

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**August 14, 2013**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Gross at 7:00 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 was taken and the flag was saluted.

PRESENT: Mayor Gross, Committeewoman Chamings, Committeeman Fisher, Deputy Mayor Scott, Committeewoman Straway, Acting Municipal Clerk Lynda Knott, and Attorney Ursula Leo.

ABSENT:

**Regular Session:**

**West End Drive Flooding – Michael Vreeland, Engineer:**

Mr. Vreeland gave a history of the drainage situation at the area of Duck Pond Road and West End Drive. A memo was submitted to the Township dated April 27, 2012 providing further information about the easement in the area. There are some existing constraints that will make it difficult to completely address the issue. The easement does not give the Township rights to discharge water across Duck Pond Road and into the adjoining property. Also due to the topography, there is not enough change in grade that will allow a drainage system to be installed low enough to prevent the water from flooding the area. The best solution would be to put in a drainage system with a couple of inlets that would help reduce the amount of time the area would be under water but would not be able to keep the area from flooding again. The area is also designated as wetlands on the state database so any work to be done would require permits from the DEP. There was discussion about the ground water in the area. There was also discussion about the cost of the proposed remediation of the problem. Mr. Vreeland stated that permission from downstream residents who would be impacted would most likely be necessary to implement the proposed drainage solution. The drainage inlets and easement were discussed further, stating property owners would need to give permission for work to be done. There is no way to bring down the level of the ground water in the area. Mayor Gross then opened the discussion to the public.

**Ken Syberg**, owns the property across from the field where the water drains. He stated he does not have a problem with normal water accumulation in the field. It drains across the street, into his pond, and into the Paulinskill. He would have a “very big problem with additional waters being sent down”. He feels badly for the houses affected, but does not want their problem to become his problem.

**Ron Volk, President of the Paulinskill Lake Association**, sent a letter to Arlene Fisher on December 30, 2011 concerning this issue. Another letter was sent a year later, August 13, 2012, concerning the same issue. They have yet to receive a formal response from the Town about this issue. He presented photographs showing the flooding of the Mason property. He feels the Township has a responsibility because the Township issued building permits for the homes which are impacted, and the Township developed two drainage easements in the area. He discussed a stream in the area and that the homes were built with the approval of the Township. He also mentioned construction that was done on Duck Pond Road. He feels a solution should be able to be found. Mrs. Leo stated the issuance of a building permit does not provide any type of guarantee there will not be an issue. Mrs. Straway feels the town has done its due diligence. There have been 10 major storms in 10 years, including Super Storm Sandy. It is a private property issue, not a Township issue. Mr. Volk stated if this is a wetland area someone should look into the fact that the wetlands have been changed. Google Maps shows an area around the pond behind the Phlegar property where it appears the wetland has been raised, changing the topography over the years. Mrs. Straway again stated it is a private property issue. Mrs. Straway stated if someone is

altering their property causing issues for others, they can come to a Township meeting and state their claims. If it is a current issue the zoning officer or building official can investigate. As time passes it becomes an issue between the two property owners, not the municipality. Mr. Volk again stated there are drainage easements, Township drainage easements, not private property easements. Mr. Vreeland stated drainage easements are indicated on the deeds of some of the properties and they were staked out by the surveyors. However, it is not indicated in the deeds that they have the right to discharge water onto adjoining properties. Mr. Volk believes the purpose of the drainage easements is to continue to allow water to drain from the properties, into the field, under West End Drive, to Mr. Syberg's property, through his wetlands and into the Paulinskill. Mayor Gross asked Mr. Volk who he was there representing. Mr. Volk came to represent a member of the Paulinskill Lake Association and the interests of the Paulinskill Lake Association. Ms. Chamming asked Mr. Volk if he recalled speaking with her following receipt of the December 2011 memo, and he stated he does remember speaking with her.

Mr. Vreeland spoke briefly about 2014 DOT grants for municipal aid projects. Applications are due toward the end of September. He has spoken to Brian Hendershot about roads for which he may be interested in pursuing grants. Mr. Vreeland asked the Town Committee to think about any possible roads they may want to submit applications for so there will be plenty of time to complete the applications.

Ms. Chamming asked Mr. Vreeland about the landfill and how long the Town needs to continue doing water testing. Mr. Vreeland stated it needs to be tested for 30 years and he believes it has been 10 to 15 years since closure.

#### **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:**

July 16, 2013 Regular and Executive Minutes – Carried to September 3, 2013 Meeting

#### **Reports:**

Stillwater Rescue Squad Day and Monthly Calls July 2013  
Stillwater Environmental Commission Minutes June 2013  
Stillwater Zoning Board of Adjustment Minutes June 2013  
SC Board of Health June 2013

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

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

**Resolution 2013-086: Bill List Cycle #14:** \$727,649.72

**Mr. Scott** made a **motion** to approve Bill List Cycle #14, seconded by **Mr. Fisher**.

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

#### **Amendments to the Agenda:**

#### **Discussion Item – New Ambulance – Stillwater EMS:**

**Michele Hess, Captain-Stillwater Emergency Rescue Squad**, at the request of Ms. Chamming, looked into left-over or demo models and found two demo models being built now which would be

approximately \$156,000, which is \$30,000 less than the bided ambulance. They would have no mileage and would have everything in them that is needed. They are 4x4, F450 diesels with the air ride system. The cost of installing the loading system will be incurred by the Rescue Squad. This is under the original budgeted amount of \$168,000. There was discussion about what would happen to the ambulance being replaced. There was also discussion about the need for a 4-wheel drive ambulance, the smoothness of the ride for patients, the number of calls requiring both ambulances and mutual aid calls. Ms. Chamings asked Mrs. Straway to see if any of the \$150,000 from PSE&G for emergency services could be used to purchase the ambulance. Mrs. Straway stated the purchase would be an eligible expense under the agreement and the money would become available once the shovels hit the ground. Ms. Chamings, in regard to what to do with the old ambulance, would also like to have discussion of a possible public auction of old equipment added to the next agenda. Mrs. Hess will look into the trade-in value of the old ambulance.

### **Open Public Session:**

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

**Marion Gross, 912 Stillwater Road,** for Ed Szabo, asked about the tree cutting ordinance. He wanted to know if the Committee had received it and if anything was being done about it now. Mrs. Knott stated the Committee members just received it and it will be on the agenda for discussion at the September 3<sup>rd</sup> meeting.

**Ron Volk, Paulinskill Lake Association,** inquired about the Kelly Act and the letter submitted about reimbursement for tree removal from Tropical Storm Sandy. Mr. Garofalo sent a letter to whom he believed is the Association's attorney stating there was no "showing", meaning photographs. The letter also stated if there was to be reimbursement it would be done at municipal cost. Mr. Volk learned the fire departments may have taken pictures of the area following the storm. Mrs. Knott stated she has viewed photographs on a flash drive and couldn't determine what may have been the Paulinskill area. She invited Mr. Volk to come view the photographs. Mayor Gross stated the deadline for filings is expired and if the Town hadn't filed for reimbursement by the deadline the Town would have been denied reimbursement. Mrs. Knott stated the Lake Association may be eligible for reimbursement through the Small Business Administration.

**Bill Steckowich, 907 Hardwick Road,** stated Habitat for Humanity has been working on the old Police Station and the work being done will be completed soon.

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

### **COMMITTEE REPORTS:**

**Mr. Scott:** The road department is looking at the entrance to the Recycling Center. A list has been compiled of the items the town wishes to sell. Mrs. Knott has gotten all the information from [ubid.gov](http://ubid.gov). Some roads have been oil and stoned. Hardwick Road is being discussed. Paving may be put off due to truck traffic.

**Mrs. Straway:** Stillwater School is the first school in the state to be enrolled in a pilot program of carton recycling. Grant money will be paying for the supplies the school needs. The program will begin at the start of the school year. Green Fest will be held on August 18 at the Fairview Lake YMCA Camp from 1:00-4:00 pm. There are many vendors, exhibitors and activities, including Project Trashway, planned. The Green Team has worked very hard organizing the day. Mrs. Straway encouraged people to attend.

**Mr. Fisher:** The Recreation Commission is still looking for two more members. Mrs. Knott announced Anthony Ashley and Tammy Richardson are interested and have submitted their citizen leadership forms. There have been a couple of issues at the Recycling Center involving people leaving garbage behind the dumpsters where it cannot be seen. Moving the dumpsters so there is more visibility has been discussed. Mr. Scott stated Mr. Hendershot is planning to reposition the dumpsters. Ms. Chamings asked if there would be any way to provide the workers at the Recycling Center some form of shelter for rainy days. Ms. Chamings also relayed a story of two pickup trucks, from a camp outside of Stillwater, attempting

to drop off recycling when the center was closed. Discussion followed about a lock for the gate. Mayor Gross then wanted to discuss the appointment of David Bell that had been rejected at the July meeting. He gave hourly wage numbers for a base pay recycling worker compared to calling in a DPW worker to cover at the Recycling Center when needed.

**Ms. Chammings:** At the Planning Board meeting, solar ordinance was discussed and there is an application to be heard at the next meeting. Ms. Chammings missed the Environmental Commission meeting on August 12. Mrs. Wunder updated her on what was discussed. Wendy Blanchard has been authorized to pursue a planning grant through the New Jersey Department of Agriculture Highlands Council to attempt to start a community garden/community orchard. They are also discussing updating the Recycling Ordinance. Posts have been delivered for the “No Littering” signs; fishing line receptacles in the area have been very successful; water chestnuts have been found in two areas of Swartwood Lake, have been removed by the association and will continue to be monitored; the EC will be reviewing an outdoor furnace brochure from the county; the tree ordinance will be discussed at the September 3 Township Committee meeting; and Lois Chammings was one of eight people nominated for Sussex County Senior Volunteer of the Year.

**Mayor Gross:** no report

**OLD BUSINESS:** none

**NEW BUSINESS:** none

**DISCUSSION ITEMS:**

**New Pumper – Stillwater Fire Department:** Jim Pavone, on behalf of the Stillwater Fire Department, presented a broad spec for a new tanker/pumper that can be sent to multiple vendors. The Committee will review it and it will be discussed at the September 17<sup>th</sup> meeting. Mr. Scott wanted it noted for the record that he and Mayor Gross have in no way been involved in this process to date.

**Township Employee Handbook:** The Committee has received a quote of \$1500.00 from Laddey, Clark & Ryan to update the employee handbook. Mrs. Straway would like to Committee to consider getting a quote for creating a volunteer policy in the future.

**Ms. Chammings** made a **motion** to authorize Laddey, Clark & Ryan to complete the Town’s Employee Handbook as outlined in the quote for \$1500.00, seconded by **Mr. Scott**.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Scott, yes, Mrs. Straway, yes, Mayor Gross, yes

**Harmony Hill/Stillwater Presbyterian Church 5K – September 28, 2013:** The race will be held in conjunction with the Historical Society’s Fall Festival. The runners will take a left out of the Stillwater School parking lot, turn on Maple Avenue, turn on Stone Bridge, and return to the school. They are aware they need County permission because they are using County roads. They have been working with the Sheriff’s Department and will have two officers present. If the Committee approves the race, Mrs. Knott will inform the fire departments and EMS.

**Mr. Scott** made a **motion** to approve the race with safety precautions in place and pending County approval, seconded by **Mr. Fisher**.

**Roll Call Vote:** Ms. Chammings, yes, Mr. Fisher, yes, Mr. Scott, yes, Mrs. Straway, yes, Mayor Gross, yes

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

**Kathleen Draghi, 1016 Rte 619,** pointed out to Mayor Gross that the concerns about the hiring of Mr. Bell at the Recycling Center were not fiscal, but were based on the procedure under which Mr. Bell was brought in to work without being formally hired. Discussion followed concerning wait times at the Recycling Center, hiring procedures and Township Committee communications. Mrs. Draghi also stated her belief that Wendy Blanchard will do a fantastic job for the town with the community garden/orchard.

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

There was a construction meeting at the Town Hall concerning the renovations. Mr. Fisher gave the Committee members pictures of changes to the overhang of the vestibule. If approved, the contractor can then give a bid on the changes. Ms. Chammings thought the vestibule was already included in the bid. Mr. Fisher, and other members of the Committee, stated the vestibule is separate. Mrs. Knott gave the Committee members estimates for the relocation of the computers and phone systems. It will be discussed at a future meeting. Ms. Chammings disclosed the fact that she did not look at the quote for the archive room as someone she knows may also place a bid. Discussion followed about the renovation of the archive room and the project in total.

**Attorney Report:** None

**Correspondence:** Mayors' Advisory Correspondence is available in the Correspondence Binder at the Municipal Building.

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

Respectfully submitted,

Tammy Leonard