**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday August 16, 2022**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7:02 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 7:00 p.m., to resume public session unanimously carried by voice vote.

The flag was saluted.

**PROCLAMATION**

**PROCLAMATION**

**WHEREAS**, everyday residents of Stillwater Township directly benefit from the dedication and commitment of the Township of Stillwater First Responders, Sussex County Dispatch, New Jersey State Police and Volunteers whose public service and unsung heroism keeps Stillwater Township running; and

**WHEREAS**, on Thursday, May 12, 2022 at approximately 10:14 a.m., Andrea Wehrenberg answered the call at the Sussex County 911 Center from a man who was reporting his friend fell out of his kayak and was drowning in Swartswood Lake; and

**WHEREAS**, 911 Dispatch pinged the callers cell phone for location and the caller was given prearrival CPR instructions; and

**WHEREAS**, Stillwater residents Kari and Bill Doolittle heard the man’s cries for help called 911 while taking their boat in the direction of the cries; and

**WHEREAS**, Fire Chief Paul Hawkins, Stillwater Certified Public Works Manager Joshua Raff and EMS Lt. Abigail Casario arrived at Swartswood Lake and waded through the water to the victim and continued CPR; and

**WHEREAS**, New Jersey State Troopers Kevin Foulds Badge #8591, Julio Rodriguez Badge #7923 and Anthony Pall Badge #8219 arrived and went through the water to assist the first responders and an AED was applied and a round of four (4) shocks was given, the victim regained life, was breathing on his own and speaking with responders; and

**WHEREAS,** the Responders and the Troopers loaded the patient into the Doolittle’s boat and brought him to where Responder Jim Cantelmo staged the ambulance and loaded him into the ambulance to be transported to Newton Medical Center where he was airlifted to Morristown Hospital and thankfully made a complete recovery; and

**WHEREAS**, thanks to lifesaving efforts of Andrea Wehrenberg, Kari and Bill Doolittle, Fire Chief Paul Hawkins, Stillwater Certified Public Works Manager Joshua Raff, EMS Lt. Abigail Casario, Trooper Kevin Foulds, Trooper Julio Rodriguez, Trooper Anthony Pall; and Firefighter/EMS Jim Cantelmo taking immediate action and recognizing the severity of the medical emergency with the effective use of an AED resulted directly in saving the life of a kayaker. A failure to act or action after delay could have led to a tragic outcome.

**NOW THEREFORE**, I, George E. Scott, Mayor of Stillwater Township and Stillwater Township Committee do hereby give a special thank you to Andrea Wehrenberg, Kari and Bill Doolittle, Fire Chief Paul Hawkins, Stillwater Certified Public Works Manager Joshua Raff, EMS Lt. Abigail Casario, Trooper Kevin Foulds, Trooper Julio Rodriguez, Trooper Anthony Pall; and Firefighter/EMS Jim Cantelmo for their lifesaving efforts on May 12, 2022, the life of this kayaker was saved.

Mayor George Scott read the Proclamation and thanked everyone involved in the lifesaving event. Kari and Bill Doolittle, Fire Chief Paul Hawkins, EMS Lt. Abigail Casario, Firefighter/EMS Jim Cantelmo, and Shannon Quinn (who was representing Andrea Wehrenberg) were in attendance and were given a copy of the Proclamation. The group then received another round of applause.

**DISCUSSION:** Biochar recommendation from Environmental Commission – Jack Branagan, Chair Stillwater Environmental Commission

Chairman Jack Branagan, Sara Branagan, Ed Szabo, Margaret Emmetts and Mandy Coriston of the Environmental Commission came to the meeting to speak to the Township Committee about the benefits of Biochar as an adsorbent for the collection of environmentally detrimental waterborne materials and as a preventative to the harmful algae blooms. While the biochar absorbs these organic materials and are an effective tool for both agricultural use and freshwater lake management the disposal of biochar especially in farm fields or along waterways will cause more harm than it abated. Improperly recycled biochar could erode and/or run off back into the water table where it could potentially release phosphorus to feed aquatic plants and trigger the growth of the HABs it was initially implemented to prevent.

The Environmental Commission asked the Township Committee to consider adopting an ordinance to allow the use of biochar (and similar products) to be used in Stillwater Township and to also regulate the disposal of used biochar in Stillwater Township. Mr. Vex, Stillwater’s Municipal Attorney is familiar with biochar and its pros and cons and will provide an ordinance for the Environmental Commission based on their request for them to review.

**MINUTES:** July 12, 2022 Regular and Executive Session Meeting Minutes

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

**REPORTS:** Tax Collector Report of Receipts – July 2022

 Recreation Commission Meeting Minutes Report – July 6, 2022

 Community Center Report – July 2022

 Recreation Commission Fee Report – July 2022

 Dog Licensing Report – July 2022

 Board of Health Receipts – July 2022

 Registrar Certified Copy Receipts – July 2022

 Registrar License Receipts – July 2022

 DPW Monthly Report – July 2022

 SAVCO – July 2022

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

**BILLS LIST #12: $2,060,955.92**

**RESOLUTION 2022-129** 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 August 16, 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 2022-129,** seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**COMMITTEE REPORTS:**

Mr. Fisher reported that there have been 298 EMS calls and 146 Fire calls to date. The fire department had two members graduate from Fire Fighter One, Wade Barta and Nicholas Carriera. There should be three more members that graduate Fire Fighter Two by the end of the year. Engine 3 broke down on a call and Mr. Bill Banghart fixed it at no charge. A thank you note will be sent to him. The Township applied for the $75,000 American Rescue Plan Firefighter Grant to acquire new gear. The Fire Department had its first open house and it was a huge success.

Ms. Chammings reported that the Zoning Board had quite a few applications: three pools and a generator were approved. There were two other applications that were granted extensions.

Ms. Chammings did not report on the Environmental Commission as most of the members were in attendance and discussed their request for the use of Biochar in Stillwater Township.

Mrs. Rumsey reported that the Recreation Commission had a meeting on August 1, 2022. Mrs. Rumsey said that Megan Halpin, Miss Stillwater 2022, sadly did not win but represented Stillwater well at the Fair. Summer Camp is in full swing and is going great. Mrs. Rumsey thanked Gina Richardson and Tara Tosti for all of their hard work. All of the picnic tables have been assembled and placed in the various parks. The Recreation Commission has come up with some fall dates for the garage sale weekend and clean-up day. The Fall Garage Sale will be held the weekend of October 15/16, 2022. The Fall Clean-Up Day will be held on September 24, 2022. Mrs. Rumsey asked if dog waste receptacles could be placed at the parks in the parking lot areas. The Recreation Commission is going to be hosting an event for the Veterans on November 12, 2022.

Mrs. Rumsey reported that they are looking into getting a mini split air conditioner for the upstairs meeting room, since that room is being used for meetings and such and it is extremely warm up there. The DPW cleaned all of the furnace room and around the hot water heater to stay up to date on code requirements. The cameras and signage for them have all been installed and posted. New roll down blinds were installed on the windows. Since the ordinance signs for the dumpsters have been posted the garbage dumping issue has been resolved. Mrs. Rumsey reported that the Community Center is not being cleaned properly by the cleaning company and wants to meet with the manager to discuss cleaning process.

Mayor Scott asked Mrs. Delaney to thank both Tara Tosti and Gina Richardson and let them know they are doing an amazing job with all the kids at the Summer Camp.

Mr. Barta reported that the Planning Board discussed the Master Plan. The Planning Board is scheduled to meet on August 17, 2022 to continue discussion on the Master Plan and have invited representatives of all boards and commissions and township departments whose input is important to the overall Master Plan.

**AMENDMENTS TO AGENDA: Resolution 2022-141 under new business**

**OPEN PUBLIC SESSION:**

Greg Varley, 906 Old Schoolhouse Rd, and Justine Mahon, 918 Old Schoolhouse Rd, were concerned about the speeding that is happening on Old Schoolhouse road. Both Mr. Varley and Mrs. Mahon said that on multiple occasions there have been drivers that have sped past people walking/exercising along the side of the road, and how dangerous the road has become. There have also been times that drivers have passed a school bus while children are getting on or off. Mrs. Mahon requested that there be extra signs placed along Old Schoolhouse road to help with the speeding. Mayor Scott explained that the Sussex County Sheriff Officers will be patrolling Old Schoolhouse Road more and hopefully putting an end to the speeding.

Alicia Gardner, 921 Middleville Road, asked if the Environmental Commission set a time frame and if they have decided how to store the used Biochar until it is disposed. Jack Branagan and Amanda Coriston answered that the particulars are still a work in progress.

Alicia Gardner asked the committee why she had not received retro pay for the annual increase for the hours she worked. Committeewoman Chammings noted the CFO had given them her hours worked and the calculations for the retro pay she earned.

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

**OLD BUSINESS:**

**Township’s Tax Lien Update:**

Mr. Vex shared that the tax lien paperwork is moving along and the foreclosures filed shortly he would provide a detailed report at the September 6, 2022 meeting. Mr. Vex is going to meet with the Tax Collector prior to the filing.

**ORDINANCE 2022-15** Amending Chapter 69 of the General Code of the Township of Stillwater, County of Sussex, State of New Jersey, Entitled “Fees” P**ublic Hearing and Adoption**

**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 Sub code 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 **$70.00**

B. The building sub code 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 **$70.00**.
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 **$70.00**

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 $**70**.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 **$70.00.**

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 **Ordinance 2022-15**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**NEW BUSINESS:**

**ORDINANCE 2022-18** AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEESOF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2022 **Introduction [Public Hearing and Adoption September 6, 2022]**

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

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

POSITION: SALARY RANGE:

Recycling and Convenience Center Supervisor $20.00 - $25.00 per hour

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

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

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

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

A motion was made by Ms. Chammings to **Introduce Ordinance 2022-18**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE #2022-019** AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF STILLWATER BY REPEALING AND REPLACING THE FEE SCHEDULE FROM SECTION 4 OF CHAPTER 304 ENTITLED “VACANT AND ABANDONED PROPERTIES” **Introduction [Public Hearing and Adoption September 6, 2022]**

**BE IT ORDAINED,** by the Township Committee of the Township of Stillwater, Sussex County of Sussex, New Jersey, that Chapter 304 of the Code of the Township of Stillwater entitled “Vacant and Abandoned Properties” shall be repealed and replaced as set forth herein to comply with new 2022 fee requirements of N.J.S.A. 40:48-2.12s3:

**SECTION 1 – UPDATED FEE SCHEDULE**

Section 4 “Fee Schedule” of Chapter 304 “Vacant and Abandoned Properties” of the Code of the Township of Stillwater, Sussex County, New Jersey, is repealed in its entirety and replaced with the following new Section 4 – Fee Schedule:

**SECTION 4 - FEE SCHEDULE.**

The initial registration fee for each property governed by this Ordinance shall be $250. The registration for each property governed by this registration Ordinance shall be $500 for each year after the first year, In addition, for each property that is required to be registered because a summons and complaint in an action to foreclose was filed, the creditor must pay an additional fee of $2,000 annually if that property is vacant or abandoned pursuant to the definition in this Ordinance when the summons and complaint to foreclose was filed, or becomes vacant and abandoned pursuant to the definition in this Ordinance at any time thereafter while the property remains in foreclosure.

**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 Mr. Fisher to **Introduce Ordinance 2022-19**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**Ordinance 2022-20** CAPITAL ORDINANCE APPROPRIATING $19,900.00 FOR TURNOUT GEAR FOR THE STILLWATER AREA VOLUNTEER FIRE DEPARTMENT **Introduction [Public Hearing and Adoption September 6, 2022]**

**BE IT ORDAINED** by the Township Committee of the Township of Stillwater, in the County of Sussex, New Jersey, AS FOLLOWS;

 Section 1. The improvement(s) or purpose(s) described in Section 3 of this capital ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Stillwater, New Jersey. For the said improvement(s) or purpose(s) stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvement(s) or purpose(s), said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to $19,900.00, which has heretofore been set aside for the improvement(s) or purpose(s) stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for capital improvement purposes.

 Section 2. For the financing of said improvement(s) or purpose(s) and to meet the part of said $19,900.00 appropriations, the Township will use $19,900.00 from the General Capital Improvement Fund, as described in Section 3.

 Section 3. The purpose hereby authorized for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for such purpose, is respectively as follows:

Turnout Gear – (5) Sets $19,900.00 General C.I.F.

The aforementioned improvement(s) or purpose(s) where applicable, are in accordance with specifications on file in the office of the Township Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

1. The said purpose(s) described in Section 3 of this capital ordinance are capital expenses and are each 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 specifically assessed on property specially benefited thereby.
2. 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 by this capital ordinance, is five (5) years.

 Section 5. This capital ordinance shall take effect ten (10) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

A motion was made by Mrs. Rumsey to **Introduce Ordinance 2022-20**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**ORDINANCE NO. 2022-21** AN ORDINANCE CLARIFYING THE RESIDENCY REQUIREMENTS FOR PERSONS WHO ARE CANDIDATES FOR ELECTION TO THE TOWNSHIP COMMITTEE AND FOR PERSONS WHO SERVE ON THE TOWNSHIP COMMITTEE AS WELL AS ESTABLISHING RESIDENCY REQUIREMENTS FOR PERSONS WHO SERVE ON UNPAID APPOINTED POSITIONS WITH THE TOWNSHIP’S VARIOUS BOARDS AND COMMISSIONS **Introduction [Public Hearing and Adoption September 6, 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 Mr. Fisher to **Introduce Ordinance 2022-21**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, no, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, yes.

**RESOLUTION 2022-130** Resolution to Apply for and Obtain a Grant from the New Jersey Department of Community Affairs to Carry out a Project to Purchase Protective Clothing and Equipment for Stillwater Area Volunteer Fire Company

A motion was made by Mr. Fisher to adopt the **Resolution 2022-130**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**RESOLUTION 2022-131** Resolution Authorizing the Issuance of not Exceeding $2,105,700 Bond Anticipation Notes of the Township of Stillwater, in the County of Sussex, New Jersey.

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

1. Pursuant to a bond ordinance of the Township of Stillwater, in the County of Sussex (the “Township”), entitled: “Bond ordinance providing for various capital improvements by the Township of Stillwater, in the County of Sussex, New Jersey, appropriating the aggregate amount of $415,000 therefor, including a grant in the amount of $180,000 expected to be received from the State of New Jersey Department of Transportation and authorizing the issuance of $223,000 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on May 6, 2014 (#2014-008), bond anticipation notes of the Township in a principal amount not exceeding $30,000 in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for various capital improvements by the Township of Stillwater, in the County of Sussex, New Jersey, appropriating the aggregate amount of $373,000 therefor and authorizing the issuance of $353,000 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on July 7, 2015 (#2015-007), bond anticipation notes of the Township in a principal amount not exceeding $90,000 in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the purchase of a fire truck by the Township of Stillwater, in the County of Sussex, New Jersey, appropriating $420,000 therefor and authorizing the issuance of $285,000 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on November 10, 2015 (#2015-014), bond anticipation notes of the Township in a principal amount of not exceeding $105,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating $939,200, and authorizing the issuance of $328,475 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”, finally adopted on May 3, 2016 (#2016-007), bond anticipation notes of the Township in a principal amount of not exceeding $138,700 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the acquisition of a new and additional tractor by the Township of Stillwater, in and by the County of Sussex, New Jersey, appropriating $48,700 therefor and authorizing the issuance of $30,100 bonds or notes of the Township for financing such appropriation”, finally adopted on October 18, 2016 (#2016-014), bond anticipation notes of the Township in a principal amount of not exceeding $6,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating $175,100, and authorizing the issuance of $119,825 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”, finally adopted on May 26, 2017 (#2017-05), bond anticipation notes of the Township in a principal amount of not exceeding $57,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the improvement of the municipal building parking lot in and by the Township of Stillwater, in the County of Sussex, New Jersey, appropriating $31,500 therefor and authorizing the issuance of $29,000 bonds or notes of the Township for financing such appropriation”, finally adopted on July 5, 2017 (#2017-07), bond anticipation notes of the Township in a principal amount of not exceeding $19,000 shall be issued for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating $694,100, and authorizing the issuance of $526,317 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”, finally adopted on May 15, 2018 (#2018-06), bond anticipation notes of the Township in a principal amount of not exceeding $351,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating $675,000, and authorizing the issuance of $482,750 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”, finally adopted on May 7, 2019 (#2019-05), bond anticipation notes of the Township in a principal amount of not exceeding $333,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance appropriating $551,000, and authorizing the issuance of $220,800 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”, finally adopted on July 20, 2021 (#2021-10), bond anticipation notes of the Township in a principal amount of not exceeding $220,800 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “Bond ordinance providing for the purchase of a new fire truck by the Township of Stillwater, in the County of Sussex, New Jersey, appropriating $825,000 therefor and authorizing the issuance of $546,200 bonds or notes of the Township to finance part of the cost thereof”, finally adopted on July 20, 2021 (#2021-011), bond anticipation notes of the Township in a principal amount of not exceeding $546,200 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

Pursuant to a bond ordinance of the Township entitled: “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”, finally adopted on May 3, 2022 (#2022-07), bond anticipation notes of the Township in a principal amount of not exceeding $209,000 shall be issued. for the purpose of temporarily financing the improvement or purpose described in Section 3 of said bond ordinance, including (to any extent necessary) the renewal of any bond anticipation notes heretofore issued therefor.

All bond anticipation notes (the “notes”) issued hereunder shall mature at such times as may be determined by the treasurer, the chief financial officer or the acting chief financial officer of the Township (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 and shall be signed and sealed by officials and officers of the Township in any manner permitted by N.J.S.A. §40A:2-25. The Chief Financial Officer shall determine all matters in connection with the notes issued hereunder, 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 at not less than par from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price. 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 hereunder 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.

Any note issued pursuant to this resolution shall be a general obligation of the Township, and the Township’s faith and credit are hereby pledged to the punctual payment of the principal of and interest on the notes and, unless otherwise paid or payment provided for, an amount sufficient for such payment shall be inserted in the budget and a tax sufficient to provide for the payment thereof shall be levied and collected.

The Chief Financial Officer is hereby authorized and directed to do all other matters necessary, useful, convenient or desirable to accomplish the delivery of the notes to the purchasers thereof as promptly as possible, including (i) the preparation, execution and dissemination of a Preliminary Official Statement and Final Official Statement with respect to the notes, (ii) preparation, distribution and publication, if necessary, of a Notice of Sale with respect to the notes, (iii) execution of a Continuing Disclosure Undertaking, with respect to the notes in accordance with Rule 15c2 12 promulgated by the Securities and Exchange Commission and (iv) execution of an arbitrage and use of proceeds certificate certifying that, among other things, the Township, to the extent it is empowered and allowed under applicable law, will do and perform all acts and things necessary or desirable to assure that interest paid on the notes is not included in gross income under Section 103 of the Internal Revenue Code of 1986, as amended.

All action heretofore taken by Township officials and professionals with regard to the sale and award of the notes is hereby ratified, confirmed, adopted and approved.

This resolution shall take effect immediately.

A **motion** was made by Mrs. Rumsey to **adopt Resolution 2022-131** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-132** **Resolution of the Township Committee of the Township of Stillwater Authorizing the Issuance of Raffle License RA-22-04**

**WHEREAS** the following Raffle Application with required fees have been submitted for Township Committee approval;

**Raffle # Applicant Date Type of Game**

RA-04 Peace by Piece NJ Inc. 08/27/2022 Raffle

**WHEREAS** said Raffle Applications have been provided to the Township Committee and New Jersey State Police for their review;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey, the following:

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-132** seconded by Ms. Chammings. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-133** Resolution Refunding Overpaid Taxes for Disabled Veteran - Figueroa

 WHEREAS, a resolution is required by the Tax Collector to refund overpaid 2022 taxes, and

 WHEREAS, the following property are entitled to a refund of overpaid 2022 taxes due to being fully exempt as a disabled veteran

 **Block** **Lot** **Owner** **Amount**

 4301 9 FIGUEROA $ 2,090.51

 NOW, THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the above amounts as listed.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-133** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-134** Mayor’s Acceptance of the Resignation of Anthony Citarella as the Plumbing Sub-Code Official 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 Anthony Citarella as the Plumbing Sub-Code Official effective August 31, 2022.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-134** seconded by Mrs. Rumsey with regrets. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-135** Resolution Awarding Dog Licensing Software Contract

 **WHEREAS**, the Township of Stillwater needs a dog licensing software contractor to provide dog licensing service for the 2023 year; 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 services; and

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

**WHEREAS**, Munidex’s animal licensing software fills the state’s requirements while providing residents with the ability to license their dogs in person, by mail, or digitally, and providing a map that will allow the ACO and police the ability to see the location of dog owners and dog information in real time; and

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Munidex Inc. for the 2023 dog licensing in an amount not to exceed $3,250.00 for the first year and then $1,000 annually thereafter as per Munidex’s written proposal of July 27, 2022.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-135** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-136** Resolution Authorizing an Increase in Funding forAsbestos Testing of the Community Center Roof

 **WHEREAS**, the Township of Stillwater undertook testing of the roof of the Stillwater Community Center located at 931 Newton Swartswood Road for the presence of asbestos; and

 **WHEREAS**, the Township Committee authorized Iris Environmental Laboratories to complete the asbestos testing in an amount not to exceed $1,000.00 per Resolution 2022-125; and

 **WHEREAS**, the final cost of the testing exceeded the amount of funding approved; and

 **WHEREAS**, the Township’s Chief Financial Officer has certified sufficient funds are available to increase the amount of funding for the project;

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, New Jersey that an additional **$500.00 from American Rescue Plan funding** be approved for the project.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-136** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-137** Resolution Approving the Appointment of Maureen Tsadilas to both the Recreation Commission and the Environmental Commission

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

**RECREATION COMMISSION**

Name Term Term Expires

Maureen L. Tsadilas – Alternate #1 3 years 12/31/2023

(filling the vacated term of Michael Carovillano)

**ENVIRONMENTAL COMMISSION**

Name Term Term Expires

Maureen L. Tsadilas – 3 years 12/31/2023

(filling the unexpired term of Beth Raff)

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

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-137** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-138** Resolution Opposing the Proposed Increases to the State Health Benefits Program

**WHEREAS**, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

**WHEREAS**, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

**WHEREAS**, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHPB, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

**WHEREAS**, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

**WHEREAS**, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

**WHEREAS**, subsequent news accounts have Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

**WHEREAS**, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

**WHEREAS**, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Stillwater in the county of Sussex call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

**BE IT FURTHER RESOVLED**, that the governing body of the Township of Stillwater in the county of Sussex urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Steven V. Oroho, Assemblyman Parker Space, Assemblyman Harold J. Wirths, and New Jersey State League of Municipalities.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-138** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-139** Adopting 2022 Job Descriptions and Revised Employee Complaint Process

 **WHEREAS,** the Township Committee retained a Human Resource Professional to develop job descriptions for the Township’s office employees; and

**WHEREAS**, the Township Committee was also provided a revised Employee Complaint Process from the Township Labor Counsel.

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

1. The job descriptions prepared by Mrs. Carter are hereby approved and adopted for use.
2. The Employee Complaint Process prepared by Labor Counsel is hereby approved and adopted for use.
3. Labor Counsel is further authorized to provide the Township Clerk with any other minor revisions to the Employee Handbook to assure that the new Employee Complaint Procedure is properly referred to throughout the Employee Handbook.
4. The Township Clerk is authorized to provide both the adopted job descriptions and the revised Employee Handbook provisions to the workforce.

A **motion** was made by Mr. Barta to **adopt Resolution 2022-139** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, yes

**RESOLUTION 2022-141** Authorizing the Provisional Appointment of Jack Bell as Part-Time Plumbing Sub-Code Official

 THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater appoint of as Jack Bell a provisional Part-Time Plumbing Sub-Code Official for four (4) hours per week with an hourly rate of $41.30 per hour commencing on September 1, 2022.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, August 16, 2022.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-141** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**DISCUSSION ITEMS:**

Ordinance for Disabled Veteran Property Tax Exemption – The Tax Assessor suggested the Township Committee have a discussion and potentially put a policy into place stating when the property tax will be discontinued for the fully disabled veteran. The present practice is once the resolution is adopted deeming someone a fully disabled veteran, who qualifies for an exemption of property tax, their tax is forgiven retroactively to the beginning of the current year. Some municipalities only stop assessing property tax once the resolution is adopted. The clerk will provide the township committee samples of both processes for their review and discussion.

Social Media Policy for Elected and Appointed Township Officials

Ms. Chammings asked why a new policy is being introduced when there is already a policy in the employee handbook.

Mr. Barta said he feels the policy in the handbook is vague and does not address people in appointed and elected positions and as officers of the township these are the people who should be held to a higher standard and this new policy sets guidelines and will help to avoid litigation.

Mrs. Rumsey said she feels no one has violated any rules and social media is such a great tool for communications. Mr. Barta said a written policy ensures everyone knows what is expected of them. Mrs. Rumsey stated a disclaimer for every post is overkill and Facebook helps residents and is neighbor to neighbor conversations.

Mr. Barta noted that Stillwater employees should not feel they need to respond to questions on private Facebook pages.

Mr. Vex added that issues occur when public officials who use their private page as a quasi-public government page and any private page where three of the governing body members have a discussion is a quorum and it violates the sunshine law. Heated conservations where some people can not respond could be considered a violation of their civil rights.

Ms. Chammings said the policy is really against her. Ms. Chammings said when she posts about storms etc. on her Facebook page she is posting as a private citizen not the Township’s OEM. Ms. Chammings said she cares very deeply about her community and if Mr. Barta feels she is posting things inappropriately he should have come to her directly to discuss. Mr. Barta said this policy is not about Ms. Chammings.

Ms. Chammings said she didn’t even know she had been named administrator of the Stillwater, NJ page. A man that passed away appointed her and she only knew when she found an icon next to her name and found out what that icon meant.

Mayor Scott read Resolution 2020-141 into the record. There was no further discussion.

**RESOLUTION 2022-140** **RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER ADOPTING A SOCIAL MEDIA POLICY FOR ELECTED AND APPOINTED TOWNSHIP OFFICIALS**

 **WHEREAS,** the Stillwater Township Employee Handbook already contains policies regulating employees and use of Township social media but is silent about elected and appointed officials who chose to discuss Township issues on their personal social media; and

**WHEREAS**, the Township Committee was provided a Social Media Policy for elected and Appointed Township Officials from the Township Labor Counsel.

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

1 The Social Media Policy for Elected and Appointed Township Officials prepared by Labor Counsel is hereby approved and adopted for use.

2 The Township Clerk is authorized to provide Social Media Policy for Elected and Appointed Township Officials to the Elected and Appointed Officials.

A **motion** was made by Mr. Fisher to **adopt Resolution 2022-140** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, no, Mr. Fisher, yes, Ms. Chammings, no, Mayor Scott, yes

Counter Configuration in Town Hall

The committee had a discussion on the counter configuration. The employees who work in town hall have all expressed their concerns with the new configuration in the building/zoning department. After a brief discussion the township committee said to put the counter back to its original configuration and place a half door, for safety purposes, in between the counters.

Beth Martin Education – Clerk Classes

Mrs. Martin has provided the Township Committee with a request to take the municipal clerk classes through Rutgers. After reviewing the request, the Township Committee has approved the courses and upon completion of each course with a passing grade Mrs. Martin will be reimbursed the education expense. Since Mrs. Martin was appointed Deputy Clerk after the budget had been passed and no funding is in place for this year’s courses the Township Committee and municipal clerk have moved funding from areas of their budgets to use as reimbursement for classes in 2022. The remaining classes will be budgeted for in 2023.

**OPEN PUBLIC SESSION**

Alicia Gardner, 921 Middleville Road, readdressed the retro pay owed to her. She said she had not received an answer during the first open public session. The Township Committee agreed she is owned the retro pay and will act with a resolution.

**RESOLUTION 2022-142 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE PAYMENT OF RETRO-ACTIVE PAY INCREASE EARNED BY ALICIA GARDNER**

 WHEREAS, Alicia Gardner worked as Receptionist in Stillwater Township until April 23, 2022 at a rate of $18.00 per hour; and

 WHEREAS, the Township Committee of the Township of Stillwater authorized a pay increase of Three and one-quarter percent (3.25%) for all Townhall employees retroactively to January 1, 2022 when the budget was adopted on May 3, 2022; and

 WHEREAS, Alicia Gardner’s pay was raised from $18 to $18.59 per hours retroactively to January 1, 2022; and

 WHEREAS, Alicia Gardner has not received the retro-active pay she is entitled to receive for the 251 hours for the first quarter 2022 and 90 hours in the second quarter of 2022; and

 THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater authorize the payment of $201.19 to Alicia Gardner.

A **motion** was made by Mr. Scott to **adopt Resolution 2022-142** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**OPEN PUBLIC SESSION:**

Lou Sylvester, 945 Old Schoolhouse Road, asked the committee if anything had been done in regards to 947A Old Schoolhouse Road. Mr. Vex assured him that there was a discussion during executive session and the matter was being handled.

Kathy Draghi, 1016 County Road 619, said Stillwater, NJ is a public group but I believe Ms. Chammings is an administrator on the page – correct? Many of the newer residents believe that the Stillwater, NJ page is the official page of Stillwater Township.

Ms. Chammings said she will put a disclaimer and reference the Stillwater Township Facebook page.

Mrs. Draghi asked who the other two administrators for the Stillwater, NJ page were. Ms. Chammings said it was Jamie Hoyle and Dawn Delaney.

Mrs. Draghi noted going forward there will be two Stillwater Township Committee members who administrate the page and it could have the look of impropriety. Mrs. Draghi said she took offense during the election there was a letter of support from Ms. Chammings for her candidates and you should support your choice of candidates but there was a statement regarding the losing candidate that said no report of activities were ever reported by him but you were the mayor and assigned committee liaisons and you never gave him anything of consequence to report on. It was really unfair and it is a matter of record.

Ms. Chammings said she did not post that support letter on the public page but on her personal Lisa Chammings page. Mrs. Rumsey said it was on her and Mrs. Delaney’s pages as well. Mrs. Draghi noted the letter could be shared from their personal pages. Mrs. Draghi said it would benefit residents to know Stillwater, NJ is not an official page.

Ms. Chammings said she was made administrator of the Stillwater, NJ page by Ed Burns and he was a great community person and she is honored he passed his administrative control to her.

Mrs. Draghi asked Ms. Chammings if as administrator she would post a derogatory statement about herself on the public page from an individual? That creates a dilemma. Ms. Chammings said they could post it. Mrs. Draghi said no all posts must be approved by an administrator and added that another public Facebook page with an administrator who was elected to public office gave up being administrator to avoid the look of impropriety. Ms. Chammings said she never answers a controversial issue on Facebook.

Mrs. Draghi ended her comments with it should be disclosed that two Stillwater Township elected officials are administrators on the Stillwater, NJ page.

Steven Sugar, 999A Stillwater Rd, asked when the signage will be available for the weight limit on Mt Benevolence Rd through Stillwater Rd. Mayor Scott said the weight limit is incorrect and will be amended then new signs can be made. Once the ordinance is amended the clerk will send a copy of the ordinance to the sheriff’s office and the state police so they know to enforce.

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

**ATTORNEY’S REPORT:**

There was no attorney report at this time.

There being no further business, Ms. Chammings made a motion to adjourn the meeting at 9:20 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC