**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday November 15, 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, Ms. Chammings, Mr. Fisher and Mayor Scott.

The flag was saluted.

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

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

**BILLS LIST #18: $993,563.97**

**RESOLUTION 2022-172** 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 November 1, 2022 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

A motion was made by Mr. Fisher to **adopt** **Resolution 2022-172,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**REPORTS:** Community Center Receipt Report – October 2022

Dog License Report – October 2022

Recreation Reports – October 2022

Vacant/Abandon Properties Report – October 2022

Certified Copies Report – October 2022

Registrar Reports – October 2022

Stillwater Board of Health Report – October 2022

Convenience Center Reports – October 2022

Building Department Report – October 2022

Mr. Fisher questioned why this was the second month in a row where there is no report from the Zoning Officer. Mayor Scott requested it be on for the next meeting.A motion was made by Mr. Fisher to **adopt the reports as presented,** seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**AMENDMENTS TO AGENDA:**

**ORDINANCE 2022-24** AN ORDINANCE TO PERMIT QUALIFIED EMPLOYEES UNDER THE AGE OF 21 TO OPERATE TOWSNHIP VEHICLES WITH A GROSS VEHICLE WEIGHT OF OVER 20,000 POUNDS (INTRODUCTION 11/15/2022)

**RESOLUTION 2022-181** RESOLTUION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT WITH SAMUEL A WYKOFF, FOR ARCHITECTUAL SERVICES FOR THE STILLWATER COMMUNITY CENTER

Mayor Scott added to discussion items the Community Center furnace.

**OPEN PUBLIC SESSION:**

Joe Doherty, 943 Old Schoolhouse Road, read a letter into the record:

*“My appreciation and thanks to those members of council who helped ameliorate the gun noise problem in my neighborhood. Although it has been quiet lately, I am taking the issue a step further in the hope it will result in a more permanent solution. Regarding the use of language in revising the township noise ordinance, I can understand the cause for concern when it comes to implementing words such as ‘gunfire’ or ‘shooting’ in a gun and hunting culture such as the one that exists in Stillwater, but if the wording is crafted properly it can be interpreted with precise meaning and understanding. With that in mind I offer the following: “No excessive or extended home target practice shooting – no use of explosive materials outside of township-sanctioned activity, including high-powered fireworks such as M-80s, Ashcans, and Cherry Bombs.”*

Samuel Wykoff Sr., 954 County Road 619, stated a legal gun owner may target shoot on their property and should not be included in a noise ordinance.

Ed Szabo, 978 Rt 521, stated that he completely agrees with what Mr. Wykoff Sr. stated about firearms and the 2nd amendment.

Heidi Mountford, 921 Mt Benevolence Road asked where the moneys collected from back taxes, interest and penalties was allocated and requested some of the funds be used to fix the community center. Mrs. Mountford hopes any surplus of funding be used for something beneficial for residents in the township. Mrs. Mountford gave the Township Committee and residents in attendance handouts from her findings.

Arlene Fisher, 1059 Mt Benevolence Road, expressed her concerns about spending a lot of money on fixing the Community Center. She expressed that she feels the township should take a look at the building and figure out what repairs or improvements would be most beneficial for the building and the township.

**OLD BUSINESS:**

Township’s Tax Lien Update:

Mr. Vex stated he is still waiting for a few property searches to come through but hopes to have the complaint filed shortly.

**NEW BUSINESS:**

**RESOLUTION 2022-173** RESOLUTION AUTHORIZING A DONATION TO THE STILLWATER SCHOOL 6TH GRADE GRADUATION COMMITTEE

WHEREAS, the Stillwater Township Committee received a request from Kayla Philhower Stillwater School 6th Grade Recognition Committee, seeking a donation toward the 6th grade graduation celebration for the Class of 2023; and

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

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

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

A motion was made by Mr. Fisher to **adopt Resolution 2022-173**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes.

**RESOLUTION 2022-174** MAYOR’S APPOINTMENT OF DANIELLE WUNDER AS RECREATION COMMISSION SECRETARY WITH COMMITTEE CONCURRENCE

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 Danielle Wunder  
  
as Recreation Commission Secretary effective January 1, 2023 at an annual salary

of $3,000.00.

A motion was made by Mr. Fisher to **adopt Resolution 2022-174**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes.

**RESOLUTION 2022-175** MAYOR’S ACCEPTANCE OF THE RESIGNATION OF ALFIA SCHEMM AS SECRETARY OF THE ZONING BAORD OF ADJUSTMENT AND THE PLANNING BOARD

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 Alfia Schemm, as

secretary, from the Zoning Board of Adjustment and the Planning Board effective December 31, 2022

A motion was made by Mr. Barta, with regrets to **adopt Resolution 2022-175**, seconded by Ms. Chammings, with regrets. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes, all with Regrets.

**RESOLUTION 2022-176** RESOLUTIONAUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MONTAGUE FOR THE SERVICES OF A QUALIFIED PURCHASING AGENT

**WHEREAS**, the Township of Stillwater and the Township of Montague have agreed to enter into a Shared Services Agreement by which the Township of Stillwater shall provide Qualified Purchasing Agent services to the Township of Montague pursuant to N.J.S.A. 40A:65-1 et seq., and

**WHEREAS**, the Township of Stillwater and the Township of Montague agree to enter into the attached Shared Services Agreement;

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

1. The Shared Services Agreement between the Township of Stillwater and the Township of Montague is approved pursuant to N.J.S.A. 40A:65-1 et seq. The terms and conditions of the Agreement (Exhibit “A”) are made a part of this Resolution.

2. The Mayor and Township Clerk are authorized to sign the Agreement on behalf of the Township.

3. This Resolution shall take effect immediately, however, it shall be void and of no effect in the event that the Township of Montague fails or refuses to adopt a similar resolution and/or execute the Shared Services Agreement.

4. A copy of this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 40A:65-4.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-176**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**RESOLTUION 2022-177** RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FRANKFORD FOR THE SERVICES OF A QUALIFIED PURCHASING AGENT

**WHEREAS**, the Township of Stillwater and the Township of Frankford have agreed to enter into a Shared Services Agreement by which the Township of Stillwater shall provide Qualified Purchasing Agent services to the Township of Frankford pursuant to N.J.S.A. 40A:65-1 et seq., and

**WHEREAS**, the Township of Stillwater and the Township of Frankford agree to enter into the attached Shared Services Agreement;

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

1. The Shared Services Agreement between the Township of Stillwater and the Township of Frankford is approved pursuant to N.J.S.A. 40A:65-1 et seq. The terms and conditions of the Agreement (Exhibit "A") are made a part of this Resolution.

2. The Mayor and Township Clerk are authorized to sign the Agreement on behalf of the Township.

3. This Resolution shall take effect immediately, however, it shall be void and of no effect in the event that the Township of Frankford fails or refuses to adopt a similar resolution and/or execute the Shared Services Agreement.

4. A copy of this Agreement shall be filed, for informational purposes, with the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.S.A. 40A:65-4.

A motion was made by Mr. Fisher to **adopt Resolution 2022-177**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes. Ms. Chammings confirmed with the clerk, Lynda Knott, that she was going to be a QPA for three towns, Montague, Frankford, and Andover Borough. The clerk agreed.

**RESOLUTION 2022-178** RESOLUTION AUTHORIZING THE ISSUANCE OF RAFFLE LICENSES RA-22-06 AND RA-22-07

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

**Raffle # Applicant Date Type of Game**

RA-06 Stillwater Township PTA 3/24/23 50/50

RA-07 Stillwater Township PTA 3/24/23 Tricky Tray

**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 Mrs. Rumsey to **adopt Resolution 2022-178**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**RESOLUTION 2022-179** RESOLUTION AUTHORIZING A TRANSFER OF 2022 APPROPRIATIONS

**WHEREAS,** the Finance Officer certifies there are insufficient funds in the budgetary accounts listed below to meet the demands thereon for the balance of the year; and

**WHEREAS,** the Finance Officer certifies there appear to be a surplus in the budgetary accounts listed below, over and above the demand deemed necessary for the balance of the year; and

**WHEREAS,** N.J.S.A. 40A:4-58 provides that transfers of funds may be made during the last two months of the budget year;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that the Chief Financial Officer is authorized to make a transfer in 2022 budget appropriations in the amount of $29,900.00 within the Current Fund, as follows:



A motion was made by Mr. Fisher to **adopt Resolution 2022-179**, seconded by Mayor Scott. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, no, Mr. Fisher, yes Mayor Scott, yes

**RESOLUTION 2022-180**  RESOLUTION AUTHORIZE PAYMENT OF REDEMPTION

WHEREAS, on December 15, 2000 Gisela Rutnik, Collector of Taxes sold at Public auction Tax Lien for delinquent municipal taxes on premises known as Block 1301 Lot 15 to Pro Capital Funds 2500 McCllan Avenue Suite 200 Pennsauken, NJ 08109.

WHEREAS, the Tax Collector has received redemption of said lien on November 11, 2022 and has deposited said sum in the current account of the Township of Stillwater.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Stillwater that as soon thereafter as the redemption funds have cleared the current account, cancellation shall be made of the Certificate of Sale in the sum of $ 14,680.14.

A motion was made by Mr. Barta to **adopt Resolution 2022-180**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**DISCUSSION ITEMS:**

**Shared Services for Animal Control –** Ms. Chammings discussed the possibility of having a shared services agreement with the Township of Newton for an Animal Control Officer. Committeewoman Chammings stated how the Township of Newton has a lot of new options that are available to their residents that hopefully to our residents. Committeewoman Chammings stated she reached out to our current ACO to inform him a shared service was a possibility for 2023. The Township Clerk was directed ton contact with the Township of Newton and see if they would be interested in a shared service with Stillwater Township for animal control.

**Cub Scout Pack 83 – Christmas Tree Sales –** Pack 83 has requested to sell their Christmas trees at the Community Center. The Township Committee agreed to the request and discussed the best locations for the trees.

A motion was made by Mayor. Scott to **allow Cub Scout Pack 83 to sell Christmas Trees**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**OEM Coordinator –** Mayor Scott discussed the OEM position held by Ms. Chammings and said he feels someone qualified who is not a member of the governing body should hold the position when her term expires at the end of 2022. Mayor Scott said he has distributed an application from a very qualified candidate for the committees’ review. Committeewoman Rumsey said she feels Ms. Chammings is doing a fine job and she should continue with the position. Committeewoman Chammings would like to meet with the applicant and discuss starting as a deputy to get the required training. The clerk will set up an interview with the applicant for the next meeting on December 6, 2022, in executive session.

**RFP – Attorney -** Committeewoman Chammings feel that the town should go out for a RFP for a municipal attorney. After a brief discussion the clerk was directed to advertise for a RFP for a municipal attorney and a municipal auditor.

**Code Review –** The Municipal attorney, Howard Vex Esq., and the township clerk have been going through the code book questions and making sure everything was up to date. They will bring the updated questions to the committee for the next meeting.

**Bicentennial –** The committee is going to present ideas to the CFO for the Bicentennial for the next meeting on December 6, 2022.

**Ordinance 2022-24** AN ORDINANCE TO PERMIT QUALIFIED EMPLOYEES UNDER THE AGE OF 21 TO OPERATE TOWSNHIP VEHICLES WITH A GROSS VEHICLE WEIGHT OF OVER 20,000 POUNDS (INTRODUCTION 11/15/2022)

**WHEREAS**, Chapter 275 of the Township Code of the Township of Stillwater provides at § 275-1 A that: “Any person who operates a Township-owned motor vehicle where the vehicle is under the control of the Township's Department of Public Works, a fire department or rescue squad of the Township of Stillwater (collectively referred to as "Township department"), shall possess a valid driver's license for a minimum of three years, be at least 21 years of age, have successfully completed the required driver training required by such Township department, and not have their driving privileges revoked or restricted by a Township department” and

**WHEREAS**, the Township Committee of the Township of Stillwater wishes to modify the requirements of § 275-1 A to permit the Township Committee to request and receive approval from the Township’s Risk Manager to allow an employee that does not meet the age or three-year license requirements of § 275-1 A to operate Township-owned motor vehicles where that employee has significant experience that demonstrates their qualifications to drive said vehicles.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Stillwater, that the Township Code shall be amended as follows:

**SECTION 1**

Chapter 275 of the Township Code of the Township of Stillwater shall be amended so that the current section designated as § 275-1 C will be redesignated as § 275-1 D to make room for a new § 275-1 C:

**SECTION 2**

Chapter 275 of the Township Code of the Township of Stillwater shall be amended to add the following new section designated as § 275-1 C:

Notwithstanding §275-1A and 1B, the Township Committee shall have the authority to request and receive written approval from the Township’s Risk Manager to allow an employee that does not meet the age or driver’s license time requirements of §275-1A or 1B to operate Township-owned motor vehicles under the control of a Township department, where that employee has significant experience that demonstrates that they are qualified to operate said vehicles. Any such employee must still successfully complete the required driver training required by such Township department and must not have their driving privileges revoked or restricted by any Township department.

**SECTION 3**

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 4**

This Ordinance shall take effect immediately upon its passage.

A motion was made by Mr. Barta to **introduce Ordinance 2022-24**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

Mayor Scott requested a motion to extend the probation period for an employee until December 20th meeting.

A motion was made by Mrs. Rumsey to **extend probation period**, seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**Community Center Furnace –** After a discussion the committee instructed the township clerk to speak with the DPW Supervisor about getting a second opinion on figuring out what is wrong with the furnace at the Community Center.

**RESOLUTION 2022-181** RESOLTUION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE MAYOR TO EXECUTE AGREEMENT WITH SAMUEL A WYKOFF, FOR ARCHITECTUAL SERVICES FOR THE STILLWATER COMMUNITY CENTER

WHEREAS, Stillwater Township’s Community Center needs a new roof; and

WHEREAS, Stillwater Township’s public works project requires architectural designs, drawings, specifications, other technical documentation, and administration of construction for the purpose of removing and replacing the community center roof; and

WHEREAS, two proposals were received for the design, drawings, documentation and administration of construction of the community center roof: (1) from Sam Ahren Wykoff Architect LLC in the amount of $11,475.00 and (2) from Fox Architectural Design PC for $14,800; and

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

1. The Mayor is authorized to execute the Architectural Services Agreement with Samuel Ahren Wykoff Architect LLC in the amount of $11,475.00.

1. The Chief Financial Officer has certified that funds are available for the purchase in an amount not exceed $**11,475.00 from American Rescue Plan funding for design, drawings, documentation and administration of construction** **for re-roofing the community center**.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-181**, seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Ms. Chammings, yes, Mr. Fisher, yes Mayor Scott, yes

**OPEN PUBLIC SESSION:**

Samuel Wykoff Sr., 954 County Road 619, expressed his concerns about the low temperatures at night and the freezing of the pipes and other workings of the Community Center. Committeewoman Rumsey assured him that she would go in and make sure nothing froze.

Multiple members of the Environmental Commission, Ed Szabo, Jack Branagan, and Maureen Tsadillas, came to express their support of the Biochar ordinance.

Arlene Fisher, 1059 Mt Benevolence Road, expressed her concerns about tracking and knowing who is using Biochar within the township.

Joseph Doherty, 943 Old Schoolhouse Road, stated that he is in support of the 2nd Amendment but that doesn’t mean people can be abused by it, for example five hours of constant shooting on a Sunday afternoon.

Marcia Bradly, CERT assisted the Fire Departments Tri-Pod Drill at Alters Gate. She is hoping that CERT can do more with the Fire Department. Five members of CERT attended “Stop the Bleed” training. The CERT meetings are now scheduled for the 4th Wednesday of every month at the Townhall. The next scheduled meeting will be January 25, 2023. The CERT Basic Class is scheduled for March 17/18, 2023 from 8am to 4pm. Marica wondered if there were going to be any public safety meetings. The Committee stated there are none this month, but will check the schedule for December.

Mayor Scott reported a few of announcements: The Recreation Commission Tree Lighting Ceremony is on December 2 at 6pm and that Santa would be arriving at 6:30pm. The Fire Department will be putting together Thanksgiving dinners and distributing them to families in need. If you know of anyone who is in need to get a hold of any member of the fire department to get put on the list for distribution. The Recreation Commission is holding a Senior Tea on December 10, 2022 from 2 to 4 p.m.

**ATTORNEY’S REPORT:**

Mr. Vex said he has nothing further to report.

Mayor Scott asked for a moment of silence for a former committee member who recently passed. Mayor Scott asked the clerk to send the committees condolences to the family.

There being no further business, Mrs. Rumsey made a motion to adjourn the meeting at 8:35 p.m., seconded by Mr. Fisher. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC