**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday December 6, 2022**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Scott at 7:07 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.

**EXECUTIVE SESSION**: held in Town Hall

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mrs. Rumsey, seconded by Mr. Barta and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:04 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

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 Mr. Fisher, seconded by Mr. Barta to come out of Executive Session at 7:06 p.m., and resume public session. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

The flag was saluted.

**PROCLAMATION – TIM FISHER – YEARS OF DEDICATED SERVICE**

**PROCLAMATION**

**WHEREAS** it is the intention of the Mayor and Committee of Stillwater Township to focus attention on noteworthy occasions and individuals; and

**WHEREAS** Timmy Lee Fisher has been a member of the Stillwater Township Committee since January 2009 and served as committeeman, mayor and deputy mayor; and

**WHEREAS** Timmy Lee Fisher, as a member of the Stillwater Township Committee was instrumental in initiating the renovations of the Stillwater Municipal Building, completed the Recycling and Convenience Center building by installing flooring, sheetrock and paint; brought back fireworks to Stillwater Day and served Stillwater residents with a smile; and

**WHEREAS** the Mayor and Committee are proud to call Timmy Lee one of Stillwater’s own, as he exemplifies the values that make our community strong.

**NOW, THEREFORE, I, GEORGE E. SCOTT,** by virtue of the authority vested in me as Mayor of the Township of Stillwater, County of Sussex, State of New Jersey, do hereby proclaim Tuesday, December 6, 2022, to be

**Timmy Lee Fisher Day**

in the Township of Stillwater and do urge all citizens to join with me and Committee in recognizing the hard work and commitment required of a Township Committee member, and thank Timmy Lee Fisher for his dedicated service to the residents of Stillwater.

The whole audience applauded and gave a standing ovation for Mr. Fisher.

**MINUTES:** November 15, 2022 Regular 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.

**BILLS LIST #19: $589,667.04**

Ms. Chammings made a **motion to pull PO #13186 and discuss it separately,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes Mayor Scott, yes.

**RESOLUTION 2022-182** 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 December 6, 2022 and on file and available for public inspection in the Office of the Chief Finance Officer and approved by the Chief Finance Officer for payment, be paid.

A motion was made by Ms. Chammings to **adopt** **Resolution 2022-182 minus PO# 13186,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes.

**PO#13186 was not paid** and the clerk was directed to see if a forwarding address was available so the bill can be paid by the owner of the cats.

**COMMITTEE REPORTS:**

Mrs. Rumsey praised the Recreation Commission on their wonderful job with the Tree Lighting Ceremony including the visit with Santa. There was a tremendous turn out for the event. The Recreation Commission is having a “Senior Tea” on Saturday December 10, 2022 at the Community Center from 2p to 4p. Mrs. Rumsey thanked Mr. Sylvester for doing an inventory of the Recreation Commissions equipment. The Recreation Commission would like to plant a memorial garden for Tanya Stark, comprised of all different types of naturalized flowers. The location of the memorial garden has not been chosen yet.

Mr. Barta reported the Planning Board memorialized the Nature Conservancy’s application on Wall Street.

Mr. Barta said Stillwater School will be closed from December 23, 2022 until January 3, 2023 for winter break. Mr. Barta reported the Board of Education discussed the School Regionalization Efficiency Program (SREP) Grant. There will be a feasibility study to see if regionalization would reduce costs. There was a lot of discussion from the public at the Board of Education meeting on this topic but the School is really obligated to participate in the study. Mr. Barta also reported the masonry work, at the school, is becoming more involved than originally planned.

Ms. Chammings reported Rutgers was offering a free virtual (ten session) class to help the transition to Tier A of Storm Water Management requirement. This session started on December 1, 2022. Rutgers will offer the whole class series again in the future.

Ms. Chammings reported the Zoning Board met and went over RFP’s for the new engineer. The Planning Board will hold a meeting to interview applicants for the Engineering position and have invited the Zoning Board members to join them since the engineer may serve both boards. Ms. Chammings said she and George Scott met with Dave Lott from ADR Environmental at 992 Fairview Lake Road. ADR will do a preliminary assessment of the property. The property is quite thick with brush so the DPW will cut up brush around the building so ADR can do the inspection.

Mr. Fisher reported the Fire Company/EMS has responded to over 700 calls thus far for the year. The Fire Company is concentrating on training this year. Mr. Fisher noted the Fire Company will be hosting “Breakfast with Santa” on Sunday December 11, 2022 at 7am at the firehouse.

**AMENDMENTS TO AGENDA:**

Advertise DPW Position

**OPEN PUBLIC SESSION:**

Mayor Scott opened the floor to the public. Seeing no one who wished to speak this portion of the meeting was closed.

**OLD BUSINESS:**

Township’s Tax Lien Update:

Mr. Vex stated he will have an update for the December 20, 2022 meeting.

**ORDINANCE 2022-24** AN ORDINANCE TO PERMIT QUALIFIED EMPLOYEES UNDER THE AGE OF 21 TO OPERATE TOWNSHIP VEHICLES WITH A GROSS VEHICLE WEIGHT OF OVER 20,000 POUNDS **Public Hearing and Adoption**

**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 **adopt** **Ordinance 2022-24,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**NEW BUSINESS:**

**ORDINANCE 2022-25** TO UPDATE THE CODE OF THE TOWNSHIP OF STILLWATER TO REMOVE INCONSISTENCIES, CORRECT OUTDATED CITATIONS AND REFERENCES AND TO ASSURE THAT THE TOWNSHIP CODE IS CONSISTENT WITH CURRENT TOWNSHIP POLICIES AND PRACTICE **– Introduction [Public Hearing and Adoption 12/20/22]**

**WHEREAS**, the Township retained the services of General Code and paid General Code $5,000 to review the Township Code and make recommendations regarding any and all inconsistent or outdated provisions that required prompt revision; and

 **WHEREAS**, the Township Committee of the Township of Stillwater was presented said proposals and recommendations for their review in April of 2021 and, to address these recommendations, the Township Clerk and Attorney were authorized to review said recommendations with certain other Township employees and provide the Township Committee with the proposed revised Code pursuant to General Code’s recommendations; and

 WHEREAS, the Township Committee was given these final recommendations for said amendments and said recommendations are fully consistent with the recommendations of General Code and in the best interests of the Township of Stillwater.

 **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**

The recommendations as proposed by General Code and reviewed and finalized by the Township Clerk and Township Attorney and presented to the Township committee on are here by adopted.

**SECTION 2**

The Township Clerk shall take all necessary action to assure the Code is promptly updated as recommended to accurately reflect the current law, policies and practices of the Township of Stillwater

**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. Fisher to **introduce** **Ordinance 2022-25,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-181A** RESOLUTION 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 architectural designs, specification, 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 $12,475.00 and (2) from Fox Architectural Design PC for $14,800; and

 WHEREAS, the Township Committee adopted Resolution 2022-181 for an amount not to exceed $11,475.00 eliminating the construction administration portion of the proposal; and

 WHEREAS, construction administration is an essential portion of the architect’s responsibility for the project the Township Committee is amending Resolution 2022-181 with Resolution 2022-181A to include the construction administration and its associated cost of $1,000.00

**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 $12,475.00.

1. The Chief Financial Officer has certified that funds are available for the purchase in an amount not exceed $**12,475.00 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 2022-181A,** seconded by Ms. Chammings. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-183** RESOLUTION AUTHORIZING REFUND OF ZONING BOARD ESCROW ACCOUNTS

WHEREAS, the Chief Financial Officer has certified that the following property owners have Zoning Board Escrow Accounts; and

WHEREAS, all conditions have been met;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of Stillwater Township that refunds be issued in the following amounts:

Name & Address Funding Amount

Stephen Scalley Escrow Acct $47.90

David Manser Escrow Acct $124.10

Janet Rae Escrow Acct $1,042.50

Theresa Martin Escrow Acct $202.90

Rita Patrick Escrow Acct $80.37

Herb Reutsch Real Estate Escrow Acct $1,580.31

Karen Becker Escrow Acct $116.00

L.C. Service Escrow Acct $279.75

Jose and Patricia Osorio Escrow Acct $92.00

Taffy Banghart Escrow Acct $692.00

Stillwater Presbyterian Church Escrow Acct $151.00

Total Refund: $4,408.83

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-183,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-184** RESOLUTION AUTHORIZING REFUND OF PLANNING BOARD ESCROW ACCOUNTS

WHEREAS, the Chief Financial Officer has certified that the following property owners have Planning Board Escrow Accounts; and

WHEREAS, all conditions have been met;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of Stillwater Township that refunds be issued in the following amounts:

Name & Address Funding Amount

Jeffrey Fisher Escrow Acct $16.00

Girl Scouts Heart of NJ Escrow Acct $345.75

Franciscan Missionary Charities Escrow Acct $385.00

Camp Nejeda Foundation Inc. Escrow Acct $182.50

Franciscan Missionary Charities Escrow Acct $479.50

Franciscan Missionary Charities Escrow Acct $134.99

Celtic Creations Escrow Acct $563.77

Sandra Hryhor Escrow Acct $90.05

Joseph and Rachel Geraci Escrow Acct $35.00

Michael Wills and Agnes Toccket Escrow Acct $128.25

Total Refund: $2,360.81

A motion was made by Ms. Chammings to **adopt Resolution 2022-184,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-185** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE CFO TO EXECUTE A CONTRACT FOR A COSTCO MEMBERSHIP

WHEREAS, Stillwater Township’s Recreation Commission hosts many community events; and

 WHEREAS, it is in the best interest of Stillwater residents to spend the least amount of funds organizing these events; and

 WHEREAS, a COSTCO membership provides many ways for the Township to save money over and above the $60 annual membership fee not only for community events but for everyday purchases; and

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

1. The Chief Financial Officer is authorized to execute the COSTCO membership agreement in the amount of $60.00.
2. The Chief Financial Officer has certified that funds are available for the purchase in the amount of $60.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-185,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**RESOLUTION 2022-186** RESOLUTION OF THE MAYOR’S ACCEPTANCE OF THE RESIGNATION OF JOSH RAFF AS CERTIFIED PUBLIC WORKS MANAGER 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 Josh Raff as Certified Public Works Manager effective December 31, 2022.

Ms. Chammings wanted to read Mr. Raff’s resignation letter into the record but said Mr. Raff will be going where he will have many opportunities for advancement and licenses (i.e. water/sewer etc.) which are not provided in Stillwater Township. Ms. Chammings added Mr. Raff intends to help Stillwater in its transition to a new supervisor with budgeting and project planning.

A motion was made by Mrs. Rumsey to **adopt Resolution 2022-186,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, no, All with regrets and All wished him the best of luck.

**DISCUSSION ITEMS:**

COMP TIME – Compensation time was put on the agenda for the Township Committee to approve time worked on Saturday, November 5, 2022 for the Rabies Clinic.

A motion was made by Mrs. Rumsey to **allow 2 hours COMP time for the Township Clerk,** seconded by Mr. Barta. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

MAYOR/COMMITTEE BUDGET AND CELBRATION OF PUBLIC EVENTS (current amounts in parenthesis)

1. Gifts and Awards ($1,250.00)
2. Memorial Day ($1,000.00)
3. Celebration of Public Events for Bicentennial ($2,500.00)

The CFO had requested the Township Committee decide how they wished to spend the monies in the 2022 budget earmarked above especially if they chose to purchase something for the upcoming bicentennial for Stillwater Township. The Township Committee will discuss and decide at the December 20, 2022 meeting.

MS4 CHECKLIST APPLICATION – TIER A

The Clerk said she had a conversation with Joseph Vuich of VanCleef Engineering and the MSR Checklist Application must be signed by the Mayor by the end of the year. The clerk will prepare the application for the next meeting.

**OPEN PUBLIC SESSION:**

Mr. Lou Sylvester, 945 Old Schoolhouse Road, asked about the Memorial Day line in the agenda. Committeewoman Chammings expressed the CFO was just looking for suggestions on how and where to spend the allotted monies.

Mr. Lou Sylvester also expressed his continued concerns about the progress on 947A Old Schoolhouse Road. The Committee informed him the Zoning Officer went on an inspection with the homeowner and the homeowner knows the clean-up just completed does not satisfy the directed areas of concern and she is not yet in compliance of the Zoning Board of Adjustment’s resolution. Mr. Sylvester understands and is hoping for some progress and offered to help.

Mr. Lou Sylvester noted there are two new Marines, who recently graduated from boot camp in November and there are two more graduating before Christmas. Committeewoman Chammings stated she saw the two graduates and Stillwater Township is very proud of them and what they are doing for our country. He also wished Josh Raff, CPWM, the best of luck in his endeavors.

**ANNOUNCEMENT:**

Mayor Scott announced Christmas Tree disposal will take place on Monday January 9, 2023. Please have your trees to the curb by 7am so the DPW can pick it up. Please make sure the tree is completely empty of lights, decorations, and stands. There is only 1 (one) tree per household.

A request from the DPW Supervisor to have his remaining 9 (nine) vacation days transferred to 2023. A motion was made by Ms. Chammings to allow the vacation days to be transferred to 2023, it was seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

A motion was made by Mrs. Rumsey to **advertise for Mechanic/Truck Driver with a CDL - class A,** seconded by Mr. Fisher. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

A motion was made by Mr. Fisher to **appoint Kevin Carhart as Deputy OEM,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Fisher, yes, Ms. Chammings, yes, Mayor Scott, yes

**ATTORNEY’S REPORT:**

Mr. Vex had nothing further to report.

There being no further business, Mr. Fisher made a motion to adjourn the meeting at 8:17 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Lynda Knott, RMC