

STILLWATER TOWNSHIP COMMITTEE MEETING

MINUTES

September 15, 2015

Regular Meeting

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7 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: Deputy Mayor Fisher, Committeewoman Chammings, Committeeman Gross, Committeewoman Straway, Mayor Scott, 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 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 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
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, 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 SEPARATELY ON THE REGULAR AGENDA.

RESOLUTIONS:

2015-096 Mayor's Acceptance of the Resignation of Josh Danesi as Alternate #2 of the Stillwater Township Environmental Commission with Committee concurrence

2015-097 Authorizing Township of Stillwater to Join Interstate Purchasing CO-OP

2015-098 Refund of Homestead Rebate 2012

MINUTES: September 1, 2015 Regular Meeting

REPORTS: Building Department – August 2015
Tax Collector – August 2015

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

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

MINUTES: August 18, 2015 Regular Meeting

Ms. Chammings made a **motion** to approve the minutes of August 18, 2015, seconded by Mrs. Straway.

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

RESOLUTION: 2015-099 Mayor's Acceptance of the Resignation of Anita Straway as Stillwater Township Committeewoman with Committee concurrence

Ms. Chamblings made a **motion** to adopt Resolution 2015-099, seconded by Mr. Gross.

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

PRESENTATION OF AWARD OF SERVICE: Committeewoman Straway

AMENDMENTS TO THE AGENDA: Resolution 2015-101; 2015-102

BILLS LIST #15 \$147,296.22

RESOLUTION 2015-100 PAYMENT OF BILLS

Mr. Fisher made a **motion** to adopt Resolution 2015-100, seconded by Mrs. Straway.

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

Open Public Session:

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

Stuart Feenstra, 920 West End Drive felt the township had failed to address the stormwater issue on his property. Mr. Fisher reported Mr. Hendershot is looking into rerouting the water to the other side of the road without affecting surrounding properties. The Township Engineer felt retention basins would not remedy the situation. Mr. Feenstra indicated he is currently addressing the matter on his own and will ask the township to assist with the cost.

Jean Marie Harris, Primrose Path asked for signs or a speed bump to be installed on her road to prevent speeding in the area. Ms. Harris paid her delinquent tax amount of \$2.50 and she complained about illegal hunting in Crandon Lakes and indicated she has reported it to Fish and Game and is concerned with proper police protection since the disbanding of the township police.

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

OLD BUSINESS

ORDINANCE 2015-011

STILLWATER TOWNSHIP ORDINANCE

ORDINANCE #2015-011

**AN ORDINANCE AMENDING SECTION 370-7 OF THE CODE
OF THE TOWNSHIP OF STILLWATER ENTITLED "PARKING PROHIBITED
AT ALL TIMES ON CERTAIN STREETS" BY PROVIDING FOR
NO PARKING ON SECTIONS OF MIDDLEVILLE
AND STILLWATER ROADS**

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

SECTION 1

Section 370-7 "Parking Prohibited at All Times on Certain Streets" is hereby amended to provide for no parking on Middleville Road and Stillwater Road as follows:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Middleville Road	Both	From the intersection of Middleville Road with Stillwater Road in the Township of Stillwater to a point 1,000 feet west thereof
Stillwater Road	Both	From the intersection of Stillwater Road with Middleville Road in the Township of Stillwater to a point 1,000 feet north thereof.

SECTION 2

All other no parking provisions of Section 370-7 shall remain in full force and effect.

SECTION 3 This law shall take effect upon passage and publication as required by law.

Ms. Chamblings made a **motion** to open the meeting for public comment on Ordinance 2015-011, seconded by Mr. Fisher.

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

Deb D'Andrea, 902 Middleville Road provided a letter from her attorney requesting an adjournment of the ordinance so that she can obtain additional information including comparing similar ordinances, a traffic

study justifying a parking ban such as this and a proper survey. She felt the parking ban only affected her property while there are several dangerous parking locations in the township. She described the wide shoulder along Stillwater Road that she feels would be appropriate for parking, approximately 75 feet from the stop sign at the intersection and continuing 200 feet along her property. She would like to use this area for visiting family and other guests. This area could accommodate 8-10 cars and she asked the Committee to consider this option as the parking area on her property is limited and floods. Photographs of the shoulder were provided. Mr. Stein noted State statute prohibits parking within 50 feet of any intersection in all directions. Ms. D'Andrea also expressed concern with speeding on Middleville Road. She felt the proposed ordinance was unfair and targeted. Ms. Chammings reported that she had driven several township roads conducting an informal survey noting parking along the shoulder on the following roads: Stillwater, Middleville, Mt. Benevolence, Mt. Holly, Potters and Saddleback. She agreed with Ms. D'Andrea's request and valid concerns and felt it should be considered. Mr. Fisher commented that he observed vehicles actually parking on the pavement at the last event Ms. D'Andrea held and was almost forced off the road by oncoming traffic.

Denise Current, 955 Fairview Lake Road understood the issue transpired based on parking for the events and she respected what Ms. D'Andrea has presented. She felt one property was being targeted and it was unfair. She suggested more communication with a property owner when such an issue arises to avoid attorney fees and she felt if there were township police, matters such as this would have been identified.

Erin Sherll, 268 Newton Swartswood Road supported Ms. D'Andrea's request and felt her property was being targeted. Mrs. Straway noted the development of the ordinance was based on the recommendation of the Township Engineer. She felt clarification was needed between daily and event parking.

Jim Ezzi, 941 Old Schoolhouse Road felt there was confusion between event and daily parking and he was in favor of a compromise.

Diane Apostola, 916 Five Points Lane stated it is a dangerous road to begin with and during one of the events vehicles were parked in areas she felt were unsafe. She questioned the penalty for those parking where prohibited.

Karen White, Blairstown asked if the ordinance indicated parking would be during events only. Ms. D'Andrea is community-minded, has committed to fundraising for the Recreation Commission and is an asset to the community.

There being no one further from the public wishing to speak, Ms. Chammings made a **motion** to close the meeting to the public, seconded by Mr. Fisher.

Roll Call Vote: Ms. Chammings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes. Ms. Chammings made a **motion** to adopt Ordinance 2015-011, seconded by Mr. Fisher.

Roll Call Vote: Ms. Chammings, no, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, no, Mayor Scott, no. Mayor Scott made a **motion** to investigate dangerous intersections in the township, seconded by Mr. Fisher.

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

ORDINANCE 2015-012

ORDINANCE 2015-012

AN ORDINANCE PROVIDING FOR THE ADOPTION OF THE TOWNSHIP OF STILLWATER PURCHASING MANUAL, AND AS MAY BE FURTHER REVISED BY RESOLUTION

WHEREAS, it is the policy of the Township of Stillwater to strictly comply with the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. in all actions for the procurement of goods and services for the Township and its public agencies; and

WHEREAS, the Township of Stillwater may adopt a Purchasing Manual to provide guidance to all municipal employees and agencies to comply with the Local Public Contracts Law in the procurement process; and

WHEREAS, the Township Committee of Stillwater has determined that adoption of a Purchasing Manual is in the best interests of the Township and ensures that all municipal employees and agencies act in a consistent manner in the procurement process in conformance with the Local Public Contracts Law and the administrative regulations adopted thereunder; and

WHEREAS, the Township has drafted a Purchasing Manual last revised August 2015;

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

1. The Township of Stillwater Purchasing Manual, last revised August 2015, is hereby adopted.

2. The policies and procedures of the Purchasing Manual shall apply to all Township officials, appointees, employees, and volunteers. In the event there is a conflict between the Purchasing Manual and any contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.
3. The provisions of the Purchasing Manual may be amended and supplemented from time to time without notice and at the sole discretion of the Committee, which amendments and supplements shall be effective via Resolution of the Township Committee.

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.

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.

Effective Date. This ordinance shall take effect upon passage and publication as required by law.

Mrs. Straway made a **motion** to open the meeting for public comment on Ordinance 2015-012, seconded by Mr. Fisher.

Roll Call Vote: Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes
There being no one from the public wishing to speak, this portion of the meeting was closed.

Mrs. Straway made a **motion** to adopt Ordinance 2015-012, seconded by Mr. Fisher.

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

NEW BUSINESS

DPW Position:

Mr. Fisher made a **motion** to appoint Brandon Morgan to the DPW position, probationary, seconded by Mrs. Straway, pending Civil Service approval.

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

ORDINANCE 2015-013

CAPITAL ORDINANCE APPROPRIATING \$13,769 FOR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY (Public Hearing/Adoption – October 6, 2015)

Mayor Scott made a **motion** to introduce Ordinance 2015-013, seconded by Mrs. Straway.

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

DISCUSSION ITEMS:

COAH – Consent Order Granting a Temporary Period of Immunity: Mr. Stein provided a brief update on the process to this point.

Funding of the proposed pavilion at Veteran’s Memorial Park: Mr. Fisher reported the Recreation Commission has plans for a jungle gym, accessing parking behind Zweig’s, electric service to the park and other improvements as well as future plans for a pavilion using open space funding for the projects.

Ms. Chamblings would like to see a plan on how the funding would be used.

Planning/ZBA or Land Use Board: This item was tabled until the October 6th meeting.

Antenna Replacement Project: Ms. Knott explained the antenna is located on federal land in Walpack, State Police Hill 1606 and is used by Stillwater for 9-1-1 dispatch. Mr. Ashley stated it would improve communication with the County. Quotes were reviewed by the Committee and Ms. Chamblings questioned if it would be necessary to replace the antenna in Walpack if the cell tower on Fairview Lake Road could be utilized and possibly improve the communication. Mr. Ashley indicated the antennas would still have to be installed to replace existing ones. Ms. Chamblings questioned if the communication issues would be resolved by their installation and suggested co-locating on the PSE&G towers. Ms. Knott recommended having Mr. Pfunke, who provided the specifications, appear before the Committee for clarification.

Joint Churches 5K Run/Historical Society Fall Festival Parade – October 10, 2015:

Debra Drum, Co-Chair of the festival asked the Committee for approval to hold a parade extending from the bridge on Main Street to the Stillwater School. Ms. Drum invited the township to have a table at the event and noted only birch beer would be sold. Mayor Scott made a **motion** to approve the Historical Society parade and Joint Churches 5K Run, pending County approval, with appropriate safety procedures, seconded by Mrs. Straway.

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

The Clerk will forward a letter of approval to the County.

Funding of a New Pumper: Dana Mooney, CFO

A plan was provided to the Committee outlining the financing for the new tanker. Ms. Mooney reviewed the plan and discussed outstanding debt and paying it down. She explained the amount to be bonded (\$300,000), the 5% down payment and the remainder through reserve funding for emergency vehicles.

At this point, a five-minute recess was taken by the Committee.

Eric VanderHaeghen, Lt. Stillwater Fire Department addressed Mrs. Straway's concerns with the funding of the new tanker. He noted the department cut costs of up to \$30,000 but the cost will continue to increase with time. Mrs. Straway expressed concern with the overall debt and long term planning.

Jim Pavone, Asst. Chief, Stillwater Fire Department discussed a prior truck purchase that was delayed for three years pending Committee approval and when it was finally purchased the cost was \$100,000 more. He spoke about the aging fire trucks and the need for a replacement schedule.

EMS Protective Gear Purchase: Pat Bodensieck, EMS Captain

Mr. Bodensieck apologized for not following the proper procedure when making a recent purchase. He provided a background on the purchase and his attendance at the budget meeting where he provided a quote from Firefighter One and it was approved through the budget for 15 sets of gear. Firefighter One is a local vendor and is also used by both fire companies. The proper guidelines for the purchase were never brought to his attention until after the purchase was made and he felt it should have been explained to him at the budget meeting. He is new, there was no transition phase to prepare him and lines of communication were never established. He felt the issue could have been addressed through the Committee liaison. Mr. Bodensieck agreed that he now understood the process and the need for quotes. Ms. Knott noted the Purchasing Manual will be a helpful tool for future purchases. Ms. Mooney clarified a few issues and explained the need for quotes and a requisition regardless of funding availability in the budget, as well as State contract pricing.

Hazard Mitigation Plan Actions:

Ms. Knott explained the County is requiring municipalities to provide hazard mitigation actions. Each department, boards/commissions and emergency services were provided with the County PowerPoint presentation packet and were asked for their input and recommendations. Community outreach is an action they are looking to enhance.

Resolution 2015-101: Housing Rehabilitation Mortgage for Lot 45.01, Block 2301

Mrs. Straway made a **motion** to adopt Resolution 2015-101, seconded by Mr. Gross.

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

Resolution 2015-102: Liquor License Renewal – Main Street Liquors, LLC

Mr. Fisher made a **motion** to adopt Resolution 2015-102, seconded by Mrs. Straway.

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

Open Public Session:

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

Ed Szabo, 978 Route 521 announced there is a new business in Stillwater – Twisted Limb Hard Cider Company. It is the only one of its kind in the State and they will be a guest speaker at the Stillwater Taxpayers Association meeting on Thursday, September 17th.

Lou Sylvester, 945 Old Schoolhouse Road wished Mrs. Straway luck and thanked her for her service to the community. Mr. Sylvester stated he had proposed parking lot improvements to Veteran's Memorial Park (VMP) at the August 18th Committee meeting using volunteers to apply millings with tar and stone to seal it, and he provided estimates to do so. He has also been attending the Recreation Commission meetings for a year with the same proposal and felt there was a parking liability issue. Mr. Sylvester explained the tar and stone could be done for \$5,000-\$6,000 and the whole parking area can be improved for \$8,000 using open space funding. Mr. Sylvester has encouraged the Recreation Commission to develop a capital plan for the improvements they have planned.

Mrs. Straway suggested having the CFO appear before each commission and board to explain the importance of a plan and how funding is put into place. Mrs. Straway addressed parking liability, noting no one should be parking on private property and no children should be running around the parking lot either.

Mr. Sylvester suggested having the Township Engineer walk the property to make recommendations and draft a sketch of the proposed parking area. He asked the Committee to consider and support the project, and to plan and act on it. He will attend the Recreation Commission meeting on September 21st. Mr. Fisher

stated the Recreation Commission is currently working on a plan and prioritizing projects. Ms. Chamblings felt paving from the bridge to the parking lot and from the bridge to the existing pavement, and a pavilion with electric should be priority items.

Dave Manser, 993 Stillwater Road thanked and commended Mrs. Straway for her service. He agreed that paving to the bridge at VMP should be done as soon as possible and there is a need to categorize projects according to priority. He has received several complaints regarding the access to and from the bridge. He is in favor of a pavilion at VMP and asked for the procedure to initiate the project. Mayor Scott stated the Recreation Commission needs to draft a plan (project details, pricing, quotes, etc.), communicate with the CFO and provide the information to the liaison to present to the Township Committee based on their recommendation.

Mr. Manser suggested the township contact the Sheriff's Department regarding speeding complaints in the township.

Diane Apostola, 916 Five Points Lane reminded the Committee funding may be needed for the gypsy moths in the future. She thanked Mrs. Straway for her service.

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

Attorney Report: No report.

Mayor Scott thanked and commended Mrs. Straway for her five years of service on the Committee.

Mrs. Straway made a **motion** to suspend the Township Committee meeting to enter into the Board of Health meeting, seconded by Mr. Fisher.

Roll Call Vote: Ms. Chamblings, yes, Mr. Fisher, yes, Mr. Gross, yes, Mrs. Straway, yes, Mayor Scott, yes
Mrs. Straway made a **motion** to resume the Township Committee meeting, seconded by Mr. Fisher.

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

EXECUTIVE SESSION:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Ms. Chamblings, seconded by Mrs. Straway and carried by roll call vote, Mr. Gross being absent, to adopt the resolution permitting the Committee to go into Executive Session at 10:10 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
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 10:34 p.m., unanimously carried by roll call vote, Mr. Gross being absent.

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

Respectfully submitted,

Kathy Wunder