**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday March 21, 2023**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chammings at 6:33 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 via Zoom, 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 Mrs. Rumsey, seconded by Mrs. Delaney and carried by roll call vote to adopt the resolution permitting the Committee to go into Executive Session at 6:34 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 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.

A motion was made by Mayor Chammings to **return to public session at 7:03 p.m.** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

The flag was saluted.

**2023 BUDGET INTRODUCTION – TAMMY LEONARD, CFO**

* The 2023 Budget for Municipal Purposes is **$2,130,006.22**, which is an increase from 2022 of $8,404.47 or approximately 0.40%.
* The Local Tax Rate is increasing by 0.09%.
* The Local Tax Rate will be 0.5215.
* The increase per household:
  + - **$200,000 ~ $1.00 annually or ~ $0.08 per month**
    - **$300,000 ~ $1.50 annually or ~ $0.13 per month**
    - **$400,000 ~ $2.00 annually or ~ $0.17 per month**
* We are under both the appropriations cap and the overall levy cap:
* Appropriations Cap ~ $2,800 under
* Levy Cap ~ $142,000 under

**DEBT**

Our total debt is 0.408% of the average of the past 3 years’ levies, and is well below the allowable municipal debt level of 3.5% of that average. As of 12/31/22, we have Bond Anticipation Notes in the amount of $2,105,700.00, with an interest rate of 2.74%.

**CAPITAL PLAN**

The Capital Plan for 2023 is for $881,400, of which 31.25% or $275,443.00 will be financed. A DOT grant for $155,260 was received to help offset the cost of the Mount Benevolence Phase II project. The remainder of all projects will be fully funded from our Capital Improvement Fund, Capital Fund Balance and reserves.

The paving projects set forth in the 2022 Capital Plan were not undertaken last year due to the high cost of asphalt. This includes the paving of Mount Benevolence Phase I and the paving of the parking lots at Stillwater Park in Swartswood and Veterans Memorial Park. These should be included in this year’s projects.

**FUND BALANCE (Surplus)**

The Township’s Fund Balance as of 12/31/22 is approximately $3.8 million dollars. As a result, we are able to use $925,000.00 as revenue in the 2023 budget. The Township’s remaining Fund Balance after utilizing $925,000.00 in the budget, will be approximately $2.9 million dollars.

In 2022, the Township established a Fund Balance Policy (Resolution 2022-124) stating, “*It is the goal of the Township to maintain a Fund Balance equal to twenty-five (25%) percent of the Township’s annual Total Adjusted Expenditures and Tax Requirements*”.

**TAX COLLECTION**

The percentage of collection in 2022 was 97.84%, an increase of 0.43%. The percentage used to calculate the RUT, or Reserve for Uncollected Taxes, is 96.48%, a difference of 1.36%. Most municipalities allow a 1.0 to 2.0% cushion. This puts Stillwater at the lower end of that cushion. The RUT for 2023 was reduced by $100,000.00 from 2022 to $500,000.00. The RUT will continue to be re-examined each year and adjusted accordingly.

**RESOLUTION 2023-67** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER INTRODUCING THE 2023 MUNICIPAL BUDGET

BE IT RESOLVED that the attached Statements of Revenues and Appropriations shall constitute the Municipal Budget for the 2023 calendar year; and

BE IT FURTHER RESOLVED that a Summary of said Budget shall be published in *The Sunday Herald on Sunday, April 2, 2022* and the public hearing and final adoption shall be held on April 18, 2023 at 7:00 p.m. at the Municipal Building at which time and place objections to the 2023 Municipal Budget may be presented by taxpayers or other persons of interest.

A motion was made by Mr. Scott to **adopt Resolution 2023-67**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

There will be a hard copy of the Budget available to the public at the townhall and it also will be available online on the township website.

**RESOLUTION 2023-68 Self-Examination of Budget**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the *Township of Stillwater* has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2017 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the *Township of Stillwater* that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

a. Payment of interest and debt redemption charges

b. Deferred charges and statutory expenditures

c. Cash deficit of preceding year

d. Reserve for uncollected taxes

e. Other reserves and non-disbursement items

f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

a. All estimates of revenue are reasonable, accurate and correctly stated,

b. Items of appropriation are properly set forth

c. In itemization, form, arrangement and content, the budget will

permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

A motion was made by Mr. Scott to **adopt Resolution 2023-68**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

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

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

**REPORTS:** Recreation Commission Fees and Escrow Report – February 2023

Convenience Center Report – February 2023

Vacant/Abandon Property Report – February 2023

Community Center Report – February 2023

Certified Copies Report – February 2023

Registrar Report – February 2023

Tax Collector Report – January and February 2023

DPW Report – February and March 2023

QPA Report

February CERT Minutes

Fire Department Report – February 2023

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

**BILLS LIST #05 $202,560.88**

**RESOLUTION 2023-69** 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 March 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 2023-69,** 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:**

A motion was made by Mr. Scott to **move the presentation from Blake Morris to after the first open public session**, seconded by Mrs. Delaney.

**OPEN PUBLIC SESSION (agenda items only):**

Heidi Mountford applauded the CFO on her work on the budget. Heidi expressed her concerns about the RUT over the last ten years. Mayor Chammings stated she feels we, as a township, are heading in a good direction with the budget and hopes to continue in this positive manner.

**DISCUSSION:**

Blake Morris from the Crandon Lake Homeowners Association and the Crandon Lake Road Association came to discuss a proposal where undeveloped “East Court” would be moved from its original location on the map to a different lot where there is presently a right-of-way allowing a potential homeowner to build a home without the need of a variance. The potential new owner would provide both the Township and Crandon Lakes with a new land survey of block 501 lots 1 through 7, including illustration of the East Court right-of-way, as determined by the Township. Mr. Vex will prepare the necessary paperwork for the governing body to review.

**OLD BUSINESS:**

Township’s Tax Lien Update:

The 45-day count down started on March 12. At the end of April, we can move forward with foreclosures. There have 15 more properties added to the list which are currently in title search. A quick claim deed has come through for Block 501 Lot 3.

**ORDINANCE 2023-05** AN ORDINANCE FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, FOR THE YEAR 2023 - **Public Hearing and Adoption**

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

Section 1. The Township of Stillwater shall pay it municipal officers and employees for services rendered as shown below. Figures shown represent annual salary, unless otherwise noted.

POSITION: SALARY RANGE:

Township Committee Member $4,500.00 - $6,000.00

Township Clerk $50,000.00 - $90,000.00

Deputy Clerk $18.00 - $25.00 per hour

Municipal Registrar $6,000.00 - $8,500.00

Clerk 1 $40,000.00 - $60,000.00

Deputy Municipal Registrar $3,000.00 - $4,500.00

Receptionist $15.00 - $20.00 per hour

File Clerk $15.00 - $20.00 per hour

Chief Financial Officer $50,000.00 - $90,000.00

Clean Communities Coordinator-Stipend $1,000.00

Qualified Purchasing Agent-Stipend $3,000.00

Tax Assessor $25,000.00 - $45,000.00

Tax Collector $25,000.00 - $45,000.00

Tax Collector-Extra Hours $25.00 - $40.00 per hour

DPW Supervisor (Provisional) $58,000.00 - $65,000.00

DPW Supervisor (CPWM) $70,000.00 - $90,000.00

Recycling Coordinator $1,750.00 - $2,500.00

DPW Laborers As Per Contract

Solid Waste Worker $15.00 - $20.00 per hour

Solid Waste Cashier $15.00 - $20.00 per hour

Recycling Supervisor $20.00 - $30.00 per hour

Recycling Worker $15.00 - $25.00 per hour

Zoning Officer $20,000.00 - $40,000.00

Construction Code Official $10,000.00 - $25,000.00

Plumbing Sub-Code Official $7,500.00 - $15,000.00

Electrical Sub-Code Official $7,500.00 - $15,000.00

Fire Sub-Code Official $2,500.00 - $5,000.00

Fire Inspector $2,500.00 - $5,000.00

Smoke Detector Certifications $25.00 per Certification

Smoke Detector Re-Certifications $20.00 per Certification

Electrical Inspector/Sub-Code Official-Vaca Coverage $35.00 - $50.00 per hour

Emergency Mgmt Coordinator $2,000.00 - $5,000.00

Deputy Emergency Mgmt Coordinator $1,000.00 - $3,000.00

Animal Control Officer $7,500.00 – $12,000.00

BOARDS AND COMMISSIONS: SALARY RANGE:

Zoning Board Secretary $5,000.00 - $9,000.00

Planning Board Secretary $5,000.00 - $9,000.00

Environmental Commission Secretary $2,500.00 - $5,000.00

Recreation Commission Secretary $2,500.00 - $5,000.00

POLICE: SALARY RANGE:

Crossing Guard $15.00 - $18.00 per hour

Section 2. Specific salaries or wages established by the Ordinance shall be made retroactive to January 1, 2023 unless otherwise noted.

Section 3. Nothing in this ordinance shall be construed as making mandatory the payment of annual salary increments to any officer of 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 Mr. Scott to open to the public, seconded by Mrs. Rumsey. After no one from the public wished to speak on this ordinance a motion was made by Mr. Scott to **adopt Ordinance 2023-05,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**NEW BUSINESS:**

**ORDINANCE 2023-06** CAPITAL BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF MT. BENEVOLENCE ROAD (PHASE II) IN AND BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING $575,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $275,443 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING SUCH APPROPRIATION. – INTRODUCTION **[PUBLIC HEARING AND ADOPTION APRIL 18, 2023]**

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY** (not less than two‑thirds of all the members thereof affirmatively concurring), **AS FOLLOWS**:

# The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of $575,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of $14,497 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Township for down payment or for capital improvement purposes., and including also the sum of $155,260 received or expected to be received by the Township from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement, the sum of $50,000 from Capital Fund Balance of the Township, the sum of $12,800 from Ordinance No. 2020-07 of the Township, the sum of $7,000 from Ordinance No. 2021-04 of the Township, and the sum of $60,000 from Ordinance No. 2021-10 of the Township.

# For the financing of said improvement or purpose, including for the purposes of applicable United States Treasury Regulations, the reimbursement of expenditures heretofore or hereafter made therefor, and to meet the part of said $575,000 appropriation not provided for by application hereunder of said down payment and grant, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of $275,443 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Township in a principal amount not exceeding $275,443 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

# The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of Mt. Benevolence Road (Phase II) in and by the Township by the reconstruction or resurfacing thereof to provide a roadway pavement at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), including all sidewalks, curbing, drainage facilities, catch basins, milling, chipping, signage, structures, equipment, traffic markings, manholes, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

## The estimated maximum amount of bonds or notes to be issued for said purpose is $275,443.

## The estimated cost of said purpose is $575,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said $14,497 down payment for said purpose, the said $155,260 grant-in-aid from the New Jersey Department of Transportation, the said $12,800 from Ordinance No. 2020-07, the said $60,000 from Ordinance No. 2021-10, the said $7,000 from Ordinance 2021-04, and the said $50,000 from Capital Fund Balance.

# The following additional matters are hereby determined, declared, recited and stated:

## The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Township may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

## The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

## The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Township as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by $275,443, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

## An aggregate amount not exceeding $60,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

# The funds from time to time received by the Township on account of the grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Township authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this bond ordinance.

# All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer 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. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer’s signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at not less than par at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

# The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitation of rate or amount.

# The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

# It is the opinion of the Township Committee of the Township, as the governing body thereof, that it is in the best interest of the Township that $60,000 constituting proceeds of notes of the Township heretofore issued under Ordinance No. 2021-10 of the Township shall be appropriated to and used to finance costs, including incidental expenses, of the improvement or purpose above described in Section 3 of this bond ordinance.

# This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

A motion was made by Mrs. Delaney to **introduce Ordinance 2023-06,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**ORDINANCE 2023-07** ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS OR PURPOSES TO BE UNDERTAKEN BY THE TOWNSHIP OF STILLWATER, IN THE COUNTY OF SUSSEX, NEW JERSEY, AND APPROPRIATING $74,400 THEREFOR FROM VARIOUS SOURCES. – INTRODUCTION **[PUBLIC HEARING AND ADOPTION APRIL 18, 2023]**

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

# The improvements or purposes described in Section 2 of this ordinance are hereby authorized as general improvements to be made or acquired by The Township of Stillwater, in the County of Sussex, New Jersey, and there is hereby appropriated therefor the sum of $74,400 to the extent of (a) $40,000 from the Asphalt Overlay Reserve, (b) $23,946.33 from the Capital Improvement Fund, (c) $10,000 from the Open Space Fund and (d) $453.67 from Ordinance No. 2020-06 of the Township.

# The improvements hereby authorized and the purposes for the financing of which the appropriation is made as provided in Section 1 of this ordinance are (a) the acquisition by purchase a bobcat mower and an asphalt hotbox for use by the Department of Public Works ($50,000), (b) the resurfacing of Spikes Dam at Crandon Lake ($6,500), (c) the acquisition and installation of a keyless entry system for the Municipal Building and Community Center ($453.67), and a codification system for use by the Township Clerk’s office and a copier for use by the Construction Office ($10,900), together with for all the aforeaid all equipment, work, materials, apparatus and appurtenances necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Township Clerk and hereby approved.

# The capital budget or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

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

A motion was made by Mr. Scott to **introduce Ordinance 2023-07,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**ORDINANCE 2023-08** AMENDING CHAPTER 304 OF THE TOWNSHIP CODE ENTITLED “PROPERTY, VACANT AND ABANDONED” - Introduction [Public Hearing and Adoption 4/4/23]

**WHEREAS**, Public Law 2021, chapter 444 (N.J.S.A. 40:48-2.12s1 *et seq.*), effective January 18, 2022, governs a municipality’s ability to regulate, manage, and enforce the proper administration of vacant and abandoned real property; and

**WHEREAS**, the Committee of the Township of Stillwater desires to update its existing Code provisions to be in accord with the provisions of P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s1 *et seq.*), in order to serve the best interests of the Township and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Stillwater, County of Sussex, and State of New Jersey, that Chapter 304 of the Code of the Township of Stillwater entitled “Property, Vacant and Abandoned” is hereby amended as follows:

**SECTION I.**

Articles I and II of the Chapter 304 of the Township Code are hereby repealed in their entirety and replaced with a new Article I entitled “Registration of Vacant and Abandoned Properties in Foreclosure” as follows:

**Chapter 304 Property, Vacant and Abandoned**

**Article I Registration of Vacant and Abandoned Properties in Foreclosure**

**§ 304-1 Purposes**

The purposes of this Article are to:

A. Create a Property Registration Program to identify and monitor residential and commercial properties in the Township for which a summons and complaint in an action to foreclose on a mortgage has been filed;

B. Regulate the care, maintenance, security, and upkeep of the exterior of vacant and abandoned residential and commercial properties for which a summons and complaint in an action to foreclose has been filed; and

C. Impose property registration fees on the Creditor of residential or commercial properties on an annual basis.

**§ 304-2 Definitions**

All words, terms, and phrases used within this Article shall be defined and interpreted consistent with their meanings as outlined within P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s1 *et seq.*), as may be amended from time to time.

**CREDITOR**

A mortgagee or an agent or assignee of a mortgagee, such as a servicer, who has filed a complaint in the Superior Court seeking to foreclose upon a residential or commercial mortgage. If the entity seeking to foreclose upon the residential or commercial mortgage changes as a result of an assignment, transfer, or otherwise after the filing of the foreclosure complaint in the Superior Court, the new entity shall be deemed the Creditor for purposes of this section. A Creditor shall not include the State, a political subdivision of the State, or a State, County, or local government entity, or their agent or assignee, such as the servicer.

**FORECLOSURE**

Legal process by which a mortgagee, or other lienholder, terminates a property owner’s equitable right of redemption to obtain legal and equitable title to the real property pledged as security for a debt or the real property subject to the lien. This definition shall include, but is not limited to public notice of default, a deed-in-lieu of foreclosure, sale to the mortgagee or lienholder, certificate of title and all other processes, activities and actions, by whatever name, associated with the described process. The process is not concluded until the property obtained by the mortgagee, lienholder, or their designee, by certificate of title, or any other means, is sold to a nonrelated bona fide purchaser in an arm’s length transaction to satisfy the debt or lien.

**OWNER**

The title holder, any agent of the title holder, or any holder of legal or beneficial title to vacant and/or abandoned property.

**VACANT AND ABANDONED PROPERTY**

Any residential or commercial building which is not legally occupied by a mortgagor or tenant, which is in such condition that it cannot be legally reoccupied, because of the presence or finding of at least two of the following:

1. overgrown or neglected vegetation;
2. the accumulation of newspapers, circulars, flyers, or mail on the property;
3. disconnected gas, electric, or water utility services to the property;
4. the accumulation of hazardous, noxious, or unhealthy substances or materials on the property;
5. the accumulation of junk, litter, trash, or debris on the property;
6. the absence of window treatments such as blinds, curtains, or shutters;
7. the absence of furnishings and personal items;
8. statements of neighbors, delivery persons, or government employees indicating that the property is vacant and abandoned;
9. windows or entrances to the property that are boarded up or closed off, or multiple windowpanes that are damaged, broken, and unrepaired;
10. doors to the property that are missing, smashed through, broken off, unhinged, or continuously unlocked;
11. a risk to the health, safety, or welfare of the public or any adjoining or adjacent property owners due to acts of vandalism, loitering, criminal conduct, or the physical destruction or deterioration of the property;
12. an uncorrected violation of a municipal building, housing, or similar code during the preceding year, or an order by municipal authorities declaring the property to be unfit for occupancy and to remain vacant and unoccupied;
13. the mortgagee or other authorized party has secured or winterized the property due to the property being deemed vacant and unprotected or in danger of freezing;
14. a written statement issued by a mortgagor expressing the clear intent of all mortgagors to abandon the property; or
15. any other reasonable indicia of abandonment.

**§ 304-3. Property Registration Program**

A. There is hereby created a Property Registration Program in the Township of Stillwater for the purposes set forth in § 304-1 pursuant to the authority granted by P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s1 *et seq.*).

B. The Code Enforcement Officer of the Township of Stillwater shall be responsible for the administration of the Property Registration Program. Duties shall include the following:

1. Identify properties subject to the registration requirement;
2. Maintain and update the registration list;
3. Communicate with Creditors and/or in-State representatives and agents;
4. Invoice and collect payment of fees and penalties;
5. Monitor compliance; and

(6) Such other functions, within the scope of P.L. 2021, c. 444 (N.J.S.A. 40:48-2.12s1 *et seq.*) which may be deemed necessary to carry out their function on behalf of the Township.

**§ 304-4. Residential or Commercial Foreclosures**

A. The Creditor filing a summons and complaint in an action to foreclose shall, in addition to the notice provided to the Township pursuant to N.J.S.A. 46:10B-51 or N.J.S.A. 40:48-2.12s2, register the residential or commercial property with the Property Registration Program as a property in foreclosure.

B. To register a property as a property in foreclosure, the Creditor must provide the Township with the following:

1. Information regarding the Creditor required by N.J.S.A. 46:10B-51(a)(1) or N.J.S.A. 40:48-2.12s2(a)(1);
2. The date the summons and complaint in an action to foreclose on a mortgage was filed against the subject property, the court in which it was filed, and the docket number of the filing; and

(3) Identify whether the property is vacant and abandoned in accordance with the definition in § 304-2.

C. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a Creditor required to register pursuant to the Property Registration Program following the filing of the summons and complaint, the Creditor shall update the Property Registration Program within 10 days of the change in that information.

D. If the registered property becomes vacant and abandoned in accordance with the definition in § 304-2 after the property is initially registered with the Township, the Creditor filing a summons and complaint in an action to foreclose shall update the Property Registration Program within with the Township to reflect the change in the property’s status.

E. The Creditor filing a summons and complaint in an action to foreclose shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if the property is vacant and abandoned at any time while the property is registered with the Property Registration Program.

F. A Creditor located outside the State of New Jersey shall be responsible for appointing an in-state representative or agent to act for the foreclosing Creditor.

G. A Creditor filing a summons and complaint in an action to foreclosure on property that is or becomes vacant and abandoned shall:

1. Secure the property against unauthorized entry;
2. Post a sign affixed to the inside of the property and visible to the public indicating the name, address, and telephone number of the Creditor or an out-of-state Creditor’s in-state representative or agent for the purpose of receiving service of process; and

(3) Acquire and otherwise maintain liability insurance by procuring a vacancy policy, covering any damage to any person or any property caused by any physical condition of the property while registered with the Property Registration Program.

H. The Code Enforcement Officer is authorized to issue a notice to the Creditor filing the summons and complaint in an action to foreclose, if he or she determines that the Creditor has violated this Article. The Creditor shall correct all violations for failing to provide care, maintenance, security, and upkeep of the exterior of vacant and abandoned property within 30 days of receipt of notice from the Township, or within 10 days of receipt of the notice if the violation presents an imminent threat to public health and safety.

**§ 304-5. Provisions Only Applicable to Commercial Properties**

A. For the purposes of this section only, “Creditor” means a State chartered bank, savings bank, savings and loan association or credit union, any person required to be licensed under the provisions of the “New Jersey Residential Mortgage Lending Act,” N.J.S.A. 17:11C-51 through N.J.S.A. 17:11C-89, and any entity acting on behalf of the Creditor named in the debt obligation including, but not limited to, servicers. For purposes of this section, a Creditor shall not include the State, a political subdivision of the State, or a State, county, or local government entity, or their agent or assignee, such as the servicer.

B. A Creditor serving a summons and complaint in an action to foreclose on a mortgage on commercial property shall, within 10 days of serving the summons and complaint, notify the Township Clerk and the Mayor, in writing, that a summons and complaint in an action to foreclose on a mortgage has been filed against the subject property.

C. The notice shall contain the full name, address, and telephone number for the representative of the Creditor who is responsible for receiving complaints of property maintenance and code violations, and the full name and contact information for any person or entity retained by the Creditor or a representative of the Creditor to be responsible for any care, maintenance, security, or upkeep of the property.

D. If the Creditor that has served a summons and complaint in an action to foreclose on a commercial property within the Township and that Creditor is located out-of-state, the notice shall contain the full name, address, and telephone number of an in-state representative or agent who shall be responsible for the care, maintenance, security, and upkeep of the exterior of the property if it becomes vacant and abandoned.

E. The notice shall include the street address, lot, and block number of the property.

F. The notice may contain information about more than one property.

G. The notice shall be mailed to the Township Clerk at the following address: Office of the Township Clerk, Township of Stillwater, 964 Stillwater Road, Newton, New Jersey 07860.

H. The Township Clerk shall forward a copy of the notice to the Code Enforcement Officer.

I. If there is any change in the name, address, or telephone number for a representative, agent, or individual authorized to accept service on behalf of a Creditor required to be provided in a notice pursuant to this Section following the filing of the summons and complaint, the Creditor shall provide a notice to the Township Clerk containing the updated name, address, or telephone number within 10 days of the change in that information.

J. Within 30 days following the effective date of this Section, any Creditor that has initiated a foreclosure proceeding on any commercial property in the Township that is pending in Superior Court shall provide to the Township Clerk a listing of all commercial properties in the Township for which the Creditor has foreclosure actions pending by street address and lot and block number. The Township Clerk shall forward a copy of the notice to the Code Enforcement Officer.

K. If the owner of a commercial property vacates or abandons any property on which a foreclosure proceeding has been initiated or if a commercial property becomes vacant at any point subsequent to the Creditor’s filing the summons and complaint in an action to foreclose on a mortgage against the subject property, but prior to vesting of title in the Creditor or any other third party, and the exterior of the property is found to be a nuisance or in violation of any applicable state or local code, the Code Enforcement Officer shall notify the Creditor or the representative or agent of an out-of-state Creditor, as applicable, which shall have the responsibility to abate the nuisance or correct the violation in the same manner and to the same extent as the title owner of the property, to such standard or specification as may be required by State law or Township ordinance. The Township shall include a description of the conditions that gave rise to the violation with the notice of violation and shall provide a period of not less than 30 days from the Creditor’s receipt of the notice for the Creditor to remedy the violation. If the Creditor fails to remedy the violation within that time period, the Township may impose penalties allowed for the violation of Township Ordinances.

L. If the Township expends public funds in order to abate a nuisance or correct a violation on a commercial property in situations in which the Creditor was given notice pursuant to the provisions of § 304-5(K) but failed to abate the nuisance or correct the violation as directed, the Township shall have the same recourse against the Creditor as it would have against the title owner of the property, including but not limited to that provided under N.J.S.A. 55:19- 100.

**§ 505-6. Registration Fees**

A Creditor required to register a property pursuant to this Article shall pay an annual registration fee as follows:

A. $500 per property annually for any property that is required to be registered because a summons and complaint in an action to foreclose was filed by the Creditor.

B. An additional $2,000 per property annually if the property is vacant or abandoned pursuant to the definition in § 304-2 when the summons and complaint in an action to foreclose is filed, or becomes vacant and abandoned pursuant to said definition at any time thereafter while the property is in foreclosure.

C. Registration fees shall be due to the Township Clerk on January 31 of each year.

**§ 505-7. Penalties and Fines.**

A. An out-of-state Creditor found by a municipal court or other court of competent jurisdiction, to be in violation of the requirement to appoint an in-state representative or agent pursuant to this Article shall be subject to a fine of $2,500 for each day of the violation. Any fines imposed on a Creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in N.J.S.A. 46:10B-51(a)(1) or N.J.S.A. 40:48-2.12s2(a)(1) for providing notice to the Township Clerk that a summons and complaint in an action to foreclose on a mortgage has been served.

B. A Creditor found by a municipal court or other court of competent jurisdiction, to be in violation, excluding only a violation of § 304-7 A, of this Chapter shall be subject to a fine of $1,500 for each day of the violation. Any fines imposed pursuant to this Section shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

C. No less than 20% of any money collected pursuant to this Article shall be utilized by the Township for code enforcement purposes.

**SECTION II.**

Article III of the Township Code entitled “Municipal Powers to Rehabilitate Abandoned Properties” shall be renumbered and renamed as “Article II. Municipal Powers to Rehabilitate Abandoned Properties” with § 304-10 through § 304-17 being renumbered sequentially as § 304-8 through § 304-15.

**SECTION III.**

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portion thereof.

**SECTION IV.**

All existing Ordinances and/or parts thereof which are inconsistent with the terms of this Ordinance are, to the extent of such inconsistency, repealed.

**SECTION V.**

This Ordinance shall take effect immediately upon final passage and publication according to law.

A motion was made by Mr. Scott to **introduce Ordinance 2023-08,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-70** MAYOR’S APPOINTMENT OF DAVID C. KNOLL-KORVER AS A MEMBER OF THE STILLWATER AREA VOLUNTEER FIRE DEPARTMENT WITH COMMITTEE CONCURRENCE

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater do hereby concur with the Mayor’s appointment of David C. Knoll-Korver. as a Member of the Stillwater Area Volunteer Fire Department.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, March 21, 2023.

A motion was made by Mrs. Rumsey to **adopt resolution 2023-70,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-71** RESOLUTION APPROVING THE DISPOSAL OF 30-YARD DUMPSTER

**WHEREAS**, the Township of Stillwater periodically retires dumpsters after reaching the end of its useful life and is no longer suitable for use by the Township; and

**WHEREAS**, the Township has determined that a 30-yard dumpster has reached the end of its service life and are eligible for disposal in accordance with N.J.S.A. 40A:11-36;

**WHEREAS,** the Township Committee has determined that it will dispose of the dumpster its scrap value through George’s Salvage Co., Inc., in Newton, New Jersey.

**NOW, THEREFORE, BE IT RESOLVED** that the dumpster is declared to be surplus and no longer needed for Township purposes and are of such a condition that it shall be disposed of for its scrap value; and

**BE IT FURTHER RESOLVED** that the dumpster shall be disposed of through George’s Salvage in Stillwater; and

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

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

A motion was made by Mrs. Rumsey to **adopt resolution 2023-71,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-72** SALARY RESOLUTION

**WHEREAS,** the Township Committee adopted Ordinance# 2023-05 on March 21, 2023; and

**WHEREAS,** the Township Committee of the Township of Stillwater desires to set the specific salaries for full-time and part-time non-contract Township employees for the year 2023;

**NOW, THEREFORE, BE IT RESOLVED** that the following salaries are retroactive to January 1, 2023 unless otherwise noted:

Lisa Chammings Mayor $ 4,821.00

Vera Rumsey Deputy Mayor 4,821.00

George Scott Committeeman 4,821.00

Paul Barta Committeeman 4,821.00

Dawn Delaney Committeeman 4,821.00

Lynda Knott Township Clerk 76,301.00

Lynda Knott Municipal Registrar 6,557.00

Lynda Knott QPA Stipend 3,000.00

Beth Martin Deputy Clerk $18.59 per hour

Dawn Tighe Clerk 1 45,789.00

Dawn Tighe Deputy Municipal Registrar 3,214.00

Tammy Leonard Chief Financial Officer 82,353.00

Tammy Leonard Clean Communities Coordinator 1,000.00

Terry Beshada Tax Collector 25,813.00

Terry Beshada Tax Collector – Extra Hours $41.36 per hour

Penny Holenstein Tax Assessor 35,636.00

Department of Public Works:

Joseph Funari Recycling Coordinator 1,912.00

Frank Rooney Recycling Center Supervisor $20.65 per hour

Louis Zack Solid Waste Cashier $15.49 per hour

Jake Kramer Recycling/Solid Waste Worker $15.49 per hour

Sean Utter Recycling/Solid Waste Worker $15.49 per hour

Construction Department:

Thomas Dixon Zoning/Code Enforcement Official 31,043.00

Thomas Dixon Court Hours $42.64 per hour

Richard Bizik Construction Code Official 16,630.00

Richard Bizik Fire Inspector 2,665.00

Richard Bizik Smoke Detector Certifications $25.00 per Cert

Richard Bizik Smoke Detector Re-Certifications $20.00 per Cert

Jack Bell Plumbing Sub-Code Official 8,869.00

Patrick Murphy Electrical Sub-Code Official 9,986.00

Patrick Murphy Fire Sub-Code Official 2,665.00

Public Safety:

Elizabeth Diorio Crossing Guard $15.13 per hour

Alan DeCarolis Animal Control Officer 10,022.00

Lisa Chammings OEM Coordinator 0.00

Robert Wolff Deputy OEM Coordinator 500.00

Jim Cantelmo Deputy OEM Coordinator 500.00

Boards and Commissions:

Penny Bair Zoning Board Secretary 6,500.00

Penny Bair Planning Board Secretary 6,500.00

Kathy Wunder Environmental Comm Secretary 3,063.00

Danielle Wunder Recreation Comm Secretary 3,000.00

A motion was made by Mr. Scott to **adopt resolution 2023-72,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-73** AUTHORIZATION FOR A REFUND OF ZONING ESCROW

WHEREAS, the Chief Financial Officer has certified the following property owner has a Zoning Board Escrow Account with $67.75 remaining for a variance, at 1008 Mt. Benevolence Road, Block 1602 Lot 12, and;

WHEREAS, all conditions have been met;

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of Stillwater Township, a refund be issued in the amount of the remaining escrow account balance.

Name & Address Funding Amount

921 Mt. Benevolence Road Escrow Account $67.75

Newton, NJ 07860

A motion was made by Mr. Scott to **adopt resolution 2023-73,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-74** AUTHORIZATION TO CANCEL DELINQUENT TAXES ON DELETED PROPERTY

**WHEREAS,** Block 3601 Lot 17.01 located at No Shore Hotel, and

**WHEREAS,** this property was deleted in 2022 and there was a balance of property taxes in the amount of $ 75.87 which need to be cancelled.

**NOW THEREFORE BE IT RESOLVED,** by the mayor and Township Committee authorizing the Tax Collector to cancel this amount of $ 75.87 for property that has been deleted.

A motion was made by Mrs. Rumsey to **adopt resolution 2023-74,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-75** RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE TOWNSHIP TO ACCEPT DONATIONS OF CERTAIN UNDEVELOPED AND UNBUILDABLE PROPERTIES WITHIN THE TOWNSHIP

**WHEREAS,** the Township Committee of the Township of Stillwater wishes to authorize Township Attorney Howard Vex to commence a second round of In Rem proceedings to foreclose on 16 outstanding tax lien certificates and one of more of the Defendants in that litigation may be interested in simply donating their undeveloped property to the Township via Quit Claim Deed in lieu of continuing with the litigation; and

**WHEREAS**, the owners of one other undeveloped property within the Township have expressed an interest in donating their property to the Township.

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

1. That Mr. Vex is authorized to commence a second round of In Rem Tax Foreclosures for the 16 properties to the attached spreadsheet entitled “FORECLOSURES 2023 LIST #2”.
2. That Mr. Vex is also authorized draft and obtain completed Quit Claim Deeds from the owners of any of the 16 undeveloped properties included in the 2023 In Rem Foreclosure litigation.
3. That Mr. Vex is further authorized to draft and obtain a completed Quit Claim Deed and any other necessary property transfer documents from the owners of the following property, as they have expressed an interest in donating their property to the Township:

Owner Property Dimensions Location

Gerard W. Knoetgen & Block 409, Lot 14 5 feet x 100 feet Vine Way

Lillian Knoetgen

A motion was made by Mr. Scott to **adopt resolution 2023-75 without Block 3005, Lot 4,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

A motion was made by Mr. Scott to **adopt Block 3005, Lot 4,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mr. Barta, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, abstain.

**DISCUSSION ITEMS:**

Crandon Lakes property request – Blake Morris, Crandon Lakes Association – this discussion was moved to the first open public session.

Noise Ordinance Definitions – The NJ statue which defines what legal and illegal weapons are, the legal and illegal explosives are, and other definitions will be looked at and the ordinance will be amended to include these definitions.

The Lewis Bay Scholarship Recipient, Aniella Casper, was chosen as Stillwater Township’s recipient. This recipient will now have her essay reviewed by the Scholarship Committee of the New Jersey State League of Municipalities. The Scholarship Committee will than pick 15 finalists and out the those 15 there will be 3 winners. Each of the 3 winners will be awarded $1,000 by the Mayor at a hometown ceremony. Good luck Aniella!

**OPEN PUBLIC SESSION:**

Cody Castner questioned what the complaint process is in regards to the noise ordinance. Mayor Chammings informed him to contact the NJ State Police.

Cody Castner, Sean Donahue, and Fred Dingertopadre all expressed their concerns regarding the parameters of the amended noise ordinance. Kaitlin Hammerle read the following prepared statement into the record: *“On 2/21/23, Noise ordinance 272-2 was passed against “loud, repetitive firearm discharge that is likely to annoy neighbors”. I believe this is a very subjective law can be misused and target law abiding residents. We have all witnessed many times social media has been misused to “spread the word” that there are “loud noises” and now, if one person disagrees with what is happening, they can simply just pick up the phone and cause a disturbance for someone who is just trying to target practice.   The way this ordinance is written makes it pretty unclear what “excessive” is and leaves that determination up to the discretion of the neighbor who is disturbed. The other noise ordinances have specific times that specific noises are prohibited. This ordinance offers no guidance as to when it can be utilized. Is it rounds discharged, length of time, type of firearm? It’s a slippery slope without further clarification. I’m asking for the committee to repeal this ordinance. I am also offering my time to discuss other possible solutions. Decibels makes it difficult because NJ state law prohibits sound reducing devices on firearms.”* Mayor Chammings agreed the ordinance needs good definitions so it is clearer. Mayor Chammings also noted the noise ordinance is a slippery slope and the defining people’s “rights” regarding excessive noise will take careful consideration and time.The Committee is going to revisit the ordinance and possibly amend it and define the portions of the ordinance in question better to help serve the community in the best manner possible. They encourage the public to come to township meetings and engage in meaningful conversations to help the process along.

Suzanne Wallace expressed her concerns about the continual tractor trailers on Stillwater Road and Mt Benevolence Road. She questioned why the electric signs which were removed. The committee informed her the signs were temporary until the ordinance was adopted and the NJ State Police and other local law enforcement agencies were made aware of the adopted ordinance. Law enforcement agencies have started to monitor the roads for tractor trailers coming and issuing summonses to those trucks. The Committee urged Ms. Wallace to call the state police and let them know when she sees a tractor trailer on the roads.

Joe Doherty addressed the concerned residents directly stating he was the one who initiated the amendment. He stated he is all for 2nd amendment rights but he also has his rights to peace and quiet. Mr. Doherty said it was the extreme and unrelenting noise by a neighbor that created the issue in his neighborhood. Mayor Chammings restated re-defining of the definitions in question in the ordinance will be addressed and resolved.

Heidi Mountford questioned the sale of the property discussed in the Crandon Lakes presentation earlier in the meeting. Mayor Chammings explained it would go to public auction.

Joe Doherty read the following prepared statement into the record: “*I am here to express my concern on the state of our country in the year 2023. My comments are directed at my fellow citizens locally, in the state and all across the land, some of whom are not engaged in current events and don’t even bother to vote at election time. Such apathy allows less-than favorable candidates to attain positions of power and influence. It sets the stage for a failed future for America. Over-the-top liberal progressives are undermining the basic beliefs and traditions of America. They are attacking out rights and institutions and are determined to destroy the very foundation that this nation was built on. All right-minded people need to step-up and confront this un-American element head-on and neutralize its negative impact on American society. Voting for common sense candidates is a step in the right direction. Our country is in a nosedive and headed for a crash landing thanks to the feckless and dangerous actions and policies of our so-called ‘representatives’ who are being led by the current occupant of the White House. We must wrest the controls from these delusional and dangerous denizens of the deep state. We must right the ship of state and reset its course and restore it to its former greatness and glory. Make a difference – VOTE!”*

**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 8:43 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Beth Martin, Deputy Clerk