**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**April 5, 2022**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7:01 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.

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

**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 6:30 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, Attorney-client, 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.

By a **motion** was made by Ms. Chammings, seconded by Mr. Fisher to suspend Executive Session at 7:16 p.m., to resume public session unanimously carried by voice vote.

The flag was saluted.

**2022 BUDGET INTRODUCTION [Public Hearing and Adoption May 3, 2022]**

**RESOLUTION 2022-064** Introducing the 2022 Budget

BE IT RESOLVED that the attached Statements of Revenues and Appropriations shall constitute the Municipal Budget for the 2022 calendar year; and

BE IT FURTHER RESOLVED that a Summary of said Budget shall be published in *The Sunday Herald on Sunday, April 17, 2022* and the public hearing and final adoption shall be held on May 3, 2022 at 7:00 p.m. at the Municipal Building at which time and place objections to the 2022 Municipal Budget may be presented by taxpayers or other persons of interest.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-064**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-065** Self-Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of Stillwater* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Township of Stillwater* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

a. Payment of interest and debt redemption charges

b. Deferred charges and statutory expenditures

c. Cash deficit of preceding year

d. Reserve for uncollected taxes

e. Other reserves and non-disbursement items

f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

a. All estimates of revenue are reasonable, accurate and correctly stated,

b. Items of appropriation are properly set forth

c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-065**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **BUDGET DISCUSSION – Valerie Dolan, CPA and Tammy Leonard, CFO**  Ms. Chammings thanked Mrs. Dolan for coming and all their hard work. Mrs. Dolan said she was there tonight because there were some changes made over the weekend to the budget and wanted to answer any additional questions about the reduction of fund utilization prior to the introduction.  **PROCLAMATION: APRIL IS CHILD ABUSE PREVENTION MONTH**  ***WHEREAS****, child abuse and neglect is a complex and ongoing problem in our society, affecting many children in Sussex County, and*    ***WHEREAS,*** *every child is entitled to be love, cared for, nurtured, feel secure and be free from verbal, sexual, emotional and physical abuse and neglect; and*    ***WHEREAS,*** *child abuse and neglect not only directly harms children, but also increases the likelihood of criminal behavior, substance abuse, health problems, and risky behavior; and*    ***WHEREAS,*** *the effects of child abuse are felt by communities as a whole and need to be addressed by the entire community; and*    ***WHEREAS*** *effective child abuse prevention programs succeed because of partnerships among families, social service agencies, schools, religious and civic organizations, law enforcement agencies and the business community.*    ***NOW, THEREFORE****, BE IT RESOLVED THAT, the Township Committee of the Township of Stillwater does hereby proclaim April 2022 as*  ***Child Abuse Prevention Month***  *And calls upon all citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.* |  |  |  |  |  |

**MINUTES:** March 1, 2022 Regular Meeting Minutes

A motion was made by Mr. Fisher 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:** March 15, 2022 Regular and Executive Meeting Minutes

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

**MINUTES:** March 22, 2022 Workshop Meeting Minutes – The minutes were tabled until the April 19, 2022 meeting.

**BILLS LIST #6: $1,092,004.88**

**RESOLUTION 2022-066** 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 April 5, 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 Ms. Chammings to adopt the **Resolution 2022-066,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**AMENDMENTS TO AGENDA - None**

**OPEN PUBLIC SESSION**

Mrs. Heidi Mountford, Mount Benevolence Road, noted the CFO said the RUT boosted the surplus but that is not how the RUT should be used. Mrs. Mountford asked the Township Committee how they determined the percentage for the RUT (Reserve for Uncollected Taxes).

Mayor Scott answered the Auditors suggested the 95.6% as a safety net. Mrs. Mountford said the 3 year average of tax collection is 97% and even using a safety net the township only had $61,000 of uncollected not the $700,000.00 in the RUT. Mr. Fisher noted the RUT covers the township should no one pay their tax. Mrs. Mountford said the same formula applies to all municipalities and although she is glad there is no tax increase in Stillwater she feels the RUT does not have to be funded the way it is now. Ms. Chammings noted the Township will adopt a policy to follow to bring the RUT to a better level.

Mrs. Kathy Draghi, 1016 County Road 619, asked why the residency ordinance references volunteers for boards and commission noting no one who did not live here would apply for a seat on a Stillwater board.

Mrs. Draghi also noted if the township committee wished to enforce the residency ordinance by using where one laid their head on their pillow they should be ready to take the same kind of heat she did when she brought to the governing body’s attention that a siting committee woman was not living in her home. Mrs. Draghi said she was abused by both the governing body and public but if you have nothing to hide there should be no objection to the ordinance. Mrs. Draghi said she agrees with Mr. Barta – if you have something to say to me say it to my face.

Mrs. Draghi also noted the vibe of the Township Committee is still very confrontational and they are not getting things accomplished. Mrs. Draghi asked how much it costs the taxpayers for the attorney to write ordinances that never make it out of the committee? Mayor Scott said the Township Committee discusses the proposed ordinances and resolutions at the meetings and then votes. Ms. Chammings said she feels the township committee should discuss potential ordinances prior to having the attorney prepare them.

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

**OLD BUSINESS:**

**ORDINANCE 2022-06** Clarifying the Residency Requirements for Persons who are Candidates for Election to the Township Committee, Boards and Commissions**- Introduction [Public Hearing and Adoption April 19, 2022]**

**WHEREAS,** the Township Code of the Township of Stillwater includes residency requirements for the Township Committee and certain employees of the Township; and

**WHEREAS,** the Governing Body of the Township of Stillwater has determined that the residency requirements for candidates for Township Committee and for elected Members serving on the Township Committee should be clarified in the Township Code; and

**WHEREAS,** the Governing Body of the Township of Stillwater has determined that the residency requirements should also be clarified in the Township Code to include persons who are appointed to serve in unpaid positions on the Township’s various Boards and Commissions.

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

**SECTION 1**

Chapter 1O, Article II of the Township Code of the Township of Stillwater shall be amended to by changing its Title from “Elective Officers” to “Elected/Appointed Members of the Township Committee and Unpaid Appointees to Township Boards and Commissions.

**SECTION 2**

Chapter 1O, Article II of the Township Code of the Township of Stillwater shall be further amended add the following additional provisions:

**10-\_\_ Definitions**

Pursuant to N.J.S.A. 40A:9-1.11 and as otherwise permitted by law, the following definitions shall be applicable to the residency requirements established herein:

**A. “Resident”** means a person having, within the territorial limits of the Township of Stillwater, a place of abode, which has not been adopted for any mere special or temporary purpose, but serves as their ordinary and permanent domicile.

**B. “Candidate”** means any person who shall file, or cause to have filed, a petition of nomination for election, or for re-election, to the Township Committee of the Township of Stillwater.

**C. “Elected or Appointed Member of the Township Committee”** means any person elected by the general public, or appointed as otherwise permitted by law, to serve a term of office on the Township Committee of the Township of Stillwater.

**D. “Appointed Member of a Township of Stillwater Board or Commission”** means any person duly appointed to serve a term of office as an unpaid appointed member on the various Township Boards and Commissions as may be established by the Township Committee.

**10-\_\_ Residency Requirement**

**A.** Pursuant to N.J.S.A. 40A:9-1.11 and as otherwise permitted by law, no person shall be a candidate for or serve as an Elected or Appointed Member of the Township Committee unless they are a resident of the Township of Stillwater. If any person nominated for, or holding, a seat on the Township Committee shall cease to be a resident of the Township of Stillwater, the nomination or office, as the case may be, shall be deemed vacant and shall be filled in the manner prescribed by law.

**B.** As permitted by law, no person shall serve as an Appointed Member of a Township of Stillwater Board or Commission unless they are a resident of the Township of Stillwater unless expressly permitted by law. If any person appointed to such a Board or Commission shall cease to be a resident of the Township of Stillwater, their seat shall be deemed vacant and shall be filled in the manner prescribed by law.

**10\_\_ Failure to maintain residency; investigation; notice of hearing; failure to appear.**

**A.** Failure of any Candidate for or Elected or Appointed Member of the Township Committee or failure of any Appointed Member of a Township of Stillwater Board or Commission to maintain residency in the Township of Stillwater, when required to do so under the terms of this Chapter, shall be cause for immediate removal from their office.

**B.**  The Township Committee of the Township of Stillwater, or a duly appointed agent thereof, are hereby authorized to investigate into the residency of any Candidate for or Elected or Appointed Member of the Township Committee or any Appointed Member of a Township of Stillwater Board or Commission and to require any such person to produce proof of bona fide residence. The standards as set forth in N.J.A.C. 4A:4-2.11 shall be used to make the determination of residency and are as follows:

1. Whether the location where that person claims be a resident is owned or rented by the person or their immediate family;

2. Whether time actually spent in the claimed residence exceeds that of other locations;

3. Whether the relationship among those persons living in the claimed residence is closer than those with whom the individual lives elsewhere. If an individual claims a parent's residence because of separation from his or her spouse or domestic partner, a court order or other evidence of separation may be requested;

4. Whether the residence recorded on a driver's license, motor vehicle registration, or voter registration card and other documents is the same as the claimed legal residence. Post office box numbers shall not be acceptable; and

5. Whether the school district attended by child(ren) living with the person is the same as the claimed residence.

**C.** The Township Committee is tasked with enforcement of this Chapter. Any person accused of violating the residency requirement established herein shall be given written notice from the Township Committee setting forth the charge that they are not a bona fide resident of the Township of Stillwater. The notice shall also set forth the time and place of hearing to be conducted by the Township Committee, but in no case shall that hearing be less than ten days from the provision of the notice upon the accused. At the hearing, the Township Committee or its designee shall present the witnesses and evidence they have obtained related to the lack of residency of the accused. The accused or their designee shall be permitted to present his or her own witnesses and evidence related to residency.

**D.** Failure to appear at the time and place of the hearing set forth in the notice from the Township Committee or to comply with the residence requirements shall be sufficient cause for removal from service.

**E.** The Township Committee is hereby authorized, in extraordinary circumstances only and upon written application of the person accused of violating the residency requirement, to extend the time for compliance with the residency requirement for a period up to but not exceeding six months. In considering whether there exists extraordinary circumstances for an extension of time, the Township Committee shall take into consideration the length of time the applicant had been a nonresident before the notice of violation was given; any objectively verifiable problems related to the sale of a home or in the purchase of a home within the Township of Stillwater that caused the violation; significant and verifiable financial problems concerning existing leases; significant verifiable difficulties in locating suitable living quarters within the Township of Stillwater; other verifiable financial hardships; and such other matters that would clearly create an undue burden on the person’s family if the requested extension is denied.

**SECTION 3**

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

**SECTION 4**

All Ordinances or parts of Ordinances inconsistent with or contrary to the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 5**

This Ordinance shall take effect immediately upon its passage.

A motion was made by Ms. Chammings to adopt the **Ordinance 2022-06**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, no, Mrs. Rumsey, no, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, abstained. The Motion failed.

**NEW BUSINESS:   
  
ORDINANCE 2022-07** BOND ORDINANCE APPROPRIATING $613,000, AND AUTHORIZING THE ISSUANCE OF $209,000 BONDS OR NOTES OF THE TOWNSHIP, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY**. Introduction [Public Hearing and Adoption May 3, 2022]**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS**:

## The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to $613,000 including the aggregate sum of $11,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor, to the extent of $8,250 from the DPW Equipment Reserve and to the extent of $2,750 from the Asphalt Overlay Reserve, and including also (i) in the case of the improvement or purpose described in paragraph (a) of said Section 3, the sum of $44,000 constituting proceeds of a grant received by the Township from the American Rescue Plan Act of 2021 (with a pass through from the State of New Jersey) and the sum of $6,000 from the Capital Improvement Fund and (ii) in the case of the improvement of purpose described in paragraph (b) of said Section 3, the sum of $160,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose, the sum of $79,250 from the Asphalt Overlay Reserve, the sum of $73,750 from Ordinance No. 2021-04 of the Township and the sum of $30,000 from Ordinance No. 2019-05 of the Township.

## For the financing of said improvements or purposes and to meet the part of said $613,000 appropriations not provided for by application hereunder of said down payments, grants, Reserves and other available funds, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $209,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Township in a principal amount not exceeding $209,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

## The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

|  |  |  |
| --- | --- | --- |
| **IMPROVEMENT OR PURPOSE** | **APPROPRIATION AND ESTIMATED COST** | **ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES** |
|  |  |  |
| (a) Acquisition, by purchase, of new and additional vehicular equipment for use by the Department of Public Works of the Township, including one (1) dump truck, together with all appurtenances, apparatus and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the $215,000 appropriation hereby made therefor being inclusive of the amount of $44,000 constituting proceeds of a grant received by the Township from the American Rescue Plan Act of 2021 (with a pass through from the State of New Jersey) and the amount of $6,000 from the Capital Improvement Fund of the Township (additionally the down payment of $8,250 is from the DPW Equipment Reserve) | $215,000 | $156,750 |
| (b) Improvement of Mt. Benevolence Road (Phase I) in and by the Township by the construction or reconstruction therein of a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as used or referred to in Section 40A:2-22 of said Local Bond Law), together with all sidewalks, curbing, structures, appurtenances, milling, drainage improvements, equipment, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved, the $398,000 appropriation hereby made therefor being inclusive of the amount of $160,000 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement, the amount of $79,250 from the Asphalt Overlay Reserve, the amount of $73,750 from Ordinance No. 2021-04 of the Township and the amount of $30,000 from Ordinance No. 2019-05 of the Township (additionally the down payment of $2,750 is from the Asphalt Overlay Reserve) | 398,000 | 52,250 |
|  |  |  |
| Totals | $613,000 | $209,000 |

Except as otherwise stated in paragraphs (a) and (b) above with respect to the said $204,000 grants, the said $79,250 Reserves, the said $73,750 from Ordinance No. 2021-04, the said $30,000 from Ordinance No. 2019-05 and the said $6,000 from the Capital Improvement Fund, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose. The following additional matters are hereby determined, declared, recited and stated: The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby. The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 6.25 years. The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $209,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law. Amounts not exceeding $60,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

## The funds from time to time received by the Township on account of the $204,000 grants referred to in Section 1 of this bond ordinance shall be used for financing the improvements or purposes described in paragraphs (a) and (b) of Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Township authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

## All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer (the “Chief Financial Officer”), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

## The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

## The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

## It is the opinion of the Township Committee of the Township, as the governing body thereof, that it is in the best interest of the Township that $30,000 constituting proceeds of notes of the Township heretofore issued under Ordinance No. 2019-05 of the Township shall be appropriated to and used to finance costs, including incidental expenses, of the improvement or purpose above described in Section 3(b) of this bond ordinance.

## This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

A motion was made by Mrs. Rumsey to adopt the **Ordinance 2022-07**, seconded by Ms. Chammings. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey,yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-08** ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING $55,000 THEREFOR FROM VARIOUS SOURCES.

**Introduction [Public Hearing and Adoption May 3, 2022]**

Ms. Chammings said she was concerned about the cost of fuel/oil and would like to see the paving separated from the purchases included in the Ordinance and would like to see the Ordinance split. The Township Committee members agreed.

A motion was made by Mrs. Rumsey to send **Ordinance 2022-08 back to be split into wo parts: signage and paving so the purchases may be split into two ordinances**. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-09** Amending Chapter 69 of the General Code of the Township of Stillwater, County of Sussex, State of New Jersey, Entitled “Fees” **Introduction [Public Hearing and Adoption April 19, 2022]**

**BE IT ORDAINED** by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, that Chapter 69, entitled “Fees”, by amended to provide as follows:

Chapter 45: Building Construction [Amended 5-5-1988 by Ord. No. 5-88; 9-7-1989 by Ord. No. 9-89; 12-7-1989 by Ord. No. 13-89; 10-1-1991 by Ord. No. 6-91; 8-2-1994 by Ord. No. 4-94; 7-2-1996 by Ord No. 5-96]

A. Construction permit fees. Construction permits. The fee for a construction permit shall be the sum of the Subcode applications, plus all administrative and miscellaneous fees listed below. All fees will be rounded to the nearest dollar and shall be paid before the permits are issued, unless otherwise stated. The minimum construction permit fee shall be **$75.00**

B. The building subcode fees are as follows:

1. Fees for new construction shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The new construction fee shall be in the amount of **$0.038** per cubic foot of volume for buildings and structures of all use groups and types of construction as classified and defined in articles 3 & 6 of the building subcode; except that the fee shall be **$0.021** per cubic foot of volume for use groups A-1, A-2, A-3, A-4, A-5, F-1, F-2, S-1 and S-2 and the fee shall be **$0.0011** per cubic foot for structures on farms, including commercial farm building, under N.J.A.C 5:23-3.2(d) with the maximum fee from such structures on farms not to exceed **$1,602.00**
2. Fees for renovations, alterations and repairs or site construction associated with pre-engineered systems of commercial farm buildings, pre-manufactured construction, and the external utility connection for pre-manufactured construction shall be based upon the estimated cost of work. The fee shall be in the amount of $**34.00** per $1,000.00. From $50,001 to and including $100,000, the additional fee shall be in the amount of $**26.00** per $1,000 of estimated cost above $50,000. Above, $100,000, the additional fee shall be in the amount of $**22.00** per $1,000 of estimated cost above $100,000. Fees for additions shall be computed on the same basis for new construction for the added portion in 1 above.
3. The fee for open decks, porches and raised platforms shall be $.**45** per square foot provided that the minimum fee shall be **$75.00**.
4. Fees for combination renovations and additions shall be the sum of the fees computed separately in accordance with (1), (2) and (3) above.
5. Fees for retaining walls shall be as follows:
   1. The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a class 3 residential structure shall be **$210**.
   2. The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a class 3 residential structure shall be **$106.00** other than a class 3 residential structure shall be based upon the cost of construction.
6. The fee for temporary structures and structures for which volume cannot be computed, such as above ground swimming pools and open structural towers, shall be **$125.00**. The fee for an in-ground swimming pool shall be **$175.00**. These fees shall include all required pool enclosures.
7. The fee for fencing exceeding six feet in height shall be **$50.00**.
8. The fee for a permit to construct a sign shall be **$3.00** per square foot computed on one side only for a single or double-faced sign provided that the minimum fee shall be **$65.00**.
9. Reserved.
10. The fee for installation or replacement for storage systems of flammable and combustible liquids shall be **$75.00** per tank up to and including those with a capacity of 1,000 gallons, and **$95.00** per tank for those with capacities exceeding 1,000 gallons.
11. The fee for a permit to demolish a building or structure shall be as follows: Use Groups R-5 shall be **$75.00**; buildings and structures incidental to Use Group R-5 shall be **$25.00** and all other Use Groups shall be **$100.00**.
12. Fees for moving of a building shall be **$100.00**
13. For purposes of estimating cost of work, any part of $1,000.00 shall be rounded up to the next highest thousand-dollar increment.
    * 1. Plumbing subcode fees are as follows:
14. The fee for each fixture, stack or appliance connected to the plumbing system shall be **$18.00**.
15. The fee for each special device including “but not limited to” grease traps, oil separators, air conditioning of refrigeration units, water and sewer connections, flammable and combustible liquid storage tanks, backflow preventers, steam or hot water boilers, gas piping, active solar systems, sewer pumps, interceptors and fuel oil piping shall be **$91.00** for Use Group R-5 and **$91.00** for all other Use Groups.
16. The minimum permit fee for work, including the plumbing subcode, shall be **$75.00**

D. Administrative and Miscellaneous Fees:

1. The fee for plan review shall be **twenty percent (20%)** of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. This fee shall be credited toward the amount of the construction permit fee.
2. The fee to process an application for a variation pursuant to N.J.A.C. 5:23-2.10 shall be as follows:
   1. Class I Structure………………………………………………….$**821.00**

Resubmission…………………………………………………….$**321.00**

* 1. Class II Structure………………………….……………………....$**168.00**

Resubmission………………………………..……………..……..$ **91.00**

* 1. Class III Structure…………….………………………………….$**168.00**

Resubmission……………………………………………………...$**91.00**

1. An administrative surcharge fee of **fifteen percent (15%)** shall be charged on each Subcode application issued by any third-party agency contracted by the Township of Stillwater.
2. The fee for the reinstatement of a lapsed permit shall be **twenty percent (20%)** of the original fee calculated per Subcode application; provided that the minimum fee shall be as per Subcode.
3. The fee for each construction permit and certificate of occupancy issued for an asbestos hazard abatement project shall be as set forth in N.J.A.C. 5:23-8.9 1 and 2.
4. The fee for a permit for lead hazard abatement work shall be **$125.00**. The fee for a lead hazard abatement clearance certificate shall be **$25.00**.
5. The fees for certificates of occupancy are as follows:
   1. Certificate of occupancy for one and two family dwellings……….$ **90.00**
   2. Certificate of occupancy for accessory buildings to one and two family dwellings……………………………………………….$**40.00**
   3. Certificate of occupancy for principal buildings or structures of all other Use Groups…………………………………………….$ **40.00**
   4. Certificate of occupancy for accessory buildings of all other use groups…………………………………………………………$ **40.00**
   5. Multiple Certificates of occupancy for all Use Groups per unit…..$ **40.00**
   6. Certificates of occupancy for Change of Use Group Only……….. $**168.00**
   7. Certificates of Continued Use or Occupancy…………………….. $**168.00**
   8. The fee for first issuance or renewal of a Temporary Certificate of occupancy shall be……………………………………………...$ **40.00**
6. Fees for Certificates of Compliance as required by N.J.A.C. 5:23-2.23 (K) are as follows:
   1. High pressure boilers (12 months)…………………………………$50.00
   2. Refrigeration systems (12 months)………………………………...$50.00
   3. Pressure Vessels (12 months)……………………………………...$50.00
   4. Cross connections and backflow preventers (12 months)…………$50.00
   5. Swimming pools, spas and hot tubs (12 months)………………….$50.00
7. State of New Jersey training fees shall be in the amount of **$0.00371** per cubic foot of volume of all new construction and **$1.90** per $1,000.00 of estimated cost for alterations and repairs or as currently posted in the regulations. These fees are set by and shall be accounted for and forwarded the Bureau of Regulatory Affairs as per N.J.A.C. 5:23-4.19 (C) 1.
8. The fee for a change of contractor shall be………………………………....$20.00

E. Fire Protection subcode fees are as follows:

1. Wet or dry sprinkler suppression systems as per the following numbers of heads:

to 20………………………………………………………………………$ 91.00

21- 100………………………………………………………………..... $**168.00**

101-200…………………………………………………………………..$**321.00**

201-400..…………………………………………………………………$**831.00**

401-1000………….………………………………………………. . . $ **1,150.00**

1. Fee for each standpipe…………………………………………………….**321.00**
2. Fee for each gas or oil fired appliance not connected to the plumbing system………………………………………………………………………**65.00**
3. Commercial kitchen exhaust system, each…………………………………**65.00**
4. Pre-engineered suppression systems, each…………………………… …**129.00**
5. Fuel storage tanks (underground or above ground, installation only) each:

1 to 1000 gallons……………………………………………………………**75.00**

1001 to 4000 gallons……………………………… …………………….**100.00**

Over 4000 gallons………………………………………………………....**150.00**

1. Smoke or heat detectors:

1-20………………………………………………………………………....**50**.00

21-120…………………………………………………………………..…131.00

121-220……………………………………………………………………216.00

221-320…………………………………………………………………....301.00

321-420..……….………………………………………………………….386.00

421-520……………………………………………………………………471.00

1. Manual or automatic alarm systems……………………………………….............................................50.00
2. Central control system……………………………………………………………………...50.00

The fire protection subcode fee shall be a minimum of $**75**.00 for single-family dwellings; and $**100**.00 for all other structures.

F. Electrical subcode fees are as follows:

1. The fees for electrical receptacles, fixtures and devices are as follows:
   1. For the first block consisting of one to 50 receptacles, fixtures or device……………………………………………………………**50**.00
   2. For each additional block consisting of up to 25 receptacles, fixtures or devices………………………………………………...…9.00
2. The fees for electrical devices, generators, transformers, motors, or air conditioner feeders and disconnects are as follows.
   1. For each electrical device, generator, transformer or motor rated up to 10 kilowatts or 10 hp……………………………………………...................................15.00
   2. For each electrical device, generator, transformer rated over 10 kilowatts to 45 kilowatts; ………………………………………………………………………65.00 For each motor rated over 10 hp to 50 hp; or [For each air conditioner feeder and disconnect, Commercial: 11 to 50 hp, plus unit]
   3. For each electrical device, generator, transformer rated over 45 kilowatts to………………………………………………………….................129.00 112.5 kilowatts; For each motor rated over 50 hp to 100 hp; or For each air conditioner feeder and disconnect, Commercial; 51 hp or over, plus unit
   4. For each electrical device, generator, transformer rated over 112.5 kilowatts……………………………………………………….…….640.00
   5. For each motor over 100 hp………………….……………………...640.00
3. The fees for service panels, service entrances, sub panels are as follows:
   1. For each service panel, service entrance, sub panel from 0 to 225 amps…………………………………………………………………65.00
   2. For each service panel, service entrance, sub panel over 225 to 1,000 amps……………………………………………..……………129.00
   3. For each service panel, service entrance/sub panel over 1,000 amps…………………………………………………………640.00
4. The fee charged for electrical work for each permanently installed private swimming pool, spa, hot tub or fountain as defined in the building subcode shall be a flat fee of **$77.00** which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles and heaters, etc., excepting panel boards and under-water lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with 1 though 3 above.
5. The fees for pool permit, with UW lights……………………………………**77**.00
6. The fees for storable pool, spa, hot tub……………………………………....**77**.00
7. The minimum permit fee for work, including the Electrical sub code shall be **$75.00.**

G. Photovoltaic

1. 0 to 50 KW shall be ……………………………………………………….$ 65.00
2. 51 to 100 KW shall be …………………………………………………….$129.00
3. Above 100 KW shall be …………………………………………………..$640.00

H. Elevator Sub-code Fee

The Elevator Sub-code fees shall be established by the New Jersey Department of Community Affairs in accordance with N.J.A.C. 5:23-4.20

I. The fee for mechanical inspection in a structure of Group R-3 or R-5 by a mechanical inspector shall be $**60.00** for the first device and $15.00 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

A motion was made by Ms. Chammings to adopt the **Ordinance 2022-09**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-10** AN ORDINANCE OF THE TOWNSHIP OF STILLWATER, SUSSEX COUNTY, NEW JERSEY AMENDING CHAPTER 382 “TREES”, Section 382-15 “eNFORCING oFFICER”, OF THE TOWNSHIP OF STILLWATER **Introduction [Public Hearing and Adoption April 19, 2022]**

**WHEREAS,** The Stillwater Township Committee desires to amend Section 382-15 “Enforcing Officer” to read:

The Zoning Officer shall be the enforcing officer. He may, on his own initiative or on complaint of any individual, act to assure compliance with this article. The Zoning Officer has approval authority as herein provided and may request expert assistance.

**SECTION 2 - SEVERABILITY**

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.

**SECTION 3 - 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.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

A motion was made by Ms. Chammings to adopt the **Ordinance 2022-09**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-11** Amending Chapter X “Administration” by Amending Article VIII Entitled “Department of Finance” **Introduction [Public Hearing and Adoption April 19, 2022]**

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

**SECTION 1**:

Chapter X of the Code of the Township of Stillwater entitled “Administration” is hereby amended to read as follows:

Section 10 - 44 – 1 – Deputy Tax Collector

The position of Assistant to the Tax Assessor shall be appealed and replaced by the position of Deputy Tax Collector. The Deputy Tax Collector shall be designated by resolution adopted by the Township Committee.

Section 10 - 44 – 2 – Appointment Term.

The Deputy Tax Collector shall be appointed annually by the Township Committee and when so appointed the term shall run for one year from January 1 in the year in which appointed and until a successor is appointed and qualified.

Section 10 - 44 – 3 – Duties.

The Deputy Tax Collector shall perform such duties, under the direction of the Tax Collector, as the Township Committee may prescribe.

Section 10 - 44 –4 – Bonded for faithful performance.

The Deputy Tax Collector shall be bonded for the faithful performance of duties as required by the Township Committee and as provided by law.

Section 10 - 44 – 5 – Compensation.

The Deputy Tax Collector shall receive such compensation as the Township Committee may by the Salary Ordinance provide.

**SECTION 2: WHEN EFFECTIVE**

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

A motion was made by Mr. Barta to adopt the **Ordinance 2022-10**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-12** Amending Chapter X “Administration” by Amending Article VI Entitled “Township Clerk” **Introduction [Public Hearing and Adoption April 19, 2022]**

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

**SECTION 1**:

Chapter X of the Code of the Township of Stillwater entitled “Administration” is hereby amended to read as follows:

Section 10 - 37 – 1 – Deputy Township Clerk

The position of Assistant to the Township Clerk shall be appealed and replaced by the position of Deputy Township Clerk. The Deputy Township clerk shall be designated by resolution adopted by the Township Committee.

Section 10 - 37 – 2 – Appointment Term.

The Deputy Township Clerk shall be appointed annually by the Township Committee and when so appointed the term shall run for one year from January 1 in the year in which appointed and until a successor is appointed and qualified.

Section 10 - 37 – 3 – Duties.

The Deputy clerk shall have all the powers and perform all the duties of the Clerk during such times and specific periods as the Clerk is absent, on vacation, or on leave of absence granted by the Township Committee. The Deputy Clerk shall assist the Clerk in the performance of duties as the Township Committee may from time to time prescribe.

Section 10 - 37 –4 – Bonded for faithful performance.

The Deputy Township Clerk shall be bonded for the faithful performance of duties as required by the Township Committee and as provided by law.

Section 10 - 44 – 5 – Compensation.

The Deputy Township Clerk shall receive such compensation as the Township Committee may by the Salary Ordinance provide.

**SECTION 2: WHEN EFFECTIVE**

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

A motion was made by Ms. Chammings to adopt the **Ordinance 2022-12**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-067** Mayor’s Appointment of Yuki Wykoff as Junior Member of the Stillwater Area Volunteer Fire Company with Committee Concurrence

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater do hereby concur with the Mayor’s appointment of Yuki N. Wykoff as a Junior Member of the Stillwater Area Volunteer Fire Department.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, April 5, 2022 retroactive to March 1, 2022.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-067**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-068** Authorizing Four (4) Additional Hours for Tom Dixon, Zoning Officer

WHEREAS, Tom Dixon, Stillwater Zoning Officer, has asked for additional hours to enable him to act on applications and other tasks in a timely manner; and

WHEREAS, the Township Committee has also asked Mr. Dixon to make vacant/abandoned home registration and inspections part of his job description; and

WHEREAS, Mr. Dixon agreed with the additional assignment; and

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of   
Stillwater they approve Mr. Dixon’s request for an additional four (4) hours brining his weekly hours to fourteen (14) and made retroactive to February 7, 2022.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-068**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-069** Approving the Preferred Tree List for Tree Planting in Stillwater Township

**WHEREAS** the Township Committee establishes and furnishes guidelines for the use of Township boards, committees and commissions in evaluating tree removal and planting plans prior to issuing approval for subdivision and other land development; and

**WHEREAS** the Environmental Commission has reviewed the preferred list of trees with a forester and are satisfied this list contains the trees best adapted to the climate, soil and topography of the Township; and

**NOW THEREFORE, BE IT RESOLVED,** the attached tree list is the preferred tree list for evaluating tree removal and planting and shall be kept on file at Townhall for the use and guidance of persons presenting plans for tree planting.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Red Maple | Size  L | North  X | South  X | Shore | Acer rubrum |
| Sugar Maple | L | X |  |  | Acer saccharum |
| Pawpaw | S | X | X |  | Asimina triloba |
| Shellbark Hickory | L | X | X |  | Carya laciniosa |
| Shagbark Hickory | L | X | X |  | Carya ovata |
| Mockernut Hickory | L | X | X |  | Carya tomentosa |
| Hackberry | L | X | X | X | Celtis occidentalis |
| Redbud | S | X | X | X | Cercis canadensis |
| Atlantic White Cedar | L |  | X | X | Chamaecyparis thyoides |
| Flowering Dogwood | S | X | X | X | Cornus florida |
| Persimmon | S | X | X |  | Diospyros virginiana |
| Winterberry | S | X | X |  | Ilex verticillata |
| Black Walnut | L | X | X |  | Juglans nigra |
| Red Cedar | L | X | X | X | Juniperus virginiana |
| Sweetgum | L | X | X | X | Liquidambar styraciflua |
| Tulip Poplar | L | X | X |  | Liriodendron tulipifera |
| Bayberry |  |  |  | X | Myrica pensylvanica |
| Black Gum | L | X | X | X | Nyssa sylvatica |
| Pitch Pine | L | X | X | X | Pinus rigida |
| Improved Pitch Pine | L | X | X | X | Pinus rigida × P. taeda |
| White Pine | L | X | X | X | Pinus strobus |
| Sycamore | L | X | X | X | Platanus occidentalis |
| Black Cherry | L | X |  |  | Prunus serotina |
| White Oak | L | X | X | X | Quercus alba |
| Swamp White Oak | L | X | X | X | Quercus bicolor |
| Bur Oak | L | X | X | X | Quercus macrocarpa |
| Swamp Chestnut Oak | L | X | X | X | Quercus michauxii |
| Pin Oak | L | X |  |  | Quercus palustris |
| Willow Oak | L | X | X | X | Quercus phellos |
| Chestnut Oak | L | X | X | X | Quercus prinus |
| Northern Red Oak | L | X |  |  | Quercus rubra |
| Black Oak | L | X |  |  | Quercus velutina |
| Bald Cypress | L | X | X | X | Taxodium distichum |

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-069**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-070** Authorizing a Donation to the Stillwater School 6th Grade Graduation Committee

WHEREAS, the Stillwater Township Committee received a request from Amanda Gilmore, Stillwater School 6th Grade Recognition Committee, seeking a donation toward the 6th grade graduation celebration; and

WHEREAS, the Township has received similar requests in prior years and the Township has made donations for the graduation events; and

WHEREAS, the Chief Financial Officer has certified sufficient funds are available for this expenditure;

NOW, THEREFORE, BE IT RESOLVED by the Stillwater Township Committee, County of Sussex, State of New Jersey that a donation in the amount of two hundred dollars ($200.00) to the Stillwater School 6th Grade Recognition Committee is hereby approved.

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-070**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-071** Approving Per Diem Mutual Aid Agreement for Water Emergency Standbys with Sussex County Fire Coordinator and the Township of Stillwater

**WHEREAS**, the Township of Stillwater provides fire protection resources for ordinary emergency response requirements within its jurisdiction; and

**WHEREAS** the Fire Departments in Sussex County have a day-to-day responsibility to provide for the safety and security of lives and property; and

**WHEREAS**, local resources can become exhausted during the small percentage of large magnitude fire or disaster occurrences; and

**WHEREAS**, mutual aid is the most cost-effective method of providing sufficient resources to a local jurisdiction for those extraordinary occurrences including water emergency standby; and

**WHEREAS**, it is of mutual benefit for fire agencies located within the County of Sussex to provide supplemental resources to each other in the event of a local emergency or disaster; and

**WHEREAS**, the Sussex County Fire Coordinator is requesting a Per Diem Mutual Aid Agreement for Water Emergency Standbys will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of fire department personnel and equipment whenever a local fire agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of a fire or emergency; and

**WHEREAS,** it is the desire of the Township Committee of the Township of Stillwater to participate in the Sussex County Fire Coordinator Per Diem Mutual Aid Agreement for Water Emergency Standbys in accordance with the agreement as plan as submitted by the Sussex County Fire Coordinator.

**NOW, THEREFORE, BE IT RESOLVED, b**y the Township Committee of the Township of Stillwater, Sussex County, New Jersey, the Mayor and Township Clerk are hereby authorized to execute the Per Diem Mutual Aid Agreement for Water Emergency Standbys on behalf of the Township of Stillwater.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Sussex County Fire Coordinator.

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-071,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-072** Urging the Swift Passage of S-330/A3804, which shall Restore the Energy Tax Receipts to Municipalities

**WHEREAS**, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

**WHEREAS**, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

**WHEREAS**, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

**WHEREAS**, the diversion of dedicated energy tax receipts to the State’s General Fund further jeopardizes this critical property tax relief funding in future years; and

**WHEREAS**, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

**WHEREAS**, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

**WHEREAS**, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

**WHEREAS**, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

**NOW, THEREFORE, BE IT RESOLVED**, that the Committee of the Township of Stillwater in the County of Sussex urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution is forwarded to

Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-072,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-073** In Support of amending Title 35 of the N J Revised Statutes to permit the publication of legal notices by government entities on Official Government Websites instead of in Newspapers

**WHEREAS,** Title 35 of the New Jersey Revised Statutes establishes that, wherever publication of a legal notice of any kind is authorized by or required of a governmental entity, said notice must be published in the ‘official newspaper’ of the governmental entity; and

**WHEREAS,** permitting the publication of legal notices on the Internet instead of in newspapers will make these notices more easily accessible to the public, thereby promoting transparency and increased public participation in government; and

**WHEREAS,** permitting the publication of legal notices on the Internet instead of in newspapers will save government entities significant sums of money; and

**WHEREAS,** the Township is aware of legislative efforts to amend Title 35 of the New Jersey Revised Statutes to permit governmental entities to publish legal notices on official government notice websites instead of in newspapers; and

**WHEREAS,** the Township fully supports these legislative efforts and wishes to formally express this support.

**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 Township of Stillwater hereby urges members of the New Jersey Assembly and Senate to support, co-sponsor, and adopt legislation that would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.
2. The Township of Stillwater hereby urges the Governor of the State of New Jersey to sign any legislation adopted by the State Assembly and Senate which legislation would permit governmental entities to publish legal notices on official government notice websites instead of in newspapers.
3. A certified true copy of this Resolution upon its adoption shall be furnished to State Senator Steven V. Oroho, State Assemblyman Parker Space, and State Assemblyman Harold J. Wirths.
4. A certified true copy of this Resolution upon its adoption shall be furnished to the Governor of the State of New Jersey.

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-073,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-074** In Support of Banning or Limiting the use of single-use Plastic Bags

**WHEREAS,** P.L.202, c.117, signed into law on November 4, 2020 is the most progressive disposable bag law in the country, with the goal of phasing out single-use plastic and paper bags and encouraging the use of reusable bags throughout New Jersey; and

**WHEREAS,** New Jersey is working to reduce reliance on single-use products to ensure that future generations have a clean and healthy environment to live, work, and recreate in; and

**WHEREAS,** banning or limiting the use of single-use plastic and paper carryout bags is a significant step in this effort; and

**WHEREAS,** the New Jersey Clean Communities Council, the New Jersey Department of Environmental Protection, the New Jersey Department of State, policymakers, environmental and business groups, as well as other stakeholders, are working together to educate consumers, businesses, and communities about the new law and encouraging residents to "Bag Up” before the ban on single-use plastic bags goes into effect on May 4, 2022; and

**WHEREAS,** the comprehensive "Bag Up NJ” campaign will include educational programs, public and media engagement and reusable bag distribution programs throughout the state, with an emphasis on underserved communities; and

**WHEREAS,** this statewide public education campaign will provide residents, businesses and visitors with information about the types of reusable and sustainable bags and containers that they may use and where to access these products.



**NOW, THEREFORE, BE IT RESOLVED,** by the Township of Stillwater that it is critical to begin educating the public about this new law; and

**BE IT FURTHER RESOLVED,** that one way to gain important recognition is to deem the month of May each year as “Bag Up NJ” month in Stillwater Township, as a further reminder that all residents should bring their own reusable bags to the store; and

**BE IT FURTHER RESOLVED,** that a copy of this resolution shall be transmitted to the NJ Clean Communities Council, and the New Jersey State League of Municipalities.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-074,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, no, Mrs. Rumsey, no, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, no. The Motion failed.

**RESOLUTION 2022-075** Authorizing the Installation of Dedicated Fiber and Dark Fiber in an Amount Not to Exceed $30,000.00

**WHEREAS**, the Township of Stillwater desires to have Planet Networks, Inc. install Dedicated Fiber Internet 1 Gbps/1Gbps to the Municipal Building and Dark Fiber Circuit from the Municipal Building to the DPW Garage; and

**WHEREAS**, Resolution 2022-019 authorizes purchases under New Jersey State Contract which may be in the aggregate exceed $44,000 per annum; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, New Jersey as follows:

1. The installation of Dedicated Fiber and Dark Fiber Circuit by Planet Networks, Inc. as quoted in proposal dated February 16, 2022 in an amount not to exceed $30,000.00 is hereby approved.
2. The Chief Financial Officer has certified that funds are available for the purchase in an amount not to exceed **$30,000.00 from American Rescue Plan funding**.

A motion was made by Ms. Chammings to adopt the **Resolution 2022-075,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-076** Mayor’s Acceptance of the Resignation of Tayna Stark’s as a Member of the Planning Board and as a Member of the 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 Tayna Stark as Member of the Stillwater Planning Board and Stillwater Recreation Commission effective March 1, 2022.

A motion was made by Mr. Fisher to adopt the **Resolution 2022-076 with regrets,** seconded by Ms. Chammings. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-077** Authorizing the Appointment of Michael Carovillano as Member of the Recreation Commission

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

**RECREATION COMMISSION**

Name Term Term Expires

Michael Carovillano 5 year 12/31/2024

(filling the vacancy of Tanya Stark)

**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 Mrs. Rumsey to adopt the **Resolution 2022-077,** seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-078** OPPOSING A PROPOSAL BY THE NEW JERSEY AND PENNSYLVANIA CHAPTERS OF THE SIERRA CLUB TO CHANGE THE DESIGNATION OF THE DELAWARE WATER GAP NATIONAL RECREATION AREA TO THE DELAWARE RIVER NATIONAL PARK AND LENAPE PRESERVE UNTIL A FORMAL PLANIS PRESENTED FOR PUBLIC REVIEW AND COMMENT

**WHEREAS**, the Delaware Water Gap National Recreation Area (DEWA) was established September 1, 1965, one of 10 National Recreation Areas of the National Park Service, currently encompassing nearly 70,000 acres in New Jersey and Pennsylvania and is a protected area in the United States established by an Act of Congress to preserve enhanced recreational opportunities in places with significant natural and scenic resources; and

**WHEREAS**, the DEWA offers recreational opportunities such as hiking, walking, bicycling, fishing, hunting, swimming, camping, canoeing, boating, cross country skiing, bird watching, horseback riding, sightseeing, and special events; cultural resources, infrastructural facilities, national resources, and rare, threatened and endangered species of plants, fish, mammals, reptiles and amphibians; and

**WHEREAS**, STILLWATER Township is made up of approximately 30% state and federal lands and the residents of STILLWATER Township enjoy the recreational opportunities as well as cultural and natural resources of this open space and local businesses benefit from the tourism brought by Stokes State Forest, State of New Jersey, Department of Environmental Protection, Division of Fish & Wildlife and DEWA bring to the Township; and

**WHEREAS**, the Township Committee of the Township of STILLWATER is aware of a proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club seeking to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve; and

**WHEREAS**, the proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club offers no insight or plan for the change in designation; namely the environmental, economic and agricultural impact to the DEWA and to the residents and local businesses of STILLWATER Township; and

**WHEREAS**, the proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club offers no information on possible changes to public lands, namely, Stokes State Forest, High Point State Park and State of New Jersey Department of Environmental Protection, Division of Fish & Wildlife lands as well as acquisition of private property; and

**WHEREAS,** the proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club offers no information on the plan to facilitate this change; the implementation of fee collection and location of collection stations; and how funding will be provided for this National Park; and

**WHEREAS**, the proposal by the New Jersey and Pennsylvania Chapters of the Sierra Club offers no explanation on the location, size and parameters of the “Preserve” area, the activities allowed and disallowed; and

**NOW, THEREFORE BE IT RESOLVED**, the Township Committee of the Township of STILLWATER firmly opposes the proposal of the New Jersey and Pennsylvania Chapters of the Sierra Club, or any other organization, seeking to change the designation of the Delaware Water Gap National Recreation Area to the Delaware River National Park and Lenape Preserve unless and until a formal plan is presented offering information on the environmental, economic and agricultural impact of this proposed change; sources of funding; the fee structure and the plan for the implementation of fees and collection station locations; a map of the area depicting the location of the Lenape Preserve; the plans for any acquisition of additional private or public lands; and the impact this proposal will have on the residents of STILLWATER Township and Sussex County.

**BE IT FURTHER RESOLVED,** the Township Committee of the Township of STILLWATER requests that once said formal plan is presented, the public shall have ample time to review, question and comment on the plan prior to any action taken by the United States Legislature.

**BE IT FURTHER RESOLVED**, that the Township Committee of the Township of STILLWATER requests copies of this resolution be sent to President Joe Biden; Governor Phil Murphy; U.S. Senator Robert Menendez; U.S. Senator Cory Booker; Congressman Josh Gottheimer; Congresswoman Mikie Sherrill; Congressman David Norcross; Congressman Jefferson Van Drew; Congressman Christopher Smith; Congressman Frank Pallone, Jr; Congressman Tom Malinowski; Congressman Albio Sires; Congressman Bill Pascarell, Jr.; Congressman Donald Payne, Jr.; Congressman Bonnie Watson Coleman; New Jersey Senator Steven V. Oroho; New Jersey Assemblyman F. Parker Space; New Jersey Assemblyman Harold Wirths; NJ Senator Michael Doherty; Assemblyman John DeMaio; Assemblyman Eric Petersen; Congresswoman Susan Wild (PA); Congressman Matt Cartwright (PA); U.S. Senator Patrick Toomey; U.S. Senator Bob Casey; New Jersey Sierra Club, Chapter Chair Rich Isaac; Vice Chair John Kashwick; Pennsylvania Sierra Club; Sussex County Board of County Commissioners; all municipalities of Sussex County; State of New Jersey, Department of Environmental Protection; National Park Service, Charles Sams, Director; National Park Service Northeast Region, Gay Vietzke, Regional Director; Delaware Water Gap National Recreation Area, Sula Jacobs, Superintendent; Delaware River Basin Commission; Partnership for the Delaware Estuary; National Lands Trust; Warren County Board of County Commissioners; Kittatinny Regional High School Board of Education and Craig Hutcheson, Ph.D., Superintendent; STILLWATER- School Board of Education and William Kochis, Ph.D., Superintendent

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-077,** seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**DISCUSSION ITEMS:**

**Crandon Lakes Dam Repairs/Maintenance Committee:**

The Clerk said Mr. John Johansson from Crandon Lakes Country Club came to see if anyone from Stillwater Township would be interested in joining representatives from Hampton Township and Crandon Lakes to develop a joint plan forward for the Crandon Lakes Dam so maintenance and repairs would be scheduled and continued now that the Dam belonged to the three entities. Ms. Chammings and Mr. Fisher volunteered to be part of the Dam Committee.

**OPEN PUBLIC SESSION**

Mrs. Kathy Draghi, 1018 County Road 619 asked if the Stillwater only link for Planet Networks could be posted again to capture any new residents who would be interested in having Planet Networks service Stillwater. Ms. Chammings will look to see if she still has that link.

Mrs. Heidi Mountford, Mount Benevolence Road, asked Tax Collector Gisela Rutnik if she would give a delinquent tax update on the 94 properties to which letters were sent regarding foreclosure.

Ms. Rutnik said she has received 17 returned envelopes marked undeliverable and no forwarding address; 4 properties will be redeemed and one will be donated. Ms. Rutnik noted the letter stated April 16, 2022 was the deadline for answering the letter is April 16, 2022. Mayor Scott thanked Ms. Rutnik for her update.

Marcia Bradley, CERT Coordinator, said CERT will be participating in Stillwater Clean Up Day.

Ms. Chammings asked Ms. Rumsey, Mr. Fisher and Mrs. Bradley if April 14, 2022 would be a good time/day for the next Public Safety Meeting. All were in favor. The meeting is set for April 14, 2022 at 7:00 p.m. at Townhall. The Clerk will advertise the meeting as three governing body members are part of the Public Safety Committee.

Mrs. Rumsey said Clean-Up Day registration for groups will not be held at the Recycling and Convenience Center because of the anticipated wet weather. The registration will be held at Chammings Ring (located in the front of the Recycling Center) where they could gather under cover.

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

**ATTORNEY’S REPORT:**  Mr. Vex said he had only Executive Session items for discussion and told the public that after Executive Session there may be action taken if they wished to wait.

**RETURN TO EXECUTIVE SESSION**

The Township Committee re-entered Executive Session at 8:55 p.m. and adjourned Executive Session at 9:45 p.m.

**RESOLUTION 2022-079 Acceptance of the Resignation of Alicia Gardner as Part-Time**

**Receptionist**

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 Part-time Receptionist effective April 22, 2022.

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-079 with regrets,** seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

A motion was made by Mr. Fisher **for Mr. Vex to conduct Mrs. Gardner’s exit interview**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

There being no further business, Mr. Fisher made a motion to adjourn the meeting at 9:45 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC