**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**May 3, 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 Mr. Barta and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:35 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, Public Safety and Attorney Client.

3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

By a **motion** was made by Ms. Chammings, seconded by Mr. Barta to end Executive Session at 7:17 p.m., to resume public session unanimously carried by voice vote.

The flag was saluted.

**PUBLIC HEARING OF THE 2022 MUNCIPAL BUDGET**

**TAMMY LEONARD, CFO**

**RESOLUTION 2022-088** Authorizing Reading of the Municipal Budget by Title and providing for Public Hearing on the Budget Adoption

Ms. Chammings asked Mrs. Leonard to give a quick summary of the budget for the public. Mrs. Leonard said the 2022 budget is $3,871,384.41 which is an overall decrease from 2021. The municipal levy is increasing by 0.46$ and the local tax rate is 0.5213. The average home valued at $204,000 will see an increase of $4.64.

A motion was made by Mrs. Rumsey to adopt the **Resolution 2022-088,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**MINUTES:**  April 5, 2022 Meeting Minutes

Ms. Chammings noted a typo in the minutes of either the 4/5/22 or 4/19/22 because they read exactly the same. The clerk will correct the minutes to reflect the correct time executive session was suspended at each meeting.

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

**MINUTES:** April 19, 2022 Regular Meeting Minutes

Mayor Scott said he wanted to amend the April 19, 2022 minutes because a letter was read into the record by Ms. Chammings should not have been read because the individual who wrote the letter was not in attendance.

A motion was made by Mayor Scott to pull the letter read into the record by Ms. Chammings seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, no, Mr. Fisher, yes, Ms. Chammings, no, because she feels the statements she made do not have the same impact without the backing of the letter, Mayor Scott, yes.

A motion was made by Mr. Fisher to adopt the **minutes as amended**, seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, yes.

**BILLS LIST #8: $899,842.71**

**RESOLUTION 2022-089** 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 May 3, 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 Mr. Fisher to adopt the **Resolution 2022-089,** 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 –** Mrs. Rumsey addedCommunity Center Shed and Ms. Chammings added NJ Blue Print to new business

**OPEN PUBLIC SESSION -** There being no one who wished to speak this portion of the meeting was closed.

**OLD 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**. Public Hearing and Adoption**

 **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** | **APPROPRIATIONAND 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 Mr. Fisher. **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. **Public Hearing and Adoption**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, AS FOLLOWS:**

The improvements or purposes described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey, and there is hereby appropriated therefor the sum of $55,000 to the extent of (a) $3,000 from a Clean Communities Grant, (b) $8,900 from Capital Fund Balance, (c) $6,100 from the Capital Improvement Fund, (d) $32,000 from the Open Space Fund and (e) $5,000 from proceeds of the sale of notes of the Township heretofore issued under Ordinance No. 2018-05.The improvements hereby authorized and the purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are (a) the acquisition by purchase and installation of signage at various locations ($11,900) and an alarm system for the Community Center ($6,100) and (b) the resurfacing of parking lots at Pond Brook Park ($37,000), together with for all the aforeaid all equipment, work, materials, apparatus and appurtenances 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.

# 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 $5,000 constituting proceeds of notes of the Township heretofore issued under Ordinance No. 2018-05 of the Township shall be appropriated to and used to finance costs, including incidental expenses, of the improvement or purpose above described in Section 2(b) of this ordinance.

# 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.

# This ordinance shall take effect after publication after final passage as provided by law.

A motion was made by Mr. Fisher to adopt the **Ordinance 2022-08**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. 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” **Public Hearing and Adoption**

Mayor Scott opened the meeting to the public for comments on Ordinance 2022-09.

Mrs. Heidi Mountford, Mt. Benevolence Road noted the ordinance had not changed from the prior discussion. Mr. Fisher said everything is the same and was prepared using UCC pricing. Mr. Fisher said Mr. Bizik, Construction Official, prepared the price increase because if has been nine years since the pricing was adjusted and additional funding is needed in the department to cover the Technical Assistant’s salary. Mrs. Mountford said the fees in Stillwater will be higher than anywhere else in the County. For example, the minimum fee will now be $75 where most towns are $50-55. Mrs. Mountford asked who the new rates will be justified. Mr. Fisher said once the Township adopts the new fees they must send the ordinance to the State for approval.

Mrs. Arlene Fisher, Mt. Benevolence Road, asked if the fees stay the same until the State approves the increases. Mr. Fisher answered yes.

After additional discussion Mrs. Rumsey said she will make a motion to adopt and allow the State to do their review.

A motion was made by Mrs. Rumseyto adopt the **Ordinance 2022-09**, seconded by Mayor Scott **Roll Call Vote**: Mr. Barta, no, Mrs. Rumsey, yes, Mr. Fisher, no, Ms. Chammings, no, Mayor Scott,

no. The ordinance was defeated but will be re-introduced after additional discussion with the State and Mr. Bizik.

**ORDINANCE 2022-13** Authorizing the Public Sale of Real Property to Contiguous Property owners Pursuant to N.J.S.A. 40A:12-139(b)(5). **Public Hearing and Adoption**

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

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

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

 **WHEREAS,** the sale shall be conducted as an auction limited to contiguous property owners to be held at the Township of Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey 07860 on June 14, 2022, at 7:00pm or such adjourned date as may be determined by the Stillwater Township Committee; and

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

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

Potential Bidders are advised:

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

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

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

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

Additional Terms the Successful Bidder must comply with:

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

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

1. Severabilitv. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.
2. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.
3. Effective Date. This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

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

**SCHEDULE A**

 **Tax Block Lot Location Lot Size Minimum**

 **Sale Price**

 1021 29 Plymouth Lake Drive 96 x 94 $250

 1021 30 Plymouth Lake Drive 58 x 72 $250

 310 3 Tupelo Path 75 x 100 $250

 4004 21 East End Drive 61 x 186 $250

A motion was made by Mrs. Rumsey to **adopt Ordinance 2022-13**, seconded by Mr. Barta. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE 2022-14 AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AMENDING CHAPTER 370, “TRAFFIC,” OF THE TOWNSHIP CODE – Public Hearing and Adoption**

**WHEREAS**, it has come to the attention of the Mayor and Committee of the Township of Stillwater that certain commercial trucks are regularly traversing Mount Benevolence Road and Stillwater Road to pass through the Township; and

**WHEREAS**, Mount Benevolence Road and Stillwater Road were not designed to accommodate heavy, commercial truck traffic; and

 **WHEREAS,** the passing of commercial truck traffic along Mount Benevolence Road and Stillwater Road creates unsafe conditions for the travelling public along those Roads; and

**WHEREAS,** the Mayor and Committee of the Township of Stillwater wish to amend the Township’s existing Municipal Code, Chapter 370, "Traffic,” to better ensure the safety of the travelling public along Mount Benevolence Road and Stillwater Road; and

**WHEREAS,** the Township Engineer concurs with the need to amend Chapter 370 of the Township’s Municipal Code.

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

**SECTION 1.** Chapter 370, “Traffic,” is hereby amended as follows:

**§ 370-9 Vehicles over designated weight excluded from certain streets.**

Vehicles over the registered gross weight are hereby excluded from the streets or parts of streets described except for the pick-up and delivery of materials on such streets.

|  |  |  |
| --- | --- | --- |
| **Name of Street** | **Weight (tons)** | **Location** |
| Mount Benevolence Road | 4 | Entire Length  |
| Stillwater Road | 4 | From Mt. Benevolence RoadTo County Road 521 |

**SECTION 2.** Severability. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

**SECTION 3.** Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

**SECTION 4.** Effect. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

A motion was made by Mrs. Rumsey to **adopt Ordinance 2022-14**, seconded by Mr. Fisher. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**NEW BUSINESS:**

Shed at Community Center: Mrs. Rumsey said the shed at the Community Center has old table and chairs no longer being used and the Recreation Commission would like to use the shed to store some of their summer camp items. Mayor Scott said a resident donated a lawn mower for Stillwater Park and that would be stored in that shed as well. Mrs. Rumsey asked about the recycling shed at Veterans Park and Ms. Chammings noted that shed is falling apart. The Recreation Commission can use the shed alongside the lawn mower.

Mrs. Rumsey also noted she, Mrs. Delaney and Mr. Wright were judges for the Pinewood Derby for the Boy Scouts and a wonderful time was had by all.

NJ Blue Print

Ms. Chammings attended a workshop with the Nature Conservancy and Ridge and Valley Conservancy on April 28, 2022. Ms. Chammings suggested rethinking an Open Space Committee for the re-examination of the Master Plan. There is funding available in “Bob Cat Alley” and Stillwater may be able to leverage some money to connect trails though the township.

**RESOLUTION 2022-090** Mayor’s Appointment of Evelyn Cantelmo 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 Evelyn Cantelmo 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, May 3, 2022.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-90**, seconded by Mr. Fisher. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-091** Authorizing the Township Engineer to Provide Professional Engineering Services for the Mt. Benevolence Road project Section I in an amount Not to Exceed $35,000

 **WHEREAS**, the Township of Stillwater is undertaking the reconstruction of Mt. Benevolence Road (the “Project”); and

 **WHEREAS**, Michael Vreeland, P.E. from the engineering firm Van Cleef Engineering Associates, LLC, serves as the Stillwater Township Engineer and has submitted a proposal dated January 28, 2022, to design, bid, administer and close out the Project in the total amount of $35,000; and

 **WHEREAS**, the Township desires to accept the proposal by Van Cleef Engineering Associates, LLC for the services;

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, New Jersey that the Township Engineer, Michael Vreeland, P.E. from Van Cleef Engineering Associates, LLC is hereby authorized to provide professional engineering services for the Mt. Benevolence Road Project Section I in an amount not to exceed $35,000.

 The Township’s Chief Financial Officer has certified that sufficient funds are available for the engineering services.

This Resolution shall take effect immediately.

 A copy of this Resolution shall be placed on file with the Clerk of the Township.

If any section, subsection, sentence, clause or phrase in this resolution is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this resolution.

A motion was made by Mr. Fisher to **adopt Resolution 2022-91**, seconded by Mrs. Rumsey. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-092** Approving an Increase in the LOSAP Contribution Amounts for the increase in the Consumer Price Index (“CPI”)

**WHEREAS,** the Stillwater Township Committee deems it appropriate and necessary to act to ensure retention of existing members and to provide incentives for recruiting new members of the Stillwater Area Volunteer Fire Company; and

**WHEREAS,** in order to achieve this goal, the Township, via Ordinance #2002-7, provided for the creation of a Length of Service Award Program (“LOSAP”), pursuant to N.J.S.A. 40A:14-182, et. al., which provides tax-deferred income benefits to Volunteer Members of the Department; and

**WHEREAS,** the Township’s LOSAP program, as created via Ordinance #2002-7, does not provide for increases in the LOSAP contribution amount to account for increases in the Consumer Price Index (“CPI”); and

**WHEREAS,** the Stillwater Township Committee has determined it is in the best interests of the citizens of Stillwater Township to provide the members of the Stillwater Area Volunteer Fire Company with increased LOSAP benefits consistent with the CPI determined by the Director of the State of New Jersey: Division of Local Government Services;

**NOW, THEREFORE, BE IT RESOLVED,** by the Stillwater Township Committee, the amount of the LOSAP benefit provided to each qualifying member of the Stillwater Area Volunteer Fire Company (SAVFCO) shall be increased as follows:

1. The LOSAP contribution for qualifying members of the SAVFCO for the year of 2021 shall be:
2. 91 or more points - $1,749.00
3. 75 to 90 points - $1,262.00
4. 50 to 74 points - $814.00
5. 0 to 49 points - $0.00

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-92**, seconded by Mr. Barta. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-093** Awarding Lawn Maintenance Contract for 2022

**WHEREAS**, the Township of Stillwater requires a lawn maintenance contractor to provide lawn maintenance service for the 2022 lawn maintenance season for various municipal parks and properties; and

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

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

**WHEREAS**, the Township received three (3) written responses to its request for quotations; and

**WHEREAS**, Country Care LLC has provided lawn maintenance services for the Township since 2019 and provided a responsive, responsible quote in the amount of $18,975.00 with a possible fuel surcharge of $5.00 per location if the price of gasoline exceeds $4.05 per gallon for the 2022 lawn maintenance season;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Country Care LLC for the 2022 lawn maintenance season in the amount not to exceed $18,975.00 plus possible gas surcharge in accordance with Country Care LLC’s written proposal dated December 27, 2021.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-93**, seconded by Mayor Scott **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, abstained because contractor has same last name, Mayor Scott, yes.

**RESOLUTION 2022-094** Awarding Field Maintenance Contract for 2022

**WHEREAS**, the Township of Stillwater requires a field maintenance contractor to provide field maintenance services for the 2022 season for the three (3) municipal parks; and

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

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

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

**WHEREAS**, Farmside Landscape & Design provided the lowest responsive, responsible quote in the amount of $10,100.00 for field maintenance and an additional $4,600.00 for aeration of Veterans Field for the 2022 lawn maintenance season;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Farmside Landscape & Design for the 2022 lawn maintenance season in the amount not to exceed $14,700.00 in accordance with Farmside Landscape & Design’s written proposals dated November 12, 2021.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-94**, seconded by Mr. Fisher. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-095** Awarding Janitorial Services Contract for 2022

**WHEREAS**, the Township of Stillwater required a janitorial services contractor to provide janitorial services for two (2) of its Municipal Buildings; and

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

**WHEREAS**, the Township received one (1) written proposal(s) to its request for quotations; and

**WHEREAS**, Clean Team Inc. provided the lowest responsive, responsible quote in the amount of $315.65 per month to clean the Municipal Building located at 964 Stillwater Road and $350.00 per month to clean the Community Center located at 931 Swartswood Road;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Clean Team Inc. for 2022 janitorial services in an amount not to exceed $315.65 per month for 964 Stillwater Road and $350.00 per month for 931 Swartswood Road in accordance with Clean Team Inc.’s written proposal.

A motion was made by Mr. Fisher to **adopt Resolution 2022-95**, seconded by Mrs. Rumsey. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-096** Adopting the Salaries of Stillwater Township non-contractual employees for 2022

**WHEREAS,** the Township Committee adopted Ordinance# 2022-03 on February 1, 2022; and

**WHEREAS,** the Township Committee of the Township of Stillwater desires to set the specific salaries for full-time and part-time non-contract Township employees for the year 2022;

**NOW, THEREFORE, BE IT RESOLVED** that the following salaries are retroactive to January 1, 2022 unless otherwise noted:

George Scott Mayor $ 4,821.00

Timmy Lee Fisher Deputy Mayor 4,821.00

Lisa Chammings Committeeman 4,821.00

Vera Rumsey Committeeman 4,821.00

Paul Barta Committeeman 4,821.00

Lynda Knott Township Clerk 73,899.00

Lynda Knott Municipal Registrar 6,351.00

Lynda Knott QPA Stipend 3,000.00

Dawn Tighe Clerk 1 44,348.00

Dawn Tighe Deputy Municipal Registrar 3,113.00

Tammy Leonard Chief Financial Officer 79,761.00

Tammy Leonard Clean Communities Coordinator 1,000.00

Gisela Rutnik Tax Collector 37,661.00

Gisela Rutnik Tax Collector – Extra Hours $60.36 per hour

Penny Holenstein Tax Assessor 34,514.00

Beth Martin Records Clerk $15.49 per hour

Department of Public Works:

Josh Raff Cert. Public Works Mgr. $36.05 per hour

Paul Hawkins Recycling Coordinator 1,852.00

Frank Rooney Recycling Worker $15.00 per hour

Louis Zack Solid Waste Cashier $15.00 per hour

Construction Department:

Thomas Dixon Zoning/Code Enforcement Official 30,066.00

Richard Bizik Construction Code Official 16,107.00

Richard Bizik Fire Inspector 2,581.00

Richard Bizik Smoke Detector Certifications $25.00 per Cert

Richard Bizik Smoke Detector Re-Certifications $20.00 per Cert

Anthony Citarella Plumbing Sub-Code Official 8,590.00

Patrick Murphy Electrical Sub-Code Official 9,672.00

Patrick Murphy Fire Sub-Code Official 2,581.00

Public Safety:

Elizabeth Diorio Crossing Guard $14.65 per hour

Alan DeCarolis Animal Control Officer 9,707.00

Boards and Commissions:

Alfia Schemm Zoning Board Secretary 7,413.00

Alfia Schemm Planning Board Secretary 7,413.00

Kathryn Wunder Environmental Comm Secretary 2,967.00

Alicia Gardner Recreation Comm Secretary 3,000.00

A motion was made by Ms. Chammings to **adopt Resolution 2022-96**, seconded by Mrs. Rumsey. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-097** Appointing Dawn Tighe Deputy Tax Collector

 THEREFORE, BE IT RESOLVED that the Township Committee of the Township of

Stillwater they do hereby concur with the Mayor’s appointment of the of Dawn Tighe

as Deputy Tax Collector effective May 3, 2022

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-097**, seconded by Mr. Barta. **Roll Call Vote:** Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**DISCUSSION ITEMS:**

Recycling Center job postings: Mayor Scott said he and Ms. Chammings met with DPW Supervisor Josh Raff and Recycling Coordinator Paul Hawkins about coverage at the Stillwater Recycling and Convenience Center. There has been no interest in the advertisement to hire a weekend person to replace an employee who left. Their discussion was to hire one person for Saturday (8:45 – 2:15) and on Sunday (9-2). The extra half-hour on Saturday would allow the employee to collect garbage from the Township’s Parks and Buildings. The discussion also decided the hourly wage should be $20 so the person hired would run equipment and supervise on Saturday. The difference for having a DPW employee work overtime on Saturday instead of hiring a new person would be approximately $4,000.00 but that would eliminate the need for hiring and training a new person. Mayor Scott will speak with Mr. Raff about discussing the idea of rotating overtime with his crew to see if they would be interested.

Mayor Scott said as of May 9, 2022 the DPW will be working their summer hours of 6:00 a.m. to 2:30 p.m. noting they start early to avoid working in the heat of the afternoon.

**OPEN PUBLIC SESSION:**

Heidi Mountford, Mt. Benevolence Road, asked if the Township Committee would keep the In-Rem Foreclosure and Tax Lien discussion on the agenda. Ms. Chammings said she would like it to be carried on Old Business for discussion. The clerk noted Ms. Rutnik will attend the May 17, 2022 meeting for an update. The letters mailed gave property owners until May 16, 2022 to respond.

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

**ATTORNEY’S REPORT:**

Mr. Vex had no report this evening.

There being no further business, Ms. Chammings made a motion to adjourn the meeting at 8:46 p.m., seconded by Mr. Fisher. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC