**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**February 15, 2022**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 6:30 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.

**BUDGET DISCUSSION with CFO Tammy Leonard:**

**Townhall Employee salaries** were discussed. The CFO presented the governing body with a scenario of 3% and 3.5% to review and discuss. The DPW has just negotiated a three-year contract with 3% raise per year with a .12 cent step for each year in a position after the first year. After a discussion a motion was made by Mrs. Rumsey to **approve a 3.25% raise for all townhall employees**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**Section 4-b-1:** MSI, the Township’s IT provider strongly suggested replacing the building department computer and provided two quotations. One for a desktop for $843.50 and a laptop $1,013.50. The Township Committee decided on the laptop so the inspectors could take the computer with them on inspections if needed. The CFO will find out if VPN software was included in the price.

**Section5-a-1 (Legal/Engineering):** TheEngineering line will remain at the same as it was in 2021. The miscellaneous legal line will be reduced by $2,000.00. Litigation will also remain the same at $10,000.00

**Sections 5-b-1 and 5-3-1 (Planning and Zoning Board of Adjustment)** will be discussed after the discussion and possible adoption of Ordinance 2022-05 merging the Zoning Board of Adjustment into the Planning Board.

**Section 7-b-1 (Police O/E):** Mr. Barta would like to see this line increased in 2022 because he feels the extra patrols in 2021 were an excellent deterrent for speeders etc. Funding which would have been added to the litigation line was put here for patrols in 2022. A motion was made by Mr. Barta to **fund additional patrols by the Sussex County Sheriff’s office in the amount of $15,000.00**, seconded by Ms. Chammings. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**Section 15-e-1 (Recreation Commission Capital):** The two parking lots the Recreation Commission requested being paved are Stillwater Park and Veterans Memorial Park. Stillwater Park will cost $12,777 and there is $13,000 left in Ordinance 2018-06 that will cover the cost. Veterans Park paving will cost approximately $36, 390 and Ordinance 2018-05 will cover $5,000 and $32,000 will come from Open Space funds.

A motion was made by Mayor Scott to **fund additional the Stillwater Park and Veterans Memorial Park parking lots as outlined by the CFO**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

The CFO noted one other item for discussion the Knox Box units for the Chief’s car and fire trucks.

Mrs. Leonard said she received the quote from Mr. Sugar and it was close to $6,000 for all the required equipment for fire department vehicles for Knox Box. Mrs. Leonard recommended using American Rescue Plan funding for the purchase.

A motion was made by Mrs. Rumsey to **fund the Knox Box equipment using ARPA funds** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

Ms. Chammings also asked the CFO to create new line items for Deputy Tax Collector and under the Clerk a line for Deputy Clerk noting the Clerk has been asking for a deputy clerk. Ms. Chammings noted the committee had not discussed funding those positions yet.

**DISCUSSION: Lake Plymouth – John Torregrossa, President Homeowners Association**

Mr. Torregrossa received correspondence from Dam Safety that the amount of 1.7 million requested in their application was too much for the State to justify so Mr. Torregrossa was before the Township Committee to see if they would agree with the Plymouth Lake Homeowner’s Association requesting 1.2 million for the dam repair. Ms. Chammings said she was concerned the 1.7 was too much and suggested the PLHA request her original amount of 1 million dollars. Mr. Barta said he was okay with the 1.2 million request because it gives PLHA a safety net. Mr. Torregrossa feels 1.2 million is a good request especially since they would not use any more funding that was truly needed to complete the repair. A motion was made by Ms. Chammings to **amend the Resolution in Support of Lake Plymouth Homeowner’s Association application to 1.2 million,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**MINUTES: January 4, 2022 Regular Session Minutes**: A motion was made by Mrs. Rumsey to **adopt the minutes as presented,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**MINUTES: January 8, 2022 Special Budget Meeting # 1 Minutes** : A motion was made by Mr. Fisher to **adopt the minutes as presented,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**MINUTES: January 11, 2022 Workshop Meeting and Executive Minutes were** tabled until March 1, 2022.

**MINUTES: February 5, 2022 Special Budget Meeting # 2 and Executive Session Minutes**: A motion was made by Mr. Fisher to **adopt the minutes as presented,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**REPORTS:** Tax Collector Report January 2022

 Tax Assessor 2021 Annual Report

 Convenience Center Report January 2022

 Building Department Report January 2022

 Board of Health Receipts January 2022

 Registrar Certified Copy Report January 2022

 Registrar License Report January 2022

 Dog Licensing Report January 2022

 Vacant/Abandon Property Registration Report January 2022

 DPW Report for January 2022

 Fire Department report for January 2022

 ACO Report October – December 2021

A motion was made by Mr. Barta to accept the **reports as presented**, seconded by Mayor Scott **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, abstained because she is still reviewing the newly received reports, Mayor Scott, yes.

**BILLS LIST #3: $912,549.35

RESOLUTION 2022-041** 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 15, 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 Mayor Scott to adopt **Resolution 2022--041**, 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 –** Mr. Fisher said he would like an ordinance to be written to ensure elected official live in Stillwater. Mr. Vex will prepare an ordinance. Resolution 2022-043 to be added to new business.

**OPEN PUBLIC SESSION –**

Mrs. Kathy Draghi, 1019 County Road 619, asked why there were no monetary amounts listed with the four (4) replacement checks on the bills list. Ms. Chammings said she would check with the CFO as to why the amount was not listed but said many mailed items of all kinds are not being received and that was the reason for the replacement checks.

Mrs. Dawn Delaney, Chair of the Recreation Commission, noted her personal business was experiencing a similar issue with the mail.

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 has questions and is concerned the township is not the owner of the parcel. Mayor Scott said he would like to take Mr. Vex to the property so he can see what the property looks like. The clerk suggested Ms. Chammings speak to the state employee who works with the remediation grants and get her opinion on how best to proceed. Ms. Chammings is also concerned what happens if an additional area of concern be found during the preliminary assessment. After further discussion the clerk will call the State and have them put in writing what procedure(s) allows the municipality to gain access to the property for purposes of assessment and remediation.

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

This resolution was tabled until the March 1, 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.

**ORDINANCE 2022-05 VESTING POWERS OF THE STILLWATER TOWNSHIP ZONING BOARD OF ADJUSTMENT IN THE STILLWATER TOWNSHIP PLANNING BOARD –** Introduction [Public Hearing and Adoption 3/01/2022]

A motion was made by Mr. Fisher to **Introduce Ordinance 2022-05**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, yes.

**RESOLUTION 2022-042** APPROVING APPOINTMENTS OF TOWNSHIP ENVIRONMENTAL COMMISSION

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

**ENVIRONMENTAL COMMISSION**

Name Term Term Expires

Ed Szabo (filling the term of E Svendsen) 2 years 12/31/2023

Emily Willis – 1st Alternate (filling the term of 1 year 12/31/2022

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**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 Mr. Fisher to **Adopt Resolution 2022-042**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-043** RESOLUTION AUTHORIZING ALICIA GARDNER

 TO ACT AS ENVIRONMENTAL SECRETARY UNTIL FEBRUARY 28, 2022

WHEREAS, Alicia Gardner resigned from the Environmental Commission on December 31, 2021; and

WHEREAS, the Environmental Commission has yet to appoint a new secretary; and

 WHEREAS, Alicia Gardner has agreed to continue to act as Environmental Commission Secretary until February 28, 2022 to allow the Environmental Commission time to find a secretary; and

 NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Stillwater that:

 The Mayor and Committee are hereby authorizing Alicia Gardner to act as Environmental Secretary until February 28, 2022.

A motion was made by Ms. Chammings to **Adopt Resolution 2022-043**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**DISCUSSION ITEMS:**

Possible REM Foreclosure list: The – this list will be discussed at the March 1, 2022 meeting.

Potential Egress Road Lower Crandon Lake: Ms. Chammings discussed her research with the Township Committee and public on a possible area for the emergency egress road for Lower Crandon Lake. The two township owned lots - Block 408/13 (Jasmine Lane) and Block 305 Lot 26 (Tulip Trail) offer a potential. NJDEP permission would be needed to complete access to Mount Benevolence Road.

**OPEN PUBLIC SESSION:**

Mr. George Lippencott, Chair of the Zoning Board of Adjustment, read the following into the record in support of keeping the Zoning Board of Adjustment:

*As a long-term resident of Stillwater Township and a member of its Zoning Board of Adjustment to explain why I believe that the proposed Ordinance that would merge the Zoning Board into the Planning Board is a mistake and should be rejected.*

*In a nutshell, the Ordinance attempts to remedy problems that do not exist while threatening to create new problems of its own.*

*The Mayor’s memorandum in support of the ordinance ignores the fact that an independent Zoning Board is an asset to the community, not an impediment. The Zoning Board consists of a group of residents with diverse professional backgrounds, ranging from small business ownership to engineering, architecture, banking, law and nonprofits. All serve voluntarily and without pay.*

*The members of the Zoning Board consider applications on a case-by-case basis, concentrating on the specific facts of each case, as they must, free from any of the partisan or political pressures that may influence decisions at the Planning Board. Participants before the Zoning Board have, for these reasons, repeatedly praised it for providing them with a full and fair opportunity to be heard.*

 *The purported advantages of the combined Board urged by the Mayor simply do not exist. First, whatever problems other townships may have encountered in obtaining sufficient members to staff two Boards, this has not been an issue in Stillwater. The Zoning Board has met for at least a dozen years without quorum issues.*

*The existence of two Boards staffed by volunteers is an advantage, not a disadvantage. By increasing the number of civic-minded residents who voluntarily participate in local affairs without pay, the Zoning Board both advances the goal of local participatory democracy and provides residents with assurance that their individual concerns will be thoroughly and carefully heard without fear or favor.*

*The proposed merger of the Boards may well trigger the quorum issues the Ordinance claims to address. Many hard-working local residents willing to devote one evening a month (plus preparation time) to serving on the Zoning Board will simply not be able to double their time commitment.*

*The Mayor’s claim that combination of the Boards will result in material cost savings is simply untrue. The Zoning Board’s annual operating budget is miniscule – about $6,000. Virtually all costs are charged against amounts placed in escrow by applicants. One part-time Township employee attends and prepares the minutes for the meetings of both Boards; the employee’s salary and hours will presumably remain unchanged.*

*Finally, the Mayor’s claims of efficiency are also unfounded. We are unaware of any jurisdictional disputes between the Boards or situations in which applications have been transferred between them. To the extent applicants may be unsure how to proceed, it is the responsibility of township officials to direct them.*

*The elimination of a nonpolitical Zoning Board would be a profound mistake. It would undermine participatory democracy and non-partisan decision making while solving no problems. I urge you to reject the proposed Ordinance.*

Mayor Scott said he has been an advocate for both boards for years but was approached and asked to see if now is the time to combine the boards. It is not just me the Mayor but other Township Committee members who are interested in seeing the boards merged.

Mr. Lippencott said the memo notes the ZBA will be going away not merging. Mayor Scott said no they would work together.

Mr. Lippencott said the members had no opportunity to research merging themselves. If he had not been told the ordinance was on the agenda he would never had known it was happening.

Mr. Vex said the Planning Board would assume the duties of the Zoning Board and the land use board has more members and alternates members.

Mrs. Rumsey said she brought the boards merging discussion up to the township committee as a fact-finding mission and asked the Mayor to give a memo to the board members so they could weigh in themselves.

Ms. Chammings said as liaison I contacted the secretary and let her know the ordinance was on the agenda and she may have contacted some of the members. Ms. Chammings also contacted the Administrator of Hopatcong since they had recently merged their boards to hear their thoughts. Mr. Tappan said it was rough at first for the board members who had different mind sets but now all seemed to be working.

Mayor Scott noted he had planned on attending the Zoning Board meeting to discuss the potential merger but his new grandson arrived that day and his plans changed.

Mr. Robert Kochenthal, member of the ZBA, said he agreed with Mr. Lippencott’s thoughts and added if it is not broken don’t fix it.

Mrs. Gardner said she asked Mayor Scott and the clerk if she could speak in executive session and wondered why she had not been able to do so. Mayor Scott said the township committee had budget discussions not executive session prior to 7 p.m. and noted the township committee would be discussing town hall employees at the next meeting on March 1, 2022. Mayor Scott said Mrs. Rumsey has asked for an executive session after the meeting. Mr. Vex said it would be up the township committee to allow her to speak to them tonight.

Mrs. Kathy Draghi, 1016 Route 619, member of the ZBA, said the ZBA is an autonomous board – would the township committee members participate inn zoning matters? Mr. Vex said they would step down as a matter of law.

Sam Wykoff, ZBA member, agrees with everything said by his fellow ZBA members and echoed if it is not broken do not fix it!

Mr. Lou Sylvester, 945Old Schoolhouse Road, said the ZBA does do a great job. Mr. Sylvester also discussed a new flag to replace the Gadsden (Don’t Tread on Me) flag which as been ripped from its seams numerous times at Veterans Memorial Park. It is the U S Arm Forces flag with seals of all branches of the US military. Ms. Chammings would like the clerk to make sure Mr. Wanamaker, who as an Eagle Scout, designed and constructed the memorial at the park’s opinion of the flag change.

Dawn Delaney, Chair of the Recreation Commission, said the Recreation Commission would like to work with the Stillwater Historical Society to combine Stillwater Day and the Fall Festival and hoped the Township Committee would agree. Mrs. Delaney thinks it will help bring the township together. The Township Committee was in full agreement with the merger hoping it will be a great success.

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 spoke to the two law firms for the law suits and both agreed to stipulate the matters will be held in abeyance while the Boy Scouts of America resolves its bankruptcy matter.

 **EXECUTIVE SESSION**: held in Town Hall

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mr. Fisher, seconded by Ms. Chammings and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 9:29 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, Litigation/Potential Litigation.

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, Mr. Fisher made a motion to adjourn the meeting at 10:20 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC