

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**September 20, 2016**  
**Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Fisher 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: Committeeman Gross, Committeewoman Chamings, Committeeman Morrison, Deputy Mayor Scott, 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. Gross and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:09 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 Mr. Scott, seconded by Mr. Gross to conclude the Executive Session at 6:46 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 SEPARATELY ON THE REGULAR AGENDA.**

**MINUTES:**

Regular Minutes of July 19, 2016

Regular and Executive Minutes of August 16, 2016

Regular Minutes of September 6, 2016

**RESOLUTIONS:**

2016-106 Authorizing Payment of Redemption – Block 3501, Lot 20.03

2016-107 Approving Settlement with Fair Share Housing Center and Authorizing the Township Attorney to Negotiate and Finalize the Language of a Settlement Agreement and Authorizing and Directing the Mayor and Municipal Clerk to Execute the Final Form of Settlement Agreement

**REPORTS:**

Convenience Center – August 2016

Building Department – August 2016

Tax Collector – August 2016

Mr. Scott made a **motion** to approve the Consent Agenda, removing the September 6, 2016 Regular Minutes for separate consideration, seconded by Mr. Morrison.

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

Ms. Chammings made a **motion** to approve the minutes of 9/6/16, seconded by Mr. Gross.

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

#### **BILLS LIST #14 \$73,298.52**

#### **RESOLUTION 2016-108 PAYMENT OF BILLS**

Mr. Scott made a **motion** to adopt Resolution 2016-108, seconded by Mr. Morrison.

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

#### **AMENDMENTS TO THE AGENDA:**

Add Under Discussion:

- Kubota - \$30,000 Bond
- Planning Board Fee Waiver – Hyrhor
- Engineer – Town Hall
- Spring Clean-Up Town Hall

#### **Open Public Session:**

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

**Kathy Fobes-Jacoby, 964 Mt. Holly Road**, member of the Environmental Commission, met with Scott Sherwood at the Camp Towadena property to view the invasive Barberry issue. Mr. Sherwood has offered to apply a fifty percent Round-Up solution to the Barberry once it has been trimmed back. It appears to be mostly confined to the area along the roadway. Environmental members and Mr. Sherwood will meet at the property on Monday to address the matter.

Ms. Fobes-Jacoby asked if it would be possible to hold another shredding event. Ms. Knott will contact the CFO regarding funding.

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

#### **COMMITTEE REPORTS:**

**Mr. Scott** reported the Planning Board will meet on Wednesday, September 21, 2016.

Mr. Scott made a **motion** authorizing the landing of the Atlantic One helicopter at Stillwater School for Fire Prevention (Stillwater Volunteer Fire Department) on October 7, 2016, seconded by Mr. Fisher.

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

A letter of approval will be forwarded to the fire department.

**Mr. Gross** reviewed the Stillwater Fire Department calls for July, August and September.

**Mr. Morrison** reported, with respect to risk management, that all employees, board and commission members, township officials, etc. will have to complete a mandatory form with their driving information.

**Ms. Chammings** reported the Environmental Commission reviewed black bear harvest and animal waste management information, which she provided to the Clerk. Nathaniel Sajdak has offered to speak with property owners regarding the animal waste management.

A draft of the sign to be placed on the shed at Veteran's Memorial Park was provided and reviewed by the Committee. The Zoning Officer has approved the sign. Ms. Knott stated the Environmental Commission has requested to fund the sign through the Recycling Trust. Ms. Chammings made a **motion** authorizing the funding for the sign to be appropriated from the Recycling Trust, not to exceed \$300, seconded by Mr. Scott.

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

Ms. Fobes- Jacoby is moving forward with the Sustainable Jersey bronze certification process.

Ms. Chammings reported that Cindy Randazzo is no longer working for the NJDEP. A thank you was forwarded to Ms. Randazzo by the Clerk as she was very helpful when assisting the township over the years.

Ms. Chammings asked for a copy of the Convenience Center report to be provided to the Environmental Commission each month.

**Mr. Scott** reported on the DPW capital request for a tractor. The Committee reviewed the tractor request and discussed its uses and specifications.

Following discussion, Mr. Scott made a **motion** authorizing the drafting of a bond ordinance for the tractor (\$30,000) to be introduced at the October 4, 2016 Committee meeting, seconded by Mr. Fisher.

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

**Mr. Fisher** reported on the new location of the pavilion at VMP. The Recreation Commission suggested moving it approximately three feet further from the pavement so emergency vehicles would not hit the overhang if they needed to access the park.

Mr. Fisher referred to the Stillwater Municipal Display from the County Fair and noted there were two winners who correctly guessed the location depicted (waterfalls behind Old Tannery Road) – Alex Roney and Tara Douglas will each receive a township blanket.

Tammy Ashley is currently acting as the Recreation Commission Secretary. The position will be advertised. Mr. Fisher made a **motion** appointing Tammy Ashley at the current rate, from the date of resignation by Ms. Hess until the position has been filled, seconded by Mr. Scott.

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

Mr. Fisher indicated the Recreation Commission did not get a chance to discuss the new member application that was submitted.

### **OLD BUSINESS:**

#### **Request from the Finance Clerk and Tax Collector for Mileage Reimbursement:**

The request was reviewed and Mr. Scott made a **motion** authorizing mileage reimbursement to the Finance Clerk and Tax Collector for their travel for bank deposits, to be paid quarterly and effective as of September 21, 2016, seconded by Ms. Chammings.

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

#### **Howard Vex Invoice dated June 30, 2016:**

A member of the public had questioned the bill from Mr. Vex for 3.5 hours at a cost of \$525.00, and inquired who had communicated with Mr. Vex resulting in the fee. A portion of the bill can be accounted for but there are two matters that cannot. Committee members indicated they had not contacted Mr. Vex. Mr. Scott suggested sending a notice to all department heads/employees informing them that authorization must be obtained prior to contacting a township professional. Mr. Stein noted he has been contacted by department heads regarding several issues and felt they should be able to contact him directly as it could be disruptive to business not to.

The Clerk will contact Mr. Vex to inquire who called him on June 3<sup>rd</sup> and June 17<sup>th</sup>.

#### **Propane Heater for End Bay at Town Hall:**

The Committee reviewed the quotes received: JK Service \$3,262.71; Willco \$4,900

Following review, Mr. Scott made a **motion** to hire JK Service to install the propane heater in the end bay at a cost of \$3,262.71, seconded by Mr. Gross. Ms. Knott explained the heater will be piped to the

existing tank. Mr. Morrison asked for the propane to be delivered on a monthly basis to guarantee continued building operations especially during a power outage.

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

**Land Donation – Cartabona to Stillwater Township:**

Mr. Stein provided a letter on the property title search and indicated the following items need to be addressed:

- Preparation of the deed
- Affidavit of Title
- Git/Rep
- Affidavit of Consideration

Taxes must be current as a condition of acceptance.

Mr. Fisher, made a **motion** authorizing Mr. Stein to forward the documentation to the Cartabonas for execution, seconded by Mr. Scott.

**Roll Call Vote:** Mr. Gross, yes, Mr. Morrison, no, Mr. Scott, yes, Ms. Chammings, no, Mayor Fisher, no  
The motion failed and the property will not be accepted.

**Bi-weekly Pay Schedule:**

Ms. Mooney has asked for a Committee decision regarding the pay schedule for December 2016. Following discussion, Mr. Morrison made a **motion** to issue three paychecks to hourly employees in December 2016, each divided into one-third of their remaining pay for the year, as recommended by the CFO, seconded by Mr. Scott.

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

**NEW BUSINESS:**

**ORDINANCE 2016-013 AMENDING ORDINANCE 2016-006 FIXING THE SALARY AND WAGES FOR TOWNSHIP EMPLOYEES AND OFFICIALS (Public Hearing and Adoption – October 4, 2016)**

Mr. Scott made a **motion** to introduce Ordinance 2016-013, seconded by Ms. Chammings.

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

**DISCUSSION ITEMS:**

**Request for No Bear Hunt in Stillwater Township:**

This item was a result of information provided by resident Jerome Mandel at the last meeting. Mr. Stein stated there is a long standing ordinance in Stillwater prohibiting hunting in public parks. There is no prohibition for hunting on public land otherwise owned by the township as long as it is in accordance with the State law. Any property owned or controlled by the State of New Jersey falls under their regulation.

**Replacement of Oil-Fired Unit Heater in EMS Building:**

Willco serviced the HVAC in the Municipal and EMS buildings and discovered the heat exchanger in the EMS heater is cracked and leaking in several locations. They recommended replacing the unit and provided a quote of \$6,500. Ms. Knott will obtain additional quotes for review at the next meeting.

**Old Schoolhouse Road Resurfacing and Drainage Project:**

Ms. Knott explained the calculations for the asphalt were incorrect and approximately double the original amount will be necessary. The \$56,000 in additional funding is available under PSE&G. Mr. Morrison expressed concern with the error that was made and questioned the accountability of the contractor. Mr. Stein explained this situation can occur when it is a co-op bid and is determined by unit price based on square footage rather than a lump sum.

**Hryhor – Planning Board Fee Waiver:**

Mr. Morrison made a **motion** permitting the Planning Board to waive the application fee of \$200.00, seconded by Mr. Gross.

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

**Engineer – Town Hall:**

Mr. Morrison reported the structural vertical beams at the garage bay end of the town hall are in poor condition. They are a major structural component of the building and he asked for quotes to be obtained for an engineer to evaluate the matter. Ms. Knott will follow-up.

**Town Hall – Fall Clean – Up:**

Mr. Morrison asked for a memo to be sent to the DPW requesting they schedule time to clean up the exterior of the town hall building. The property is in need of power washing and weed-whacking; an overall clean up. Mr. Scott will contact the DPW to do so.

**Parking Lot:** Ms. Knott reported that Mr. Vreeland is currently completing COAH and will provide information on the parking lot project once the work on the COAH matter has concluded.

**Sale of Tax Certificate to Adjacent Property Owners:**

Mr. Stein explained the statute allows for the private assignment of a tax sale certificate providing the person seeking the assignment pays the full amount to redeem the certificate. Mr. Stein reviewed the assignment process, noting it is the responsibility of the assignee to do an in-personam foreclosure of the certificate.

Ms. Chamblings made a **motion** authorizing the Municipal Clerk and Municipal Attorney to move forward with the assignment of the tax sale certificate, seconded by Mr. Morrison.

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

**Reduction of Speed Limit and/or Signage Preventing Automobile Accidents Near 1040 Mt.**

**Benevolence Road:**

Ms. Knott reported a resident contacted her regarding a speeding issue on Mt. Benevolence Road in the area of his property located at 1040 Mt. Benevolence Road. There have been several accidents where cars have landed on his property. Ms. Knott will contact Mr. Vreeland to review the matter.

Ms. Chamblings suggested drafting a list of township roads the Committee considered unsafe and ask Mr. Vreeland to submit a proposal to conduct an overall study. Funding could be appropriated in the 2017 budget. The Committee will compose a list for the next meeting.

Mr. Morrison asked for the State Police and Sheriff Strada to be contacted informing them of the situation and asking for an increased presence and speed sign.

**Budget Time:**

Ms. Knott reported the 2017 budget worksheet packets have been distributed by the CFO and are due back by October 28<sup>th</sup>. Anyone needing to meet with her should leave a message at town hall.

### **Attorney Report:**

Mr. Stein referred to a letter received from the Stillwater Water District expressing interest in purchasing township lots for the purpose of installing new wells. Mr. Stein reviewed the matter to see if it could be completed through a private sale to the water company however, there is no provision to do so. The property would have to be placed for sale and advertised. The Tax Assessor is currently working on a minimum price and the land would have to be offered to adjoining property owners and would be building restricted. Ms. Knott will inform the water company of the procedure for the public sale.

### **Open Public Session:**

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

**Diane Apostola, 916 Five Points Lane**, attended the 911 Ceremony held at Veteran's Memorial Park. She noted there is no plaque or symbol for 911 and she asked the Committee to look into doing so. Ms. Apostola asked the Committee to follow-up on the Chief's vehicle and the generator from the Swartswood Fire Department.

**Rebecca Dey, 907 Marigold Way** indicated that the lily pads at Lower Crandon Lake died following treatment but have since returned. Ms. Knott explained oxygen levels must be monitored at the lake before another treatment so as not to affect the fish.

Ms. Dey asked if the Committee has considered addressing the lack of an additional access to the Lower Crandon Lake community as there is currently only one. Mr. Morrison will look into the matter over the weekend.

**Rachel Gullette, 1014 Route 619, Recreation Commission (RC)** invited those interested or having questions to attend the Recreation Commission meetings. She referred to the salary of the RC Secretary, noting in comparison to the other board secretaries it is much lower. She would like to see the salary increased during budget time to be in line with the workload as well as other salaries. There are many events through the year that are coordinated by the secretary and require a lot of work and time.

**Jerome Mandel, 928 Duck Pond Road** attended a previous Committee meeting providing information on the bear hunt and requesting the Committee to consider closing all township-owned property to bear hunting. He stated the original issue was nuisance bears; an issue that could be eliminated by using bear resistant garbage cans. The matter has since evolved into a sport rather than just addressing a nuisance. Mr. Stein explained the township has a very restrictive ordinance in place prohibiting all hunting and fishing on township park property. The Committee felt other township owned lands were not an appropriate size to hunt on.

Mr. Mandel thanked them for their time and consideration.

**Marion Gross, 912 Stillwater Road** described her experience running into a bear on her property.

**Justin Francomacaro, Stillwater Fire Chief** asked if the garage bay could be cleaned out so the fire department could start moving their equipment over. He asked for the hanging wires and holes in the sheetrock to be addressed. Lighting is also an issue inside and outside of the bay. He asked for the generator to be hooked up to the garage doors as there is no secondary opening system. There are also no edge or laser protectors for the doors which he believed is a PEOSH requirement.

Mr. Francomacaro reported the fire truck will likely be here before the end of the year; and the fire department has gone into a co-op with Hampton and Fredon for daytime high risk calls. From 5 a.m. to 5 p.m. there will be automatic mutual aid.

The Committee asked Mr. Francomacaro to have all motor vehicle authorizations submitted by the end of October.

**Lee Hammond, 904 Maple Lane** asked for clarification on the ordinance regarding no hunting or fishing in township parks, noting the fishing at Veteran's Memorial Park. Mr. Stein stated the Committee may want to revisit the ordinance.

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

There being no further business, Mr. Gross made a **motion** to adjourn the meeting, seconded by Mr. Fisher.

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

Respectfully submitted,

Kathy Wunder