**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday February 21, 2023**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chammings at 6:08 p.m. noting the meeting date, time and place were sent to 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: Mrs. Delaney, Mr. Barta, Mrs. Rumsey, Mr. Scott, Mayor Chammings

**EXECUTIVE SESSION**: held in Town Hall

After the reading of the following Resolution to enter into Executive Session, a **motion** was made by Mayor Chammings, seconded by Mr. Scott and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:09 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, Contract, 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.

A motion was made by Mr. Scott to **return to public session at 6:59 p.m.** seconded by Mayor Chammings. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

The flag was saluted.

The Township Committee held a Board of Health meeting prior to resuming public session. A motion was made by Mr. Scott to **return to public session at 7:10 p.m.** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**MINUTES:** February 7, 2023 Executive and Regular Meeting Minutes

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

**REPORTS:** Community Center Receipt Report – January

Food License Renewal Report – January

Registrar Report – January

OPRA Report – January

Certified Copies Report – January

Convenience Center Report – January

2022 Annual Report of the Stillwater Township Tax Assessor’s Office

Building Department – January

Vacant/Abandon Property Registration – January

Stillwater Board of Health Report – January

Recreation Commission Report – January

DPW Monthly Report – January

Zoning Monthly Report - January

A motion was made by Mr. Scott to **accept the reports minus the tax assessor report**, seconded by Mr. Barta. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

Mr. Barta expressed his concerns of the Tax Assessor’s report being more of a job description rather than an actual report. Mr. Barta will contact the Tax Assessor and ask questions he has in regards to her report.

A motion was made by Mrs. Rumsey to **accept the tax assessor report as is**, seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, no, Mrs. Rumsey, yes, Mr. Scott, no, Mayor Chammings, yes

**BILLS LIST #03 $852,604.02**

**RESOLUTION 2023-52** 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 February 21, 2023 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. Scott to **adopt** **Resolution 2023-52,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**AMENDMENTS TO AGENDA:** There were no amendments to the agenda.

**OPEN PUBLIC SESSION:**

Jennifer Minervino discussed the Recreation Commission event for the DPD population on Sunday March 19, 2023 at the Community Center. She also asked the Committee for permission to put a box in the town hall and the community center for a collection of new socks in original packaging drive for an organization called Soldiers Angels. The organization is attempting to raise 75,000 pairs of socks for veterans. She will pick up the box on March 21, 2023 to allow time for mail.

There was a motion from Mr. Scott, **to allow the placement of the boxes,** seconded by Mrs. Delaney. **Roll Call Vote:** Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

Heidi Mountford expressed her concerns about wanting to lower the RUT (Reserve for Uncollected Taxes).

Arlene Fisher expressed her concerns about the minutes. She informed the committee she feels the minutes are done well and they should continue to be done the way they currently are.

Tim Fisher questioned why the Tax Assessor is not going out and doing a 50% evaluation of work being completed at the residents which have permits out. He expressed his concerns about the amount of tax money the township is losing due to not having a CO until after the final inspection is completed, rather than collecting along the way for the improvements.

Mayor Chammings informed Mr. Fisher there would be a axle counter placed somewhere between the corner of Owassa Road going down Mt Benevolence Road. This is being put into place by the county sheriff’s department to count the number of axles going over it to hopefully eliminate the tractor trailer traffic coming down Mt Benevolence Road and Stillwater Road. Mr. Fisher thanked Mayor Chammings.

Kathy Draghi expressed her concerns of why the Tax Assessor has not submitted a monthly report in a few years and can just submitted an annual one when every other department submits a monthly report.

Marcia Bradley let the committee and public know the first CERT meeting of the year was being held Wednesday February 22, 2023 at 7:00 p.m. at the Town Hall and all were welcome.

Tara Tosti stated she was there representing the Recreation Commission. She was excited to inform the Committee the Recreation Commission will be joining forces with the Fire Department to host the annual Easter Egg Hunt. It will take place on April 2, 2023, in the afternoon, at the Community Center. The Easter Bunny will be arriving on a fire truck.

Mayor Chammings congratulated the Recreation Commission on a job well done on the Senior Valentine’s Dance. It was a huge success and everyone had a great time!

Mr. Scott stated the back stop at Swartswood has been replaced and it looks great.

Mrs. Rumsey informed Mrs. Bradley and the rest of the public the Boy Scouts were in the process of creating a Free Library to put at the Community Center.

Joseph Doherty read the following statement into the record regarding the noise ordinance,

“*I am pleased to see that the issue of amending the township noise ordinance will be coming before council. My position on excessive and extended target practice shooting and the use of explosive material is well known to council, as I have expressed my sentiment to council on a number of occasions. I hope council will look with favor upon my position and adopt a ban on excessive and extended target practice shooting and the use of explosive material. In my opinion a ‘YES’ vote will reflect the position of all right-minded residents who support the right to reasonable peace and quiet in their neighborhood in general and in the comfort and security of their home in particular.”*

**OLD BUSINESS:**

Township’s Tax Lien Update:

Mr. Howard informed the committee all the people have been served the complaint. All the mailings have been mailed out to all lien holders about the proceedings. By the 18th of April we’ll have filed the necessary papers for the judgement and get the responses. Mr. Vex said he is working with the Tax Collector to get the list for the next set he plans to work on. The clerk will ask for the list from the Tax Collector and provide it to the Committee.

**ORDINANCE 2023-03** AN ORDINANCE REQUIRING REGISTRATION AND LICENSING FOR RENTAL DWELLING UNITS, INCLUDING PROOF OF STATE-MANDATED LIABILITY INSURANCE COVERRAGE, CERTIFICATE OF HABITABILITY, AND LEAD-SAFE CERTIFICATE WHERE REQUIRED BY LAW

**WHEREAS**, the State of New Jersey now requires the Township to register businesses and homeowners that offer dwelling units for rent to assure they maintain the State-mandated liability insurance coverage for all rental units, current Certificates of Habitability and current Lead-Safe Certificates for all rental units where required by law.

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

**SECTION 1**

A new Chapter “313” shall be added to the Township Code as follows:

**Chapter 313 Rental Dwelling Unit Registration/License to Operate**

**§ 313-1 Purpose.**

The purpose of this Chapter is to protect the health, safety and welfare of persons renting dwelling units located within the Township of Stillwater by requiring mandatory registration with the Township Clerk’s Office. Registration. Approval of a License requires satisfactory completion of the Rental Unit Registration Form provided by the Township Clerk’s Office, along with proof a current Certificate of Habitability, current state-mandated liability insurance coverage, and current Lead-Safe Certificates (where required by law) for each dwelling unit. “Dwelling unit” as used in this Chapter means a structure, or a room or group of rooms within a structure, used or intended for use, in whole or in part, for residential purposes.

**§ 313-2. Annual Registration and License Requirements**

A. All businesses or persons who own, possess, or control any business or private residence that offers one or more dwelling units for rent located within the Township of Stillwater shall annually register each and every such dwelling unit or units with the Township Clerk on the required Rental Unit Registration Form provided by the Township Clerk’s Office. The registration and license approval process must be completed with the Township Clerk’s Office by no later than June 30, 2023 and, for each calendar year after 2023, by no later than January 31st of that year. The annual fee for registering rental dwelling units shall be $25 per unit per year. Any new dwelling unit to be offered for rent must be registered and approved before they are offered for rent and the fee shall remain $25 per unit per calendar year irrespective of the time of year registered.

B. At the time of registration, proof must be provided of a current Certificate of Habitability covering all rental dwelling units consistent with § 134-6 of this Code. That section of this Code requires that, at the time of initial occupancy or a change of occupancy of any dwelling unit, the owner of the same shall make application to the Township Building Department for a Certificate of Habitability for that dwelling unit. The Township Construction Official shall conduct an inspection for the sole purpose of determining whether or not the dwelling unit complies with N.J.S.A. 52:27D-133.3 and 52:27D-198.1. The dwelling unit must be equipped with at least one carbon monoxide sensor device, or the Construction Official shall determine that there is no potential carbon monoxide hazard in the dwelling unit. The Construction Official shall also require, in accordance with the aforesaid statutes, a smoke-sensitive alarm device on each level of the structure and outside each separate sleeping area. A battery-operated, smoke-sensitive alarm device shall be accepted as meeting the requirements. In addition, each such dwelling unit shall have an acceptable portable fire extinguisher. The inspection and reinspection fees for a Certificate of Habitability shall be $50 ($40 for reinspection) per unit.

C. At the time of registration, proof must be provided of current liability insurance covering each rental dwelling unit for negligent acts or omissions in an amount of no less than $500,000 for combined property damage or bodily injury or death of one or more persons in any one accident or occurrence. (For multifamily homes with four or less dwelling units, one of which is owner-occupied, the $500,000 coverage minimum is lowered to $300,000 in accordance with State law.) The coverage minimums set forth herein are intended to be consistent with current State law requirements and if the State minimums increase in future years, the Township shall require compliance with those new minimum coverage requirements.

D. At the time of registration, a current Lead-Safe Certificate must be provided for each rental dwelling unit. Thereafter, a new Lead-Safe Certification must be provided the earlier of every three (3) years or upon tenant turnover. The Lead-Safe Certificate can be obtained by way of visual inspection performed by the Township Building Department at a cost of $25 ($25 for reinspection) or the property owner can directly hire a New Jersey DCA Certified Lead Evaluation contractor to provide the required inspection services. If deteriorated paint is found during the course of a visual assessment, the owner of the dwelling unit must remediate the perceived lead hazard or may elect to order a dust wipe inspection to confirm or refute the presence of lead-based paint. The owner of the dwelling unit shall be responsible for remediation of any perceived or actual lead-based paint hazard observed or confirmed during the inspection process. Remediation must be conducted consistent with State Law requirements and a Lead-Safe Certificate must be provided to the Township Clerk before the dwelling unit can be offered for rent.

E. All rental dwelling units located in any residential setting which are regulated, registered, or otherwise subject to the jurisdiction of the New Jersey Department of Community Affairs Bureau of Housing Inspections are exempt from the liability insurance and lead-based paint requirements of Subsections C and D above. In addition, a dwelling unit in a single-family, two-family, or multiple rental dwelling shall remain subject to the Certificate of Habitability and liability insurance requirements of Sections B, and C above, but shall not be subject to inspection and evaluation for the presence of lead-based paint hazards if the unit in Section D above where the dwelling unit:

(1) Has been certified to be free of lead-based paint;

(2) Was constructed during or after 1978;

(3) Is in a multiple dwelling that has been registered with the Department of Community Affairs as a multiple dwelling for at least 10 years, either under the current or a previous owner and has no outstanding lead violations from the most recent cyclical inspection performed on the multiple dwelling under the Hotel and Multiple Dwelling Law;

(4) Is a single-family or two-family seasonal rental dwelling which is rented for less than six months' duration each year by tenants that do not have consecutive lease renewals; or

(5) Has a valid Lead-Safe Certification. Lead-safe certifications are valid for two years from the date of issuance pursuant to N.J.A.C. 5:28A-2.4.

F. There shall be a late fee of $50 per dwelling unit that is not timely registered before June 30, 2023 and, for each year thereafter, before January 31st of that year. New units first offered for rent after the above deadlines must be registered and must submit the required proof of liability insurance, Certificate of Habitability and Lead-Free Certification (if applicable) before the unit can be rented. The Township Clerk’s Office has discretion to offer a 30 day grace period to allow full compliance with the registration requirements where the business or person registering has no history of late registrations or failure to register dwelling units covered by this Chapter.

G. All registrants who successfully meet the requirements of Sections A—F above shall be issued a License to Operate by the Township Clerk’s Office for the calendar year at issue. Said License to Operate may be withheld or revoked based on violations of this Chapter, violations of other applicable Township Ordinances or State law, or delinquent payment of property taxes or assessment due on the property where the dwelling units for rent are located for at least three consecutive quarters (*See* § 248-2. Revocation of License).

H. The Township Clerk’s Office shall, for each calendar year commencing in 2023, maintain a list of all businesses and persons who register dwelling units for rent and receive a Township License to rent dwelling units within the Township of Stillwater.

**§ 313-3. Violations and Penalties.**

A. Any person, firm, partnership, corporation or entity violating any provisions of this Chapter shall, upon conviction, be subject to the penalties set forth in Chapter **1**, Article III of the Code of the Township of Stillwater.

B. The Town may collect, through a summary proceeding under N.J.S.A. 2A:58-10 *et seq*., a fine of not less than $500 but no more than $5,000, for failure to file proof of liability insurance as required herein and by P.L. 2022, C. 1368.

**SECTION 2**

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 3**

This Ordinance shall take effect immediately upon its passage.

A motion was made by Mr. Scott to open the discussion of the ordinance to the public, seconded by Mr. Barta. Heidi Mountford thanked the committee for the way they are going about this ordinance. She expressed her concerns about the rentals which have been completely gutted and renovated which were built before 1978. She also expressed her concerns in regards to the smoke certification which is required for short term rentals. Mayor Chammings informed the public there is a short-term rental ordinance being worked on with the Planning Board. Mr. Vex will add to section 313-3 a section c that the ordinance will be enforced by the Code Enforcement Officer. Mrs. Mountford a suggestion to inform the renters to have their own renter insurance.

After the discussion from the public a motion was made by Mr. Scott to **adopt Ordinance 2023-03,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, no due to being an unfunded mandate.

**NEW BUSINESS:**

**RESOLUTION 2023-53** MAYOR’S ACCEPTANCE OF THE REGISNATION OF NICHOLAS CARRIERA AS FULL TIME DPW LABORER WITH COMMITTEE CONNCURRENCE

**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 Nicholas Carriera as Full Time DPW Laborer effective February 28, 2023.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-53,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-54** RESOLUTION AUTHORIZING THE AWARDS OF

NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES FOR THE TOWNSHIP OF STILLWATER

WHEREAS, there exists a need for the services of certain professionals to wit: Township Attorney, and Labor Attorney as non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisitions will exceed $17,500; and

WHEREAS, the anticipated term of these contracts is one year; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Stillwater that:

1. The Mayor and Committee are hereby authorized to engage the following professional persons:

Labor Attorney: Howard Vex, Esq./Vex Law, LLC

Municipal Attorney: Howard Vex, Esq./Vex Law, LLC

2. The above are engaged without competitive bidding as a professional service under the provisions of the Local Public Contract Law because said services are performed by a person authorized by law to practice a recognized profession.

3. A copy of this resolution shall be published in the New Jersey Herald within ten days of its passage.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-54,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLTUION 2023-55** RESOLUTION APPOINTING REDACTORS, AS MANDATED

BY DANIEL’S LAW

**WHEREAS**, there exists a need for the appointment of a redactor for the Township of STILLWATER to carry out the redaction protection mandated by Daniels Law; and

**WHEREAS,** Daniel’s Law works with the state, county and local government agencies to shield the protected information of Covered Persons as the law defines them from disclosure on those agencies’ websites, so that consistent and effective privacy protections are provided to these Persons, who serve the people of the State of New Jersey; and

**WHEREAS,** the redactor will be registered with the Department of Community Affairs;

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Stillwater, County of Sussex, State of New Jersey that the following Township Personnel be hereby appointed as Redactors for matters pertaining to Daniel’s Law: Clerk Lynda Knott, Deputy Clerk Beth Martin, Tax Assessor Penny Holenstein, and TACO/Clerk 1 Dawn Tighe.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-55,** seconded by Mr. Barta. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-56** GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2024 - JUNE 2025

# strategic plan FOR FUNDING MUNICIPAL ALLIANCES

Grant Year: FY2024 Alliance Tier \_\_\_1\_\_\_

|  |  |
| --- | --- |
| APPLICANT MUNICIPALITY/IES: Stillwater | COUNTY: Sussex |
| ALLIANCE  NAME: Stillwater Municipal Alliance | ALLIANCE WEBSITE: |
| ALLIANCE STREET ADDRESS: 964 Stillwater Road  TOWN: Stillwater STATE: NJ ZIP: 07860 | |
| TELEPHONE: (973)383-9484 | FAX: (973) 383-8059 |
| ALLIANCE CHAIRPERSON: Lynda Knott  STREET ADDRESS: 964 Stillwater Road  TOWN: Stillwater STATE: NJ ZIP: 07860  E-mail: clerk@stillwatertwp.com | ALLIANCE COORDINATOR: Dawn Tighe  STREET ADDRESS: 964 Stillwater Road  TOWN: Stillwater STATE: NJ ZIP: 07860  E-mail: dawn@stillwatertwp.com |
| DATE OF RESOLUTION AUTHORIZING THE STRATEGIC PLAN (MM/DD/YYYY): 02 **/**21 **/** 2023 | |

A) Alliance DEDR Allocation $ 1,511.00

B) Cash Match (must be 25% of DEDR Allocation) $ 377.75

C) In-Kind Match (must be 75% of the DEDR Allocation) $ 1,133.25

TOTAL ALLIANCE BUDGET (add A+ B+C) $ 3,022.00

A motion was made by Mr. Scott to **adopt** **Resolution 2023-56,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-56A** GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE FY2024

**WHEREAS,** the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS,** The Township Council of the Township of Stillwater, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS,** the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS,** the Township Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Sussex;

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

1. The Township Council does hereby authorize submission of a revised strategic plan for the Stillwater Municipal Alliance grant for fiscal year 2024 in the amount of:

DEDR $ 1,511.00

Cash Match $ 377.75

In-Kind $ 1,133.25

1. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-56A,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-57** RESOLUTION APPROVING ADDITIONAL HOURS FOR THE TAX COLLECTOR

**WHEREAS**, Terry Beshada was hired by the Township of Stillwater as Tax Collector by Resolution 2022-169 effective November 2, 2022; and

**WHEREAS**, the Tax Collector has noted during the period when quarterly tax payments are due additional hours are required to complete her workload; and

**WHEREAS**, the Tax Collector has requested the Township Committee approve a request for up to five (5) additional hours per tax quarter as needed for a total of twenty (20) additional hours per calendar year;

**BE IT RESOLVED** by the Township Committee of the Township of Stillwater that they do hereby approve up to twenty (20) additional hours per calendar year to be compensated at her annual hourly rate.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-57,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, no, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-58** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING REFUND OF TAX OVERPAYMENT FOR 100% DISABLED VETERAN

WHEREAS, there appears on the tax records of STILLWATER Township certain resident who Qualify for tax exemptions, and

WHEREAS, said exemptions were created when the taxpayer applied for Veteran Status, - Total Disability

WHEREAS, the Collector of Taxes recommends the adjustment of such taxes be made.

NOW, THEREFORE, BE IT RESOLVED, that the proper officers be and they are hereby authorized and directed to cancel 2023 property taxes beginning on January 26, 2023 due to fact that the taxpayer is qualified under the veteran disability act.

DISABLED VETERANS

BLOCK LOT NAME YR AMOUNT

3401 2.08 DOMICIANO 23 1,553.48

A motion was made by Mr. Scott to **adopt** **Resolution 2023-58,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-59** 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 as follows:



A motion was made by Mrs. Delaney to **adopt** **Resolution 2023-59,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-60** AUTHORIZING THE APPOINTMENT OF KYLE KAVANAGH

AS FULL TIME DPW LABORER

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater appoint of Kyle Kavanagh as Full time DPW Laborer pursuant to the Collective Bargaining Agreement’s Laborer I 2023 rate. Mr. Kavanagh’s employment start date will be March 1, 2023.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, March 1, 2023.

A motion was made by Mr. Scott to **adopt** **Resolution 2023-60,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-61** RESOLUTION OF THE TOWNSHIP OF STILLWATER APPROVING APPOINTMENTS OF TOWNSHIP BOARD AND COMMISSIONS

**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 2023 as follows:

**ENVIRONMENTAL COMMISSION**

Name Term Term Expires

David Mattes Member 3 years 12/31/2026

**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 2023.

A motion was made by Mrs. Rumsey to **adopt** **Resolution 2023-61,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, no, Mayor Chammings, yes

**DISCUSSION ITEMS:**

Noise Ordinance

**ORDINANCE 2023-04** AN ORDINANCE TO AMEND THE TOWNSHIP NOISE ORDDINANCE TO CLARIFY PROHIBITED ACTS AND CONFIRM ENFORCEMENT AUTHORITY – INTRODUCTION **[Public hearing and adoption March 7, 2023]**

**WHEREAS**, the Township Committee of the Township of Stillwater wishes to improve the Township Noise Ordinance to ensure that its provisions can be efficiently enforced when necessary.

**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 Township Committee of the Township of Stillwater hereby amends Chapter 272 of the Township Code entitled “Noise” to add a new subsection to § 272-2 (Prohibited Acts) as follows:

1. Discharging unlawful explosive devices or discharging unlawful firearms and/or unlawful magazines or utilizing legally obtained firearms or explosives in a manner that causes or makes loud, unnecessary or unusual noise of a repetitive nature which does or is likely to annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of others.

**SECTION 2**

The Township Committee of the Township of Stillwater hereby amends Chapter 272 of the Township Code entitled “Noise” to add a new Section § 272-5 as follows:

§ 272-5 **Enforcement, Violations and penalties**

This Chapter shall be enforced by the New Jersey State Police. Any person who fails or refuses to comply with any lawful order or direction of a member of the State Police to cease and desist from making noise believed to be in violation of this Chapter, or who violates this Chapter shall, upon conviction thereof, be subject to the penalties provided in Chapter 1. Article III of the Code of the Township of Stillwater (§ 1-17 et seq.)

**SECTION 3**

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

**SECTION 4**

This Ordinance shall take effect immediately upon its passage.

Mr. Barta and Mr. Scott both expressed their concerns for the amending the ordinance to include the unnecessary repetitive explosion of legal and illegal materials. Mr. Vex explained this amendment gives the state police more authority to issue summonses to those not in accordance.

A motion was made by Mr. Scott to **introduce Ordinance 2023-04**, seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

Review of Personnel Handbook:

The Clerk will provide a full copy to the Committee to mark up with the changes they want to make.

Review of Facility Use Agreement:

This was tabled until another meeting.

Fire Department Community Center for Golf Outing:

This was tabled until another meeting.

Bi-Centennial Committee:

The Committee decided to work with the Historical Society on the Bi-Centennial Celebration. The Committee members who are going to be apart of it are Committeewoman Delaney and Committeeman Scott. The CFO, Tammy Leonard, is also going to be a member.

**OPEN PUBLIC SESSION:**

Tim Fisher inquired about the progress with ADR and the Gallagher property. Mayor Chammings explained the progress they thought they made is now being held up due to the possibility of another possible problem area.

Tim Fisher also questioned the Crandon Lakes egress. Mayor Chammings expressed the place which Crandon suggested to put the egress is all wetlands, so the original plan for placement is what is being leaned towards.

Lou Sylvester congratulated Mr. Howard Vex on his reappointment for Township Attorney.

Arlene Fisher congratulated Mr. Vex on his reappointment and his job well done with all his endeavors.

Heidi Mountford questioned if the amendment to the noise ordinance covered the two people who brought a noise complaint against each other in front of the committee. Mr. Vex explained it is already included in the original ordinance. This amendment didn’t change that. Arlene Fisher suggested adding this duty of enforcement to the Code Enforcement Officer, as other towns with similar ordinances have done. Lou Sylvester agreed with Mrs. Fisher by giving the Code Enforcement Officer summonses allows the State Police someone to talk to and follow through with issuing the subsequent summonses.

**ATTORNEY’S REPORT:**

Mr. Vex reported he had nothing further to report at this time.

There being no further business, Mr. Scott made a motion to adjourn the meeting at 8:58 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Beth Martin, Deputy Clerk