

**STILLWATER TOWNSHIP COMMITTEE MEETING**  
**MINUTES**  
**December 4, 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, Acting Municipal Clerk Lynda Knott, and Attorney Larry Cohen.

**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 unanimously carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:02 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 – John Koza, Charles O’Connor, Walter Van Kirk; Contracts – Attorney; Auditor; Negotiations – DPW; Real Property – Court House
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. Fisher to conclude the Executive Session at 7:05 p.m., unanimously carried by roll call vote.

**PRESENTATION:** Mayor Scott presented service awards to the Stillwater and Swartswood Volunteer Fire Departments, expressing appreciation and thanking them for their service during the recent storm.

**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.**

**Resolutions:**

**2012-107** Mayor’s Acceptance of Resignation of Maureen Block as Stillwater Recreation Commission Secretary with Committee Concurrence

**2012-108** Allocation of \$4,362.00 to the Stillwater Municipal Alliance for the Provision of Substance Abuse Prevention Program and Authorization for the Freeholder Director and the Clerk to Execute the Agreement

**Minutes:** Regular Session Minutes: October 2, October 16 and November 20, 2012

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

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

**Bill List Cycle #22:** \$488,730.90

Mr. Gross made a **motion** to approve Bill List Cycle #22, seconded by Mrs. Straway.

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

**AMENDMENTS TO THE AGENDA:** Under New Business: Discussion – Project Self-Sufficiency  
“Enough Abuse Campaign”

**Open Public Session (Agenda Items Only):**

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

**Kathy Draghi, 1016 Route 619** asked why the breakdown of the bill list was not included with the agenda.

Ms. Knott apologized noting it was an oversight. She would provide a copy to anyone interested.

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

**Committee Reports:**

**Mr. Gross:** The Zoning Board will meet on Monday, December 17, 2012 at the Stillwater School to address the court order for the Nextel of NY/JCP&L application. The decision of the Zoning Board was overturned by the court and they are ordered to provide approval.

**Mrs. Straway:** A municipal Facebook page is currently under construction. A County-wide discussion regarding JCP&L will be held on December 12, 2012 at the Sussex County League of Municipalities meeting. Mrs. Straway reported the County inspected the bridge in Swartswood to address the accumulating debris. In response to questioning by Ms. Chamblings, Mrs. Straway stated a hydrology study was conducted by the County, although she was not sure if it was prior to or following the repairs.

Mrs. Straway reported on the last Board of Education meeting stating the teachers have agreed to give back two vacation days to make up for the days lost during the storm. A discussion was held on budgeting for upcoming mandated technology updates. Also discussed were anticipated decreases in State aid.

**Ms. Chamblings** SLAP was at Veteran’s Memorial Park (VMP) on 11/19/12 and 11/20/12 to clear and edge the walking trail, rake the fields and weed around the pond. She noted they do a great job and save the township money. Ms. Chamblings attended the Sussex County Economic Development Partnership in Recognition of Mayors on 11/29/12, which included a slideshow presentation on each municipality’s accomplishments.

Ms. Chamblings reported the church has submitted a list of 13 questions regarding the courthouse that Mr. Vex will review. She asked about winterizing the courthouse building and Ms. Knott indicated Mr. Hendershot is handling the matter. Mayor Scott will follow-up.

The Planning Board will be meeting on 12/5/12 regarding Ordinance 2012-008 which will be addressed at tonight’s meeting.

**Mr. Fisher:** The Recreation Commission held their meeting on 12/3/12 and asked the secretary to consider staying on which she declined. The tree lighting will be held on Sunday, 12/16/12 at 7 p.m. at the Swartswood Fire Department. The purchase of four sets of bleachers for VMP was also discussed.

**Mayor Scott:** A FEMA meeting was held on 12/3/12 and there is a possibility the township can obtain a generator through FEMA 404 mitigation funding. Ms. Knott noted the process was much less complicated this time than last year. All parties (fire departments, DPW, EMS) were present at the meeting and most of the necessary information was obtained at that time.

**OLD BUSINESS**

**DISCUSSION:**

**Application to Preserve Farmland – Block 3302, Lot 20: Letter received from the Agricultural Development Committee**

Mrs. Straway explained the property is located off of Stonebridge Road and she felt it was not a developable parcel due to water issues and lack of access.. She recommended not supporting the property for farmland preservation and indicating such in writing to the Agricultural Development Committee. Mr. Fisher suggested including the fact that there are two streams located on the property as well as wetlands and no

road access. Mrs. Straway stated the Tax Assessor could provide GIS mapping for the land which could be included with the letter, as well as the amount of land currently preserved in the township and that preservation of this property would not be beneficial to Stillwater. Ms. Chamblings noted there was a property preserved last year that also could not be accessed from Stillwater although a portion of it was located in the township. Mrs. Straway stated the purpose of preservation was to protect pristine land against development and this lot is not a pristine piece of property.

Mrs. Straway made a **motion** to forward a letter to the Agricultural Development Committee indicating the township is not in support of the preservation of Block 3302, Lot 20, including the reasons why and also including a GIS mapping of the property, seconded by Mr. Fisher.

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

Ms. Chamblings explained she abstained from the vote as she did not know the total acreage of the portion of the property that is located in Stillwater.

#### **Jack Branagan – Request for Deer Removal Contract for 2013:**

Mayor Scott asked if a certificate of insurance was submitted by Mr. Branagan. The Clerk will ask Mr. Branagan to do so. This item will be reviewed once the insurance is submitted and it will be added to the next agenda for discussion. Mr. Gross noted Space Farms has also provided a contract for 2013.

#### **Generator for the Municipal Building:**

Mrs. Straway reported the township has acquired a Lowe's account and there is a 5% discount for municipalities. Lowe's under State contract and she has obtained quotes and brand specific information. The most positive feedback was received on Generac. Ms. Chamblings expressed concern with the Generac generator from Lowe's as it is not truly a Generac, it simply has the name and is produced for Lowes. She noted most generators sold by Lowe's are not commercial grade. Ms. Chamblings reviewed the quotes and stated there is no comparison between a 20KW continuous basic unit and an extra heavy duty commercial unit. She was concerned with circuit protection and the computer system. Ms. Knott explained the Electrical Inspector has indicated the electric would be sufficient. Ms. Chamblings compared the quotes with Atlantic Detroit Diesel, a State contract company, for a 30KW propane generator. Mrs. Straway indicated the Electrical Inspector agreed to review the specifications prior to the purchase of a generator. Ms. Chamblings was concerned with not being informed of the FEMA meeting. Ms. Knott explained the meeting was formed at the last minute after being notified by FEMA that they were in the area. Mayor Scott suggested Ms. Chamblings conduct research and provide a report at the 12/18/12 meeting.

#### **Prtorich – 922 Fairview Lake Lane – Snow Removal:**

Mrs. Straway provided a background on the matter. Ms. Prtorich is concerned with the maintenance and plowing of her road, Fairview Lake Lane. Mayor Scott explained the point at which the township plows the road to, stating the remainder of the lane is private and as such is privately maintained by the four families that reside there. The Mayor asked the Clerk to forward a letter to Ms. Prtorich indicating the road is private and is not maintained by the township.

#### **Construction Official – Change in Hours:**

Mr. Fisher made a **motion** to approve a change in hours for the Construction Official to four hours on Tuesday and four hours on Thursday, remaining a total of 8 hours, seconded by Mr. Gross.

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

#### **ORDINANCE 2012-008 for Public Hearing and Adoption**

##### **Ordinance To Amend and Supplement the Land Development Chapter of the Stillwater Township Code to Amend the Requirements for Barns and Silos**

Mr. Fisher made a **motion** to open Ordinance 2012-008 for public comment, seconded by Mr. Gross.

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

There being no public comment on Ordinance 2012-008, this portion of the meeting was closed.  
Mr. Fisher made a **motion** to adopt Ordinance 2012-008, seconded by Mr. Gross.

**STILLWATER TOWNSHIP  
COUNTY OF SUSSEX  
ORDINANCE 2012-008**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE LAND DEVELOPMENT CHAPTER OF THE STILLWATER TOWNSHIP CODE TO AMEND THE REQUIREMENTS FOR BARN AND SILOS.**

BE IT ORDAINED by the Township Committee of the Township of Stillwater that Chapter 240 of the Stillwater Township Code is hereby amended as follows:

SECTION 1. Section 240-104G(9) is hereby amended to read as follows:

“(9) Principal structures in residential districts shall not exceed 35 feet in height. Accessory buildings in residential districts shall not exceed 15 feet in height and may not exceed 1,000 square feet in floor area. Agricultural buildings, where land is under Farmland Assessment shall not exceed 35 feet in height. Accessory buildings shall be limited to a maximum of four such buildings per lot. Swimming pools are not considered accessory structures for purposes of calculation of lot coverage.

SECTION 2. Section 240-113B is hereby amended to add a new section:

240-113B(7). Agricultural buildings on land that is under Farmland Assessment shall not exceed 35 feet in height.

SECTION 3. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason by any Court of competent jurisdiction, such provision(s) shall be deemed severable and the remaining portions of this Ordinance shall remain in full force and effect.

SECTION 4. All ordinances or part of ordinances or resolutions that are inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION 5. This Ordinance shall take effect after the publication and passage according to law.

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

**NEW BUSINESS**

**DISCUSSION:**

**Project Self Sufficiency (PSS):** Enough Abuse Campaign

Mrs. Straway provided a background on the matter. The Enough Abuse Campaign is a Sussex/Warren program to prevent child sexual abuse. There are three implementation sites in the State and three main goals: 1) Increase awareness, 2) To provide training and education and 3) To create a policy to prevent child sexual abuse. PSS is asking Stillwater to participate in the campaign and show support in our community.

Mrs. Straway made a **motion** to sign on to the Enough Abuse Campaign, seconded by Mr. Fisher.

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

**ORDINANCE 2012-009 for Introduction (Public Hearing – December 18, 2012)**

Ordinance To Amend and Supplement the Land Development Chapter of the Stillwater Township Code to Amend the Permitted Uses and Regulations for the RC Recreation/Conservation District

Ms. Chamblings made a **motion** to introduce Ordinance 2012-009, seconded by Mr. Fisher.

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

Ms. Chamblings commended Planning Board secretary Alfia Schemm for maintaining the meeting schedule for the ordinance. She reported the Planning Board approved an amendment to the Master Plan as well as Ordinance 2012-009. Ms. Chamblings briefly reviewed the new zoning map and noted the preserved properties and open space.

Ms. Knott noted the Master Plan amendment and Ordinance 2012-009 would be placed on the website for public review.

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

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

**Attorney Report:** No report.

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

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

Respectfully submitted,

Kathy Wunder