

**STILLWATER TOWNSHIP COMMITTEE MEETING
MINUTES**

**October 3, 2017
Regular Meeting**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chamblings at 7:02 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 Gross, Committeeman Fisher, Committeeman Scott, Mayor Chamblings, Municipal Clerk Lynda Knott, Attorney Angelo Bolcato

ABSENT: Committeeman Morrison

EXECUTIVE SESSION:

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Scott, seconded by Mr. Fisher and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:34 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: Attorney Client
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 6:56 p.m., unanimously carried by roll call vote.

A moment of silence was taken in honor of the lives lost in the Las Vegas tragedy.

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 September 5, 2017

RESOLUTIONS:

2017-103 Authorizing Compensation of Richard Bizik, Construction Official, Half the Smoke Certification Fee as his Compensation for Completing the Certifications

2017-104 Authorizing the Refund of Zoning Board Escrow

2017-105 Authorizing the Refund of Zoning Board Escrow

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

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

BILLS LIST #12: \$821,217.88

RESOLUTION 2017-106 PAYMENT OF BILLS

Mr. Scott made a **motion** to adopt Resolution 2017-106, seconded by Mr. Gross.

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

AMENDMENTS TO THE AGENDA: None

OPEN PUBLIC SESSION

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

Jan Bonavita, 902 Dove Island Road commended the DPW for the oil and chipping on Dove Island Road; it was very well done.

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

OLD BUSINESS

DISCUSSION ITEMS:

Shared Service with Montague for QPA:

This item was tabled until it is reviewed by the Montague Committee and/or their attorney.

Field Use Forms and Regulations:

Ms. Knott reported the Recreation Commission will discuss this item at their next meeting and will provide their input and recommendations.

Website Update:

Ms. Knott has been working diligently with the web designer to complete the website. She provided mark-ups of the site to the Committee for their review. The website will include information on many aspects of the township including lake communities, sports, photos, etc. and will be mobile. Residents will be able to sign up for Swift 9-1-1 alerts.

NEW BUSINESS

ORDINANCE 2017-11 Introduction (Public Hearing and Adoption – November 21, 2017)

TOWNSHIP OF STILLWATER,

ORDINANCE 2017-11

AN ORDINANCE AMENDING CHAPTER 240 OF THE CODE OF THE TOWNSHIP OF STILLWATER KNOWN AS "LAND DEVELOPMENT", SECTION §240-14(J), ENTITLED "PUBLIC UTILITY USES, ESSENTIAL SERVICES AND TELECOMMUNICATION TOWERS AND EQUIPMENT" IN ORDER TO ADDRESS COLLOCATION OF COMMUNICATION EQUIPMENT ON EXISTING TOWERS

WHEREAS, the Stillwater Township Planning Board has reviewed Chapter 240 of the Code of the Township of Stillwater, known as "Land Development"; specifically §240-14(J), entitled "Public Utility Uses, Essential Services and Telecommunication Towers and Equipment", and has determined this section must be revised in order to comply with recent law and regulations; and

WHEREAS, on October 21, 2014, the Federal Communications Commission issued a Report and Order which sweepingly overrides and preempts State and local land use law with respect to wireless collocation applications.

WHEREAS, under §6409(a) of the *Spectrum Act*, federal law provides that governments may not deny, and shall approve, eligible facilities' request for modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. §6409(a) of the *Middle Class Tax Relief and Job Creation Act of 2012*, Pub.L. 112-96, §6409 (2012).

WHEREAS, a local government may continue to enforce and condition approval on compliance with general applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety and allows municipalities to have discretion over a modification application if it: entails any excavation or deployment outside the current site of the tower or base station; would defeat the existing concealment elements of the structure; or

does not comply with conditions associated with the prior approval of the structure, subject to certain exceptions such as non-substantial increase in height.

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-46.2, holds that an application for development to collocate wireless communications equipment (including, but not limited to, equipment shelters and emergency generators) on a wireless communications support structure or in an existing equipment compound shall not be subject to site plan review, subject to certain requirements: the wireless communications structures was previously granted all necessary approvals; the proposed collocation shall not increase the overall height of the wireless communications support structure by more than ten (10) percent of the original height, the width of the wireless communications support structure, or the square footage of the existing equipment compound to an area greater than 2,500 square feet; and the proposed collocation complies with

the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which variance would be required.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Stillwater that Chapter 240 of the Code of the Township of Stillwater, known as "Land Development"; specifically §240-14(J), entitled "Public Utility Uses, Essential Services and Telecommunication Towers and Equipment" shall be and is hereby amended as follows:

Section 1. A new subsection §240-14(J)(3) "Collocation" is hereby enacted:

§ 240-14(J)(3) Collocation and New Facilities

(a) Purpose and "Substantial Change".

It is the purpose of these article provisions to provide specific conditions and standards for the location, collocation and operation of cellular antennas and cellular towers within the Township of Stillwater. These article provisions recognize that there may be benefits to the construction and operation of cellular antennas and cellular towers and that state and/or federal laws and/or regulations specifically regulate aspects of such operation. These article provisions also acknowledge the need to safeguard the public good and preserve the intent and purposes of the Stillwater Township Zone Plan. These article provisions enable the location and collocation of cellular antennas and cellular towers within the Township of Stillwater in order to provide the fullest extent of communications services while simultaneously limiting the number of cellular towers to the fewest possible. These articles seek to preserve the rural, agricultural character of the Township of Stillwater and to protect its historical resources.

This Article also sets forth requirements for Eligible Facilities Requests, for modifications to existing wireless towers or base stations that do not constitute a substantial change.

The definitions set forth in 47 U.S.C. 1455 are incorporated herein, as may be amended, including the following definition of "substantial change", per 47 CFR 1.40001(c):

Substantial Change. A modification substantially changes the physical dimensions of an eligible support structure if it meets any of the following criteria:

i. For towers other than towers in the public rights-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater. Changes in height must be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height must be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act. 47 CFR §1.40001(b)(7)(i)(A);

ii. For towers other than towers in the public rights-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;

iii. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public rights-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;

iv. It entails any excavation or deployment outside the current site;

v. It would defeat the concealment elements of the eligible support structure; or

vi. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (i)-(iv) of this section.

(b) Conditional use.

A. The uses listed in this section are deemed to be permitted uses and shall not require a conditional use permit or variance application, notwithstanding any other provision of the chapter. Jurisdiction shall rest with the Planning Board of the Township of Stillwater.

B. Permitted uses. The following uses are specifically permitted:

Antennas in any zone on property owned by the Township of Stillwater upon which is located an existing wireless communication facility or an existing electric transmission tower.

C. The Planning Board may waive the submission requirements of § 240-14(J)(6) for any permitted use, including but not limited to the submittal of a comprehensive plan.

(c) Application procedure.

A. Collocation on an Existing Structure; Eligible Facilities Request.

1. *Application.* Stillwater Township shall prepare and make publicly available an application form which shall contain the information necessary for Stillwater Township to consider whether an application is an Eligible Facilities Request. The application may not require the applicant to demonstrate a need or business case for the proposed modification.

2. *Type of Review.* Upon receipt of an application for an Eligible Facilities Request pursuant to this Chapter, the Planning Board Engineer shall review such application to determine whether the application so qualifies.

3. *Timeframe for Review.* Within 60 days of the date on which an applicant submits an application seeking approval under this Chapter, Stillwater Township shall approve the application unless it determines that the application is not covered by this Chapter.

4. *Tolling of the Timeframe for Review.* The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by Stillwater Township and the applicant, or in cases where the Planning Board Engineer determines that the application is incomplete.

i. To toll the timeframe for incompleteness, the Planning Board Engineer must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.

ii. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the Planning Board Engineer's notice of incompleteness.

iii. Following a supplemental submission, the Planning Board Engineer will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in paragraph (7) of this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.

5. If the Planning Board Engineer determines that the applicant's request for collocation is a substantial change to collocation on an existing structure as defined in this Ordinance, the presumptively reasonable timeframe, as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the Planning Board Engineer's decision that the application is not a covered request. To

the extent such information is necessary the Planning Board Engineer may request additional information from the applicant to evaluate the application. When the Planning Board Engineer determines that such an application constitutes a substantial change, §B below must be complied with.

6. *Failure to Act.* In the event the Planning Board Engineer fails to approve or deny a request seeking approval under this Chapter within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies Stillwater Township in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.

7. *Remedies.* Applicants and the Planning Board Engineer may bring claims related to this section to any court of competent jurisdiction.

B. New Wireless Facility and Substantial Change to Collocation on an Existing Structure.

1. All cellular antenna applications in zones in which cellular antennas are a conditional use shall be submitted to the Planning Board of Stillwater Township. All cellular antenna applications in zones where cellular antennas are prohibited uses shall be submitted to the Stillwater Township Zoning Board of Adjustment for a use variance.

2. The Planning Board and Zoning Board of Adjustment reserve the right to engage, at the applicant's expense, a radio frequency engineer to review the documentation submitted by the applicant in its comprehensive plan and to testify as to the engineer's findings.

3. The applicant shall, as part of its application, prepare and submit a comprehensive plan. Each comprehensive plan shall be presented in single, bound volumes. The comprehensive plan does not supplant or supersede any other site plan submission requirements. The comprehensive plan shall contain, at a minimum, a complete presentation on each of the following topics:

i. *Existing service.* The applicant shall address whether its subscribers can receive adequate service from cellular antennas located outside of the borders of Stillwater Township.

ii. *Existing antenna locations.* The applicant shall graphically depict the location of existing cellular antennas in Stillwater Township and explain how the proposed cellular antenna interacts with the existing cellular antennas.

iii. *Collocation.* The applicant shall demonstrate all existing structures that are available for location of the proposed cellular antennas. In the event that the application does not utilize any existing structure and instead proposed the construction of a new cellular tower, the applicant shall demonstrate either that it is impossible to obtain similar proposed signal coverage by collocating the cellular antennas on existing structures or that no such structures are available.

iv. *Stillwater Township coverage.* The applicant shall set forth its strategy for providing the fullest possible signal coverage within the borders of Stillwater Township. The applicant shall additionally demonstrate how the proposed cellular antennas advance its strategy for fullest possible signal coverage within the borders of Stillwater Township.

v. *Emissions standards.* The applicant shall set forth the applicable emission standards set by the Federal Communications Commission and all other applicable technical requirements of other federal and/or state governmental agencies with appropriate jurisdiction. The applicant shall demonstrate that the proposed cellular antennas meet all such technical emission standards.

vi. *Actual emissions.* The applicant shall submit a full report of aggregate emissions of its own cellular antennas and of all other cellular antennas located on the same structure once the proposed cellular antennas are in operation.

vii. *Municipal property preference.* The applicant shall demonstrate whether the proposed cellular antennas can be located on municipally owned property.

viii. *Architectural harmony.* The applicant shall demonstrate how its proposed cellular antennas and/or cellular towers are designed to blend in with their surroundings and be as visually unintrusive and as inconspicuous as possible.

IX. *Written notice to other service providers.* The applicant shall supply copies of correspondence to all other owners and/or operators and/or providers of cellular antennas, wireless communication services and/or cellular towers regarding inquiry as to availability of existing cellular tower space and whether the construction of an additional cellular tower is required.

x. *Appearance.* The applicant shall demonstrate how the proposed location of the cellular tower attempts to minimize the visual prominence and solitary appearance of the cellular tower when viewed from either residential areas or from the public right-of-way.

xi. *Cellular tower design.* The applicant shall demonstrate that the proposed cellular tower design is the safest and least visually intrusive design and the design most accommodating for collocation of other cellular antennas. If a monopole design is not submitted, the applicant shall demonstrate why the submitted design is superior to a monopole design.

4. The maximum height of any towers within the township is 199 feet.

C. All applications for cellular towers, including collocation or new towers, shall comply with any and all general applicable building, structural, electrical, and safety codes, as well as any others deemed by the Township to be related to health and safety.

Further, all such applications shall also comply with the requirements of the [Historic Preservation District], as applicable, and any concerns or comments made by the [Commission] thereto.

D. Failure of the applicant to submit a completed comprehensive plan according to the specifications set forth above shall render an application incomplete and thereby prevent hearing of the application by the appropriate board.

E. All applicants shall appropriately conceal the cell tower antennae and related structures.

(d) Restoration and removal of cellular antennas and cellular towers.

A. The applicant shall post a performance bond for the demolition, dismantling and removal of any cellular antenna and/or cellular tower.

B. Every cellular antenna and cellular tower shall be demolished, removed and dismantled promptly after 180 continuous days of nonuse.

C. The applicant and/or operator of the cellular antennas shall provide the Township with a copy of any notice or letter of intent to cease operations in the event that such a notice or letter is sent by the applicant and/or owner to the FCC.

(e) Eligible Facilities Request Application and Fee. An Eligible Facilities Request Application shall include but is not limited to the following:

1. Address of the Wireless Tower.

2. The height (measured in feet above ground level) of the existing Tower as originally approved, including any modifications approved prior to February 22, 2012.

3. What is the height (measured in feet above ground level) at which the modifications to the Transmission Equipment will occur on the Tower?

4. What will the height (measured in feet above ground level) of the existing Tower after the modifications to the Transmission Equipment are installed?

5. Effect of modifications of Transmission Equipment on Tower height:

a. Will the modifications in Transmission Equipment (addition, removal or replacement of Transmission Equipment) result in increasing the height above ground level of the existing Tower?

b. Will the modifications in Transmission Equipment result in increasing the height above ground level of the existing Tower by more than: (i) 100% of the height of the existing Tower, as originally approved, including any modifications approved prior to February 22, 2012; or (ii) twenty feet above the height of the existing Tower, as originally approved, including any modifications approved prior to February 22, 2012, whichever height increase is greater?

6. Will the modifications in Transmission Equipment (measured at the height above ground level where the Transmission Equipment will be attached to the tower) result in any Transmission Equipment protruding horizontally from the edge of tower by more than twenty (20) feet or by more than the existing width of the tower at that height, whichever of these dimensions is greater?

7. Will the proposed changes in Transmission Equipment involve excavation or placement of new equipment outside the existing Tower site or outside any access or utility easements currently related to the site?
8. Will the proposed modification in Transmission Equipment involve installation of more than the standard number of new equipment cabinets for the technology involved, but no to exceed four?
9. Will the proposed modification in Transmission Equipment defeat the existing concealment elements of the Tower?
10. Prior Conditions of Approval
 - a. Will the proposed modification in Transmission Equipment comply with conditions of approval imposed on the Tower prior to February 22, 2012?
 - b. If the answer to 10(a) is "No," is the non-compliance due solely to any of the conditions addressed in questions 5-9 above?
11. List of all equipment to be collocated or added to the Tower or ground equipment.
12. Applicant's Certification that they have the legal authority to collocate/modify support structure which may include approvals from the jurisdiction authorizing the initial placement of transmission equipment on the tower or other structure.
13. The identity of the owner of the parcel and the owner of the existing tower(s), and proof that the owner of the parcel and tower have authorize the applicant to collocate on the tower.
14. Detailed site plan. Except where the facility will be located entirely within an existing structure or an existing building, a detailed site plan shall show:
 1. *Existing and proposed improvements.* The location and dimensions of the existing facility and the maximum height above ground of the facility (also identified in height above sea level).
 2. *Elevation.* The benchmarks and datum used for elevations.
 3. *Design.* The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of applicant's existing and proposed antennas and other equipment. The method(s) by which the antennas will be attached to the mounting structure shall be depicted.
 4. *Setbacks.* All existing setbacks.
 5. *Location of accessways.* The location of all existing accessways and the location and design of all proposed accessways.
15. Application Fee. All applicants shall pay an application fee of \$500.00 at the time that the application is filed.

Section 2. Upon introduction of this Ordinance it shall be referred to the Township of Stillwater Planning Board for review pursuant to N.J.S.A. 40:55D-64 prior to final adoption by the Stillwater Township Committee.

Section 3. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 4. This ordinance shall take effect upon final adoption, publication and the filing of a copy of said ordinance with the Sussex County Planning Board, all in accordance with the law, and applies to any new or pending application and to any matter on appeal to any municipal agency or to any Court.

Section 5. The Township Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Sussex County Planning Board and to all others entitled thereto pursuant to the provisions of N.J.S. 40:55D-15. Upon adoption of this ordinance after public hearing thereon, the Township Clerk is further directed to publish notice of passage thereof and to file a copy of the ordinance as finally adopted with the Sussex County Planning Board, as required by N.J.S. 40:55D-16.

Mr. Scott made a **motion** to introduce Ordinance 2017-11, seconded by Mr. Gross.

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

ORDINANCE 2017-12 Introduction (Public Hearing and Adoption – October 17, 2017)

STILLWATER TOWNSHIP ORDINANCE

ORDINANCE #2017-12

**AN ORDINANCE OF THE TOWNSHIP OF STILLWATER
COUNTY OF SUSSEX, NEW JERSEY AMENDING CHAPTER 304
ENTITLED “REGISTRATION OF VACANT PROPERTIES”
OF THE CODE OF THE TOWNSHIP OF STILLWATER
SUBSECTION 304-4 - FEE SCHEDULE**

BE IT ORDAINED by the Township Committee of the Township of Stillwater, Sussex County, New Jersey that existing Section 304-4 of the Code of the Township of Stillwater, the “Fee Schedule” for the registration of vacant properties is amended as follows:

Section 1.

Section 304-2 “General Requirements” is amended as follows:

- A. The last sentence is repealed and replaced as follows: “The property owner may request in writing that the current year’s renewal fee be prorated and/or a prorated refund issued for the year in which the property becomes legally occupied in compliance with all applicable ordinances and state statutes”.

Section 2.

Section 304-4 “Fee Schedule” is hereby repealed and replaced with the following:

The initial registration fee for each building shall be \$250 for the period from the date of registration through December 31st of the initial registration year and shall not be refundable in the event that the property should subsequently become legally occupied during the initial registration year. The fee for the first renewal is \$500. The fee for any subsequent renewal is \$1,000. After five years, the registration fee shall be \$5,000. After the initial registration year or any subsequent renewal year, the owner may apply, in writing, for a prorated refund of the current year’s registration fee based upon the date of legal occupancy of the registered property in the event that any property shall become legally occupied.

Vacant and Abandoned Property Registration Fee Schedule

<u>Registration</u>	<u>Fee</u>
Initial registration	\$250
First renewal	\$500
Any subsequent renewal up to five years	\$1,000
After five years	\$5,000

Section 3 - When Effective

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

Mr. Scott made a **motion** to introduce Ordinance 2017-12, seconded by Mr. Morrison.

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

RESOLUTION 2017-107

Authorizing a Shared Services Agreement with the Stillwater Township Board of Education to Provide for the Purchase of Gasoline

**TOWNSHIP OF STILLWATER,
SUSSEX COUNTY, NJ**

**AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE STILLWATER TOWNSHIP
BOARD OF EDUCATION TO PROVIDE FOR THE PURCHASE OF GASOLINE**

RESOLUTION 2017-107

WHEREAS, the Stillwater Township Board of Education and the Township of Stillwater have

agreed to enter into a Shared Services Agreement by which the Township of Stillwater shall provide for the sale of gasoline to the Stillwater Township Board of Education pursuant to N.J.S.A. 40A:65-1 et seq., and

WHEREAS, the Township of Stillwater and the Stillwater Township Board of Education agree to enter into the attached Shared Services Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Stillwater Township Committee, County of Sussex and State of New Jersey, as follows:

1. The Shared Services Agreement between the Township of Stillwater and the Stillwater Township Board of Education is approved pursuant to N.J.S.A. 40A:65-1 et seq. The terms and conditions of the Agreement (Exhibit "A") are made a part of this Resolution.

2. The Mayor and Township Clerk are authorized to sign the Agreement on behalf of the Township.

3. This Resolution shall take effect immediately, however, it shall be void and of no effect in the event that the Stillwater Township Board of Education fails or refuses to adopt a similar resolution and/or execute the Shared Services Agreement.

4. A copy of this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 40A:65-4.

Mr. Scott made a **motion** to adopt Resolution 2017-107, seconded by Mr. Fisher.

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

RESOLUTION 2017-108

TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX Resolution 2017-108

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the MA-2018- WEST END DRIVE IMPROVEMENTS – Phase I project

NOW THEREFORE, BE IT RESOLVED that the Council of Stillwater formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-218-WEST END DRIVE IMPROVEMENTS – Phase I to the New Jersey Department of Transportation on behalf of Stillwater Township.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Stillwater Township and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mr. Scott made a **motion** to adopt Resolution 2017-108, seconded by Mr. Fisher.

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

DISCUSSION ITEMS:

Best Practice Worksheet:

Ms. Knott briefly reviewed the worksheet, noting that segregation of duties is something the township will never be able to meet as many of our employees have multiple responsibilities. Ninety-two percent of the questions were answered “yes” and will enable the township to receive 100% of its State aid.

Ms. Knott reported that Sparta Township will be hosting a seminar for special assessments on Friday, October 27th at 1 p.m. at St. Moritz. The Clerk, Tax Collector and Finance Clerk will attend.

Amendments to Ordinances for 2018:

Ms. Knott provided a packet of ordinances the Committee may want to consider updating. Mayor Chamblings asked the Committee to review the packet and this item will be added to the November 21st agenda for determination on introduction.

Budget Meeting Dates:

The CFO will propose budget meeting dates once all department worksheets are submitted. Mayor Chamblings would like at least one budget meeting to be held prior to January.

SECTV:

Ms. Knott reported that SECTV representatives will be present at the November 21st Committee meeting for the public hearing on their franchise renewal.

Capital Items:

Mayor Chamblings would like the Committee to review capital requests prior to the first budget meeting. Ms. Knott will compile a list to provide to the Committee.

Attorney Report:

In-Rem Foreclosures: A list of 21 priority properties, including those located in Plymouth Lake, was provided by the Assessor. Mr. Bolcato stated that once authorization is granted by the Committee, his office will initiate the process. Legal fees estimated at \$4500; search \$200 per property; serving \$8 per person; filing complaint with State \$250; Certificates of Regularity \$219; publication of notice \$160-200 – total of approximately \$10,000-\$11,000.

Ms. Knott suggested that for non-mortgaged properties with clear searches, a letter could be sent to the owner inquiring if they would like to donate the property through a quit claim deed to the township rather than have it foreclosed upon. This process would be more cost effective. There are 90 properties not including this year.

Mr. Scott made a **motion** authorizing Mr. Bolcato to move forward with the in-rem foreclosure process on the 21 properties as listed, beginning with searches, seconded by Mr. Fisher.

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

Open Public Session:

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

Clean Up Day has been cancelled due to the lack of participation. This will be posted on Facebook and has been removed from the Municipal Building sign.

A bog turtle presentation will be held at the Municipal Building on October 11th at 7 p.m. and will include information on preserving properties that have bog turtle habitat and funding available to do so.

In response to questioning by Tami Richardson, Ms. Knott indicated the township will soon participate in Swiftwater 9-1-1 and will be able to provide email, cell phone, and landline notifications to residents.

Ms. Knott informed Mr. Nelson of Crandon Lakes Association of Property Owners that the Township Attorney, CFO and Auditor are currently working on the snow removal reimbursement formula and will be in contact with Mr. Fox.

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

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

Respectfully submitted,

Kathy Wunder