking; and they have also requested no parking signs. Mrs. Straway suggested the Zweigs use the two saw horses located on their property and place them at the end of the driveway to resolve the issue. The Committee agreed to provide no parking signs for the property for the day.

Baldwin Gate Bridge:

Mr. Fisher made a **motion** authorizing Township Engineer Michael Vreeland to proceed with the engineering for Baldwin Gate Bridge, seconded by Mrs. Straway.

Roll Call Vote: Ms. Chamblings, yes, Deputy Mayor Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes

At this point, this portion of the meeting was opened to the public:

Kathleen Draghi, 1016 Route 619 asked about the upcoming revaluation and in response the Committee indicated there was no cost related to the extension granted in 2011. Attorney Cohen stated the revaluation company will use sales in Stillwater as well as surrounding communities to determine property values, and he explained the emergency funding, which will be paid over a five year period. The revaluation will be completed this year for 2013. Mr. Gross explained the process in which the revaluation is conducted and stressed the importance of allowing the evaluators to perform their inspection.

Margaret Emmetts, 1037 Route 619 reported on behalf of Ed Szabo that the Paradise Fishing Club held a contest over the Memorial Day weekend and invited wounded veterans to participate. The club has been collecting hunting and fishing equipment for wounded veterans, and she asked that anyone not using their equipment to please donate it.

Bill Steckowich, 907 Hardwick Road congratulated Mrs. Straway and Mayor Scott for their primary election win. He asked about the Township Christmas tree in Swartswood. Mr. Fisher stated it would be addressed.

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

Attorney Report: Attorney Cohen stated he reviewed the Tanis agreement and amendments were made prior to the approval provided by the Township Committee.

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

Respectfully submitted,

Kathy Wunder