**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**February 1, 2022**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7:00 p.m. noting the meeting date, time and place were sent the New Jersey Herald and posted at the Town Hall, on the Township’s website and advised those present that this meeting was being held in compliance with provisions of Open Public Meetings Act, Chapter 231 P.L. 1975 P.L. 1975, Chapter 231, Sections 4 & 13.

The flag was saluted.

Roll Call: PRESENT: Mr. Barta, Mrs. Rumsey, Mr. Fisher, Ms. Chammings and Mayor Scott.

**MINUTES:** December 21, 2021 Regular Session Minutes

A motion was made by Ms. Chammings to adopt the **minutes as presented**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, abstained, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**REPORTS:** Zoning Officer Report 4th quarter 2021

 Fire Department Report December 2021
 DPW Report December 2021

A motion was made by Mrs. Rumsey to accept the **reports as presented**, seconded by Mr. Fisher **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**BILLS LIST #1: $920,731.16

RESOLUTION 2022-034** Authorizing Payment of Bills

**WHEREAS,** the Chief Finance Officer has certified that funds are available in the proper

account; and

**WHEREAS,** the Chief Finance Officer has approved payment upon certification from

the Township Department Heads that the goods and/or services have been rendered to the

Township;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Committee of the Township of Stillwater that the current bill lists, dated February 1, 2022 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

A motion was made by Mrs. Rumsey to adopt **Resolution 2022--034**, seconded by Mr. Fisher **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**AMENDMENTS TO AGENDA –** There were no amendments to the agenda

**OPEN PUBLIC SESSION –**

Mr. Louis Sylvester, Old Schoolhouse Road, restated his request that language be added to proposed Ordinance 2022-05 to allow all applications already in process be allowed to be continued by the original board where the application was filed. Mayor Scott tabled Ordinance 2022-05 to February 15, 2022 to allow the change to the ordinance and also to allow him to discuss with both the Planning and Zoning Board of Adjustment.

Seeing no one else who wished to speak this portion of the meeting was closed.

 **OLD BUSINESS:**

Update on 992 Fairview Lake Road (Block 2401 Lot 37): Ms. Chammings still would like more clarification regarding the quotes received for LSRP and preliminary assessment of 992 Fairview Lake Road. Ms. Chammings would also like to confirm what the DEP requires to receive the No further action letter. Ms. Chammings directed the clerk to forward the relevant file information to Mr. Vex so he could review the project.

**RESOLUTION 2022-026** Awarding Contract for LSRP and Preparation of Preliminary Assessment of 992 Fairview Lake Road.

This resolution was tabled until the February 15, 2022 meeting.

**COMMITTEE REPORTS:** Mayor Scott would like to have committee reports carried to February 1, 2022 to allow the boards and commissions to re-organize.

**OLD BUSINESS:**

**ORDINANCE 2022-01** CALENDAR YEAR 2022 ORDINANCE OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, NJ TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

 Public Hearing and Adoption

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS,** N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Stillwater in the County of Sussex finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to $24,991.89 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Stillwater, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Township of Stillwater shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to $87,471.62, and that the CY 2022 municipal budget for the Township of Stillwater be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED,** that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was made by Mr. Fisher to **adopt Ordinance 2022--01**, seconded by Mrs. Rumsey **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-02** Authorizing the Public Sale of Real Property to Contiguous Property owners Pursuant to N.J.S.A. 40A:12-139(b)(5). Public Hearing and Adoption

**WHEREAS,** the Township of Stillwater is the owner of certain real property set forth in Schedule “A”, which properties are not needed or required for municipal use; and

**WHEREAS,** the lots are less than the minimum size required for development under the municipal ordinance and is without capital improvements; and

**WHEREAS,** the Township Committee deems it in the best interest of the Township of Stillwater to sell the properties to owners of each contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

 **WHEREAS,** the sale shall be conducted as an auction limited to contiguous property owners to be held at the Township of Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey 07860 on March 1, 2022, at 7:00pm or such adjourned date as may be determined by the Stillwater Township Committee; and

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

1. The Township of Stillwater shall offer for sale by auction, pursuant to the provisions of N.J.S.A. 40A:12‑13(b)(5) and N.J.S.A. 40A:12-13.2, the properties listed on Schedule “A” to the contiguous property owners. Schedule “A” also contains the minimum sale price for each property. The sale is limited to contiguous property owners, and the sale is conditioned upon the property being sold merging with the contiguous property owner’s existing property. The properties being sold are less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvement and shall be merged with the purchaser's contiguous lot. The Township Committee reserves the right, in its discretion to reject all bids for each property for any reason, including but not limited to, in the event that the minimum sale price for such property is not met.
2. Upon final passage of this Ordinance, the sale shall take place on March 1, 2022 at 7:00pm at the Stillwater Township Municipal Building, 964 Stillwater Road, Newton, New Jersey, subject to receiving no higher bid for said parcels, after offering same to the highest bidder, at said time and place.
3. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Stillwater Township Municipal Building. Notice of adoption of this Ordinance shall be made in the official Township newspaper within five (5) days following the enactment of the Ordinance. Notice of the public sale shall be published in the official Township of Stillwater newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication shall be within seven (7) days prior to the sale date.
4. The property shall be sold subject to the following terms and conditions:
5. The property is sold "as is". No representations of any kind are made by the Township as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate. The properties are being sold in the present “as is”, “where is”, with all faults.
6. The sale shall be made after legal advertisement of this Ordinance to the highest bidder who is the owner of a contiguous property, which property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.
7. The Township does not warrant or certify title to the property and in no event shall the Township of Stillwater be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
8. Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
9. The highest bidder shall deposit with the Township cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township of Stillwater will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.
10. The highest bidder must pay the balance of the purchase price, plus (1) the sum of $275 for the legal services incurred by the Township; (2) the Township of Stillwater’s advertising and the actual recording fees within thirty (30) days after the date the Council adopts a resolution confirming the winning bid(s); and (3) realty transfer fees, if any. The balance shall be paid by certified funds. In addition, for all properties that are subject to Section 5 (r) of this Resolution, the Purchaser shall provide the Township Attorney with a copy of the deed for their existing property and their title insurance policy within seven (7) days of their being notified that they are the successful bidder of the sale. Once the purchase price has been paid, a Quitclaim Deed without covenants will be prepared by the Township Attorney and, after execution by the Township Officials, shall be recorded with the Sussex County Clerk’s Office by the Township Attorney. Additional work performed by the Township Attorneys beyond the standard preparation of the sale resolutions, notice of sale, letters to property owners and adjoining property owners, Deed and closing statement shall be billed at the rate charged by the Township Attorney and shall be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.
11. The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Stillwater and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.
12. The property will be sold subject to the current year taxes, prorated from the date of sale.
13. The Township Committee reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.
14. All bidders currently owing property within the Township must have their taxes, as well as all municipal utility charges, if applicable, paid to date in order to be a qualified bidder. In the event the bidder's taxes or municipal utility charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.
15. This same is made subject to all applicable laws, statutes, regulations, resolutions and ordinances of the United States, State of New Jersey and Township of Stillwater.
16. No employee, agent or officer of the Township of Stillwater has any authority to waive, modify or amend any of the conditions of sale.
17. The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.
18. The failure of the purchaser to close on title within the time provided for in Subsection 5(f) of this Ordinance shall constitute a breach of this Ordinance unless the Township agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within the dates provided for in Subsection 5(1) or such date as may be extended by the Township, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit as provided for in Subsection 5(c) of this Ordinance.
19. The purchase shall not be used for any County, Board of Taxation, Tax
Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.
20. The sale shall be subject to final approval by the Township Committee.

Potential Bidders are advised:

(1) To conduct all necessary title searches prior to the date of sale.

(2) No representations of any kind are made by the Township of Stillwater as to the conditions of the Property, including habitability or usability; the Property is being sold in its present conditions ''as is".

(3) The Property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the Property to be conveyed.

(4) The highest bidder for the Property shall have the right, at its sole cost and expense, to obtain a new survey of the Property. Provided such survey depicts the Property and is certified to be correct to the Township of Stillwater, the Township of Stillwater shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Township of Stillwater not less than one week prior to the date set for closing of title.

Additional Terms the Successful Bidder must comply with:

(1) To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.

(2) That the failure to close title as agreed shall forfeit to the Township of Stillwater any and all money deposited with the Township.

1. Severabilitv. 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.
2. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.
3. Effective Date. This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

This Ordinance shall take effect upon final adoption of publication as may be required by law.

**SCHEDULE A**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Tax Block** | **Lot** | **Location** | **Lot Size** | **Minimum Sale Price** |
|  | 1001 | 20 | Plymouth Lake Drive E | 50 X 297 | $250 |
|  | 903 | 27 | Shore Drive | 50 X 170 | $250 |

A motion was made by Mr. Fisher to **adopt Ordinance 2022--02**, seconded by Mrs. Rumsey **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-03** Fixing Salaries and Wages of Officers and Employees of the Township of Stillwater, County of Sussex and State of New Jersey for the Year 2022 Public Hearing and Adoption

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

 Section1. The Township of Stillwater shall pay its municipal officers and employees for services rendered as shown below. Figures shown represent annual salary, unless otherwise noted.

POSITION: SALARY RANGE:

Township Committee Member $4,500.00 - $6,000.00

Township Clerk $50,000.00 - $90,000.00

Municipal Registrar $6,000.00 - $8,500.00

Clerk 1 $40,000 - $60,000.00

Deputy Municipal Registrar $3,000.00 - $4,500.00

Receptionist $15.00 - $25.00 per hour

File Clerk $13.00 - $18.00 per hour

Chief Financial Officer $50,000.00 - $90,000.00

Clean Communities Coordinator-Stipend $1,000.00

Qualified Purchasing Agent-Stipend $3,000.00

Tax Assessor $25,000.00 - $45,000.00

Tax Collector $25,000.00 - $45,000.00

Tax Collector-Extra Hours $40.00 - $70.00 per hour

DPW Supervisor $70,000.00 - $90,000.00

Recycling Coordinator $1,750.00 - $2,500.00

DPW Laborers As Per Contract

Solid Waste Worker $13.00 - $20.00 per hour

Solid Waste Cashier $13.00 - $20.00 per hour

Recycling Worker $13.00 - $20.00 per hour

Zoning Officer $20,000.00 - $40,000.00

Construction Code Official $10,000.00 - $25,000.00

Plumbing Sub-code Official $7,500.00 - $15,000.00

Electrical Sub-code Official $7,500.00 - $15,000.00

Fire Sub-code Official $2,500.00 - $5,000.00

Fire Inspector $2,500.00 - $5,000.00

Smoke Detector Certifications $25.00 per Certification

Smoke Detector Re-Certifications $20.00 per Certification

Electrical Inspector/Subcode Official-Vacation Coverage $35.00 - $50.00 per hour

Emergency Mgmt Coordinator $2,000.00 - $5,000.00

Deputy Emergency Mgmt Coordinator $1,000.00 - $3,000.00

Animal Control Officer $7,500.00 - $12,000.00

BOARDS AND COMMISSIONS: SALARY RANGE:

Zoning Board Secretary $5,000.00 - $9,000.00

Planning Board Secretary $5,000.00 - $9,000.00

Environmental Commission Secretary $2,500.00 - $5,000.00

Recreation Commission Secretary $2,000.00 - $5,000.00

POLICE: SALARY RANGE:

Crossing Guard $13.00 - $18.00 per hour

Section 2. Specific salaries or wages established by the Ordinance shall be made retroactive to January 1, 2022 unless otherwise noted.

Section 3. Nothing in this ordinance shall be construed as making mandatory the payment of annual salary increments to any officer or employees of the Township of Stillwater. Salary or wage increases shall be contingent upon availability of funds.

Section 4. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall take effect after publication and passage according to law.

A motion was made by Mrs. Rumsey to **adopt Ordinance 2022--03**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-04** Amending Chapter 195 Entitled “Fire Prevention” of the Code of the Township of Stillwater to Require certain structures to have a key lock box installed on the exterior of the structure. Public Hearing and Adoption

**WHEREAS**, Township Committee of the Township of Stillwater has determined that the health, safety, and welfare of the citizens and business owners of the Township of Stillwater are promoted and safeguarded by requiring certain structures to have a key lock box installed on the exterior of the structure to aid the Stillwater Township Area Volunteer Fire Company to gain access to the structure when the same is not occupied or when the occupants are unable to grant ingress to the Fire Company; and

 **WHEREAS**, the key lock box system will reduce the need for forced entry into structures and should avoid costly and time-consuming efforts in gaining access to locked structures during an emergency.

 **NOW, THEREFORE, BE IT ORDAINED AND ENACTED**, by the Township Committee of the Township of Stillwater, New Jersey that Chapter 195 of the Code of the Township of Stillwater, titled "Fire Prevention" is amended by adding a new section, to be designated as Section 61.9 titled "Lock Box Entry System," to read as follows:

**LOCK BOX ENTRY SYSTEM**

A. The following structures shall be equipped with a key lock box at or near the main entrance or such other location as required by the Fire Official, Fire Chief, or Building Official:

(a) Commercial or industrial structures.

(b) Multi-family-residential structures that have restricted access through locked doors but have a common corridor for access to the living units

(c) Schools, whether public or private.

(d) Governmental structures and nursing care facilities unless the building is staffed or open 24 hours.

B. A1l new construction and new occupancies by tenants shall have a key lock installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and subject shall have fifteen (15) months from enactment date of this ordinance to have a key lock box installed and operational.

C. In order to provide unity within the Township, the type of key lock boxes to be implemented within the Township shall be a Knox Box brand system.

 **INSTALLATION**

1. The size and model of the Knox Box installed shall be determined by the number of keys to be placed in the box and the specifications set forth by the Knox Box manufacturer.
2. Number of keys in the Knox Box cannot exceed the maximum number recommended by the box manufacturer.
3. All Knox Boxes shall be installed to the left side of the main business door.
4. All Knox Boxes shall be mounted sixty inches from the ground.
5. In the event that the Knox Box cannot be installed at the aforesaid location and/or height, the Fire Official, Fire Chief, or Building Official may designate in writing a different location and installation specifications.
6. All Knox Boxes may have a Tamper Switch installed in the building as an intrusion/burglar alarm.
7. All realty and/or property with an electronic security gate shall have the Knox Box installed OUTSIDE of the gate.
8. The Fire Official, Fire Chief, or Building Official must approve any changes in the installation.
9. Purchase and installation of the Knox Box will be the sole responsibility of the building owner.

**MAINTENANCE**

The operator of the building shall immediately notify the Fire Official, Fire Chief, or Building Official when any locks are added, changed or rekeyed which cannot currently be opened by the current key set in the Knox Box. Additional keys should be added to the Knox Box immediately.

**CONTENTS OF LOCK BOX**

The contents of the lock box should include (but not limited to) the following:

1. Keys to locked points of ingress or egress, whether on the interior or exterior of such buildings.
2. Keys to all mechanical rooms.
3. Keys to all locked electrical and utility rooms.
4. Keys to elevator and their control rooms.
5. Keys to the Fire Alarm panels and Fire Suppression Systems.
6. Keys to re-set pull stations or other Fire Protective devices.
7. Building Access Cards, as needed.
8. Keys to any other areas as requested by the Fire Official, Fire Chief, or Building Official.

**FIRE DEPARTMENT RESPONSIBILITIES**

1. No fire department personnel shall carry a Knox Box Master Key unless at an emergency scene.
2. All Knox Box Master Keys shall be installed in a Knox Box Sentra-Loc or similar system installed in the Fire Apparatus and the Fire Chief’s official vehicle.

**EXCEPTIONS TO REQUIREMENT TO INSTALL A KEY LOCK** **BOX SYSTEM**

The following structures are exempt from the mandate to install a key lock box system:

1. Single family structures and multi-family structures.
2. Structures that have 24 hours, 365 day on-site security personnel, or have other personnel on site.
3. Businesses that are open and staffed 24 hours, 365 days per year (which may include but are not limited to, Nursing Homes, Hospitals, Police & Fire Stations. etc.).
4. Rental storage facilities where there is a single lock on the separate storage pods that are renter supplied; provided, however, the entry security gates(s) will require a Knox Box if electronically controlled, or locked with a master key issued by the landlord to all tenants

**PENALTIES**

1. Any person, entity or corporation who has violated any provisions of this ordinance or who has failed to comply with any order issued by Fire Official, Fire Chief, or Building Official or has failed to comply with any order issued pursuant to any Section thereof, shall upon conviction before the proper judicial authority, be punished by a fine of not more than Three Hundred ($300.00) Dollars. Each day a violation continues shall be considered a separate offense.
2. If any sentence, clause or section or any part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the same contained in this Ordinance. It is hereby declared as the intent of Township Committee of Township of Stillwater that this Ordinance would have been adopted has such unconstitutionality, illegality or invalidity sentence, clause or section or part thereof and not been included therein.

**Section 2.** If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**Section 3**. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed or amended to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect upon final passage and publication according

to law.

A motion was made by Mr. Fisher to **adopt Ordinance 2022--04**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-05 VESTING POWERS OF THE STILLWATER TOWNSHIP ZONING BOARD OF ADJUSTMENT IN THE STILLWATER TOWNSHIP PLANNING BOARD –** Introduction [Public Hearing and Adoption 2/1/2022]

Mayor Scott tabled the introduction of this ordinance to February 15, 2022.

**RESOLUTION 2022-035** Authorizing Payment of Redemption Block 202 Lot 3

 WHEREAS, on November 23 ,2021 Gisela Rutnik, Collector

 Of Taxes sold at public sale Tax Lien for delinquent municipal lien on premises known as Block 202 Lot 3 to US Bank Cust Pro Cap 8 First Trust, 2500 McClellan Avenue, Suite 200, Pennsauken, NJ 08109; and

 WHEREAS, the Collector has received redemption of said lien on January 21, 2022 and has deposited said sum in the current account of the Township of STILLWATER,TOWNSHIP; and

 NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of STILLWATER

 1. As soon thereafter as the redemption funds have cleared the current account, payment shall Be made to the holder of the Certificate of Sale in the sum of 6,963.53

There was also a Premium paid in the amount of $.00 to be added to the certificate holder, Provided the holder shall surrender the Certificate of Sale and comply with all laws relating thereto.

A motion was made by Mr. Fisher to **adopt Resolution 2022--035**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-036** Awarding Contract for E-Mail, Facebook and Zoom meeting Archive and Retention Services

 **WHEREAS**, the Township of Stillwater requires a service contractor to provide E-Mail, Facebook and Zoom file archive and retention services; and

**WHEREAS**, the anticipated cost of said services would not exceed the bid threshold; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:11-6.1, the Township solicited competitive quotations for the requested services; and

**WHEREAS**, the Township received two (2) written responses to its request for quotations; and

**WHEREAS**, Global Relay provided the lowest responsive, responsible quote in the amount of $2,695 for 2022 including archive set up fee of $295 and $200 per month for 36 months; and

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Global Relay for E-Mail, Facebook and Zoom file archive and retention services in an amount not to exceed $2,695 for 2022 and $2,400 for 2023 and 2024 in accordance with Global Relay’s written proposal of January 11, 2022.

 A motion was made by Mr. Fisher to **adopt Resolution 2022--036**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-037** Awarding Contract for Green Dog Inn for Dog Pound Services

 **WHEREAS**, the Township of Stillwater requires a dog pound facility for stray and lost Township dogs; and

**WHEREAS**, the anticipated cost of said services would not exceed the bid threshold; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:11-6.1, the Township solicited competitive quotations for the requested services; and

**WHEREAS**, the Township received two (2) written responses to its request for quotations; and

**WHEREAS**, The Green Dog Inn provided the lowest responsive, responsible quote in the amount of $30 per day for seven (7) days or ten (10) days in the event of a bite; and

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to The Green Dog Inn for dog pound facility services in the amount of $30 per day per animal.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022--037**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-038** Cancelling General Capital Balances

 WHEREAS, certain Capital Improvement appropriation balances remain dedicated to projects now completed and/or cancelled; and

 WHEREAS, the Finance Officer certifies that it is necessary to formally cancel said balances so that the unexpended balances may be returned to either Capital Improvement Fund or Surplus or Reserves, and unused debt authorizations and grant receivables may be canceled;

 NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, that the following unexpended and dedicated balances of General Capital Appropriations be canceled:

General Capital Amount Cancelled

#  Ord. # Project Description Funded Unfunded

2020-07 Old Foundry Phase I – Soft Costs $9,035.20

To be canceled to Capital Fund Balance: $ 9,035.20

A motion was made by Mrs. Rumsey to **adopt Resolution 2022--038**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-039** Mayor’s Acceptance of the Resignation of Alicia Gardner as Member of the Stillwater Recreation Commission with Committee Concurrence

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater they do hereby concur with the Mayor’s acceptance of the resignation of Alicia Gardner as Member of the Stillwater Recreation Commission effective February 1, 2022.

A motion was made by Ms. Chammings to **adopt Resolution 2022—039 with regrets**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**DISCUSSION ITEMS AND COMMITTEE REPORTS:**

Mrs. Rumsey reported the DPW has installed security cameras in the community center and once on line they will be monitored via cell phone. Mayor Scott noted signage must be posted for the public so they are aware they are being recorded. Mrs. Rumsey noted the DPW will be painting the second-floor meeting room. Mrs. Rumsey would also like to see the community center’s main room floor replaced.

Alarm System for Community Center: Mrs. Rumsey reported two quotes were received for an alarm system. The CFO would like the system to be included in the 2022 budget.

Mayor Scott discussed prohibiting alcohol from the community center. A motion was made by Mayor Scott to **prohibit alcoholic beverages from the Community Center**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

The Clerk will amend the community center user agreement to reflect the township committees’ decision.

Ms. Chammings reported she spoke to Mr. Boyle from Planet Networks and Planet Networks will be working in Paulinskill Lake and then move toward Swartswood Lake beginning with CR 521.

Ms. Chammings noted there was a walk through of Stillwater School last evening with emergency personnel from Stillwater, Blairstown, Hampton and Fredon. Ms. Chammings said there were a lot of great questions asked about the school by emergency personnel. Ms. Chammings also said she has asked Steven Sugar to look into the evacuation plan for the school.

Ms. Chammings said the Zoning Board of Adjustment meeting was well attended. The members voted 7-1 to grant Mr. Sylvester’s appeal of the Zoning Officer’s determination on 974A Old Schoolhouse Road. A memorializing resolution will be adopted at the ZBA’s meeting on February 28, 2022 and when it is published an appeal period will begin for the owner of the property. Ms. Chammings also reported no member of the Zoning Board was in favor of its merger with the Planning Board.

Mayor Scott noted he planned on attending the Zoning Board meeting to discuss the merger with the members but his new grandson made his arrival the same day.

Mr. Fisher read the fire departments report into the record:

 *Good evening township committee,*

 *Congratulations Mr. Scott on becoming mayor, I am looking forward to a productive year working with the Committee.*

 *So far, the fire department has been dispatched and responded to 6 calls and ems has been dispatched to 20. I am proud to say ems is off to a great start answering all calls in town thus far. I am equally proud of our new ems officers and their dedication and enthusiasm to run call as well as expand training and education.*

 *The fire department line officers have also been doing great work, we are rapidly checking off our yearly refresher obligations and have a unified strong outlook for the rest of the year. We have 2 members starting firefighter 1 and 2 entering firefighter 2. On February 19 we have 6 members going to ice rescue technician training which means most of us active members are trained to technician level. This is quite outstanding considering we are surrounded by bodies of water in our response area. We all have big plans for great hands on, informative training throughout the coming year.*

 *Our membership is also growing with addition of of 2 new junior members who are both excited and motivated to help and learn all they can.*

 *All apparatus is in service and functioning as intended. 42 engine is going out for pump service in the next few weeks and is expected to be out of service for a few days, we will advise accordingly. Attached is our monthly truck reports.*

*Thank you and I am always a world any questions or comments.*

*Paul Hawkins*

Mr. Fisher also noted the walk through at Stillwater School was very informative. The fire department noted fire exits not marked correctly and signage missing from rooms such as the boiler room. Mr. Fisher said there were thirty attendees and everyone benefitted from knowing the lay-out of the school. Additional buildings such as Fredon and Hampton Elementary Schools and Kittatinny Regional School will be scheduled for walk throughs.

Mayor Scott reported the DPW will be in the market for a new pick up truck.

Mayor Scott also made a motion to name Gina McCabe-Richardson to be named as regular member and Mike Carovillano as Alternate #1to the Recreation Commission. The Clerk asked Mayor Scott if he wished to put the motion on as a resolution. Mayor Scott said he did.

RESOLUTION 2022-040 **RESOLUTION OF THE TOWNSHIP OF STILLWATER APPROVING APPOINTMENTS OF TOWNSHIP BOARD AND COMMISSIONS**

**BE IT RESOLVED** by the Township Committee that they do hereby concur with the Mayor’s Appointments and Committee appointments to Board and Commission Members for the year 2022 as follows:

**RECREATION COMMISSION**

Name Term Term Expires

Gina McCabe-Richardson - member (filling the unexpired 1 year 12/31/2022

Term of Alicia Gardner)

Paul Michael Carovillano – Alternate #1 2 years 12/31/2023

(filling the unexpired term of Gina McCabe-Richardson)

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey that they do hereby concur with the appointments herein for the year 2022.

A motion was made by Mayor Scott to **adopt Resolution 2022—040**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, abstained, Mayor Scott, yes.

Code Review: Will be discussed on Saturday, February 5, 2022 after the budget discussion.

Possible REM Foreclosure list: The list is tabled until February 15, 2022 because the tax collector is busy with tax payments until February 10th.

Mr. Barta reported on the Stillwater Board of Education meeting. Mr. Barta said Mr. Kochis, Superintendent of Stillwater School, would like to keep school open as long as possible and would like to keep the 10-day isolation requirement for COVID infections even though the County is adopting a lesser policy. Mr. Kochis also thanked the DPW for keeping township roads clear so school can remain open during weather events. Mr. Barta also reported the schools have a Start Strong Assessment that allows the school to evaluate each student’s knowledge and skills especially after COVID remote learning. This assessment gives immediate results to educators because the data is from their school and students only.

**OPEN PUBLIC SESSION:**

Mr. Lou Sylvester, 945Old Schoolhouse Road, said his application with the zoning board was the most democratic process he has been involved in and thanked the zoning board members for their service to the township. Mr. Sylvester also said Mr. Carovillano will be an asset on the recreation commission.

Mrs. Kathy Draghi, 1016 Route 619, said in the years she sat on the zoning board they had never interview potential member applicants. The members were always appointed by the Township Committee.

Steven Sugar, Former Fire Chief, said he was pleased the township prohibited alcohol from the community center as it alleviates competition with the fire department. Mr. Sugar asked the township committee to consider raising its fee for private parties to be equal with the fire department ($400) as an added measure to avoid competition.

There being no other members of the public who wished to speak this portion of the meeting was closed.

**ATTORNEY’S REPORT:** Mr. Vex said he has put the three law suits on hold where the township and/or fire department has been named and feels the matters must wait behind a bankruptcy matter and hopefully will just go away.

There being no further business, Mr. Fisher made a motion to adjourn the meeting at 8:20 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC