**STILLWATER TOWNSHIP COMMITTEE**

**MEETING MINUTES**

**Tuesday May 2, 2023**

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor Chammings at 6:45 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, Mrs. Rumsey, Mr. Scott, Mayor Chammings

 ABSENT: Mr. Barta

**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 6:46 p.m.

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting under certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from that portion of this meeting.

2. The general nature of the subject matter to be discussed is as follows: Personnel

3. As nearly as can now be ascertained, the matter or matters to be discussed at this time will be disclosed to the public when such matters are resolved.

A motion was made by Mayor Chammings to **return to public session at 6:58 p.m.** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

The flag was saluted.

**MINUTES:** April 18, 2023 Regular Meeting Minutes

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

**BILLS LIST #08 $967,432.82**

**RESOLUTION 2023-89** 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 May 2, 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 2023-89,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**COMMITTEE REPORTS:**

* **Committeewoman Delaney**
	+ **Recreation:** The Recreation Commission met Monday May 1, 2023. They discussed fixing the bridge at Veteran’s Park with approximately $900 left over from the playground budget. There were 13 groups who participated in Clean-Up Day. The Miss Stillwater Contest is being held Friday May 12, 2023 at the Community Center. Garage Sale weekend is May 20/21, 2023, and applications are due in by May 8, 2023. There will be a June senior activity at the Community Center. There is a Water Safety Fair Sunday May 7, 2023. There will be a plant exchange on June 3, 2023.
* **Committeeman Barta** was absent so his reports were given by Mayor Chammings**.**
* **Committeewoman Rumsey**
	+ **Emergency Services:** Fire and EMS have been busy with a lot of tech rescues. They have been doing a lot of training with the other towns in the tri-pod.
	+ **Community Center:** The township clerk and Committeewoman Rumsey have been getting quotes for flooring and painting the outside of the building.
	+ **Architect:** no report at this time.
	+ **CERT:** The CERT team had their monthly meeting April 26, 2023. They will be at the Water Safety Fair on Sunday May 7, 2023 at the Swartswood State Park. They have been very active in taking training courses and will be working with the Fire Department on more training.
	+ **Personnel:** no report at this time.
* **Committeeman Scott**
	+ **DPW:** The men of the DPW have been working on taking Ash Trees down. They have been cleaning and clearing the drains along the roads. They have also been working on patching the roads.
	+ **Engineering:** no report at this time.
* **Mayor Chammings**
	+ **Planning Board:** The Planning Board met on April 19, 2023. There were three people interested in becoming a member of the Planning Board. The Engineer explained what was needed to be compliant with Stormwater Management.
	+ **Board of Education:** Mayor Chammings gave the approximate increase per household from the school taxes.
	+ **Environmental Commission:** They held their meeting on Monday April 10, 2023. There was a long discussion on water testing.
	+ **Zoning Board of Adjustment:** A resolution for a driveway with steep slopes was memorialized. A resident was able to apply to put an addition on their house without needing a variance due to the county right away, being certified by the engineer.
	+ **Legal:** no report at this time.
	+ **Engineering:**  no report at this time.
	+ **Personnel:**  no report at this time.
	+ **OEM:** State and County level OEM will meet to discuss the hazard mitigation plan.

**AMENDMENTS TO AGENDA:**

There were no amendments to the agenda.

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

Joseph Doherty read the following prepared statement into the record:

*“I am pleased to report that due to the kind intervention of Mayor Chammings and the anticipated cooperation of Mr. Current and our mutual pledge to enter into an agreement between neighbors, that the issue of amending the township noise ordinance with any perceived restrictions on certain aspects of second amendment rights has been ameliorated. I want to make it clear that I reconsidered my position on this issue in the best interest of the community and not out of any concern for a show of force or a challenge that might be launched by any opposition group. I stand by my belief that I have the right to reasonable peace and quiet, even in the pro-gun culture environment of Stillwater Township. My thanks to the mayor and to Mr. Current for his cooperative attitude. I regret that I may have been less-than-charitable in describing Mr. Current during the course of this action. Often, in defense of ones’ cause emotions often cloud better judgement. Also, my regrets to the Castner lad and his companions who recently offered to broker a parley between the opposing parties. I declined their offer because I believed that any intervention would be better served if it was handled by a township official. Again, my thanks to council and Attorney Howard Vex for their empathy and support during the months following the original complaint. Let there be peace in the valley.”*

Denise Current expressed her concerns of how the committee conducts business when introducing and adopting ordinances.

Kaitlyn Hammerle read the following prepared statement into the record:

*“I am standing up here today in response to amendment to noise ordinance 272-2 which was passed on 2/21/23. This ordinance was created due to repetitive complaints from a resident regarding a neighbor.  When I came to a meeting after the ordinance amendments passage, I was encouraged to come to more meetings and give input or start a petition. We thought it best to show you the faces of dozens of residents rather than just names on a piece paper. We are here representing a majority of our township, and would like remind the committee men and women who you are representing. We have elected you into the position to represent us as a community. We all can’t show up at these meetings every time, but that’s why we elect you. With the passage of this ordinance, We do not feel as if we have been properly represented.*

*This ordinance was written by the township attorney And It’s passage has since been called an oversight And is being rectified, but what concerns us most is the attorney who wrote this ordinance.  The vague nature of the addition is concerning, and what is even more concerning is the reluctance of the attorney to allow the committee to repeal it. Although he is not an elected official, he is still paid by our township and the amendment passed on February shows a gross waste of taxpayer dollars.*

*I know there is intent to repeal the amendment tonight which is a step in the right direction and very representative of your community. I didn’t mean to get up here and bash all of the committee members, I know most of you personally and do not want to minimize all you DO for this community. Dawn your work with the recreation committee is remarkable. Vera and Paul, your continued service to this town in the FD and the police force are commendable. George, you’ve served on this committee for decades and advocated for second amendment rights in the past. And lastly Lisa. You are the person we want being our representative in face of disaster, strife or any regular day. You all go above and beyond every day for this town.  We thank you for all you have done and continue to do.*

*Thank you for reconsidering this ordinance and facilitating an amenable solution regarding this. With that being said, we respectfully request that you please remember us and our rights when conducting business of the local government.”*

Cody Castner read the following prepared statement into the record:

“*I would like to start by saying that I appreciate all of your effort to preserve our beloved Stillwater. Without your commitment we would have nothing left worth fighting for. On January 21, 2020 this building was filled beyond capacity with citizens whom showed up to support the pro second amendment resolution.*

*Just over three years later I learned of an unanimous vote by the committee members to approve an amendment to the noise ordinance that specifically targets firearms. Some of the acting committee members are the same members that voted in support of the second amendment to restricting it in three short years! At this time, I ask anyone whom I represent to please stand.*

* *We feel the township committee should not become involved in a neighborly dispute by adjusting our ordinances to benefit one party over the next.*
* *We feel the towns acting attorney hastily wrote this amendment leaving absolutely no guidelines to go by regarding when this ordinance can be invoked upon law abiding citizens. When I asked why it was so vague Mr. Vex’s response was “it was written vague so the responding office could use their discretion.” We believe this to be an unsatisfactory explanation and unjust for a responding officer to have to try to sort this out with zero guidance from the poorly written ordinance.*
* *In the future, we ask that the committee do a more thorough job reviewing ordinances before voting to approve them to prevent a vague ordinance from being weaponized by a disgruntled neighbor specifically to harass a person on their own private property.*
* *Furthermore, in the specific case brought to light Mr. Current had the cops called on him at least three times while firing a gun in a safe manner on his own private property. In each of the three instances the officers told Mr. Current that he was not breaking any laws. Also, some of the complaints mistakenly levied against Mr. Current turned out to be someone else on an adjacent road shooting because sound travels and echoes. If this isn’t a classic case of well documented harassment I do no know what is. No citizen in this town should have to worry about having complaints filed against them and police pound on their door when they are not committing a crime.*
* *Simply repealing the amendment will not provide the protection we are seeking…so…for this reason and as a separate request on behalf of all of us we urge any one of the committee members to immediately make a motion to amend 272-3 exceptions to the noire ordinance to include firearm discharge to protect Stillwater’s citizens from these egregious acts of harassment.*
* *Each and every committee member has been appointed for the people by the people and tonight we are watching*

*Again, we would like to thank the committee and Mayor Chammings for her intervention, on this specific situation, for their time and commitment to our community. Furthermore, we have faith in each and every one of you to do the right thing this evening. Thank you.*

Kathy Draghi expressed her concerns for reverting the ordinance to the state it was in 1972 when there have been so many changes, including doubling of the population in Stillwater since then.

Jamie Current expressed his concerns about handling this situation better with a simple phone call, but thanked Mayor Chammings for all of her work.

Joseph Labarbera expressed his feelings about how he feels safe in this community and why create animosity between neighbors when it is not needed.

Committeewoman Rumsey expressed to the public to come to meetings and let their voices be heard on topics they are passionate about. Committeeman Scott stated continue to be neighborly to all your neighbors. Committeewoman Delaney commented the same about continuing to be neighborly. Mayor Chammings apologized to Jamie Current and Joseph Doherty for not getting them together sooner to come to a conclusion.

**OLD BUSINESS:**

Township’s Tax Lien Update: Mr. Howard Vex stated come June the first list will be finalized. The second list of 15 properties will be filed by June 1, 2023. There were two properties donated back to the township that the township will take ownership of.

**ORDINANCE 2023-09** AN ORDINANCE AUTHORIZING THE PUBLIC SALE
OF REAL PROPERTY TO CONTIGUOUS PROPERTY OWNERS PURSUANT TO N.J.S.A. 40A:12-13(b)(5) - **Public Hearing and Adoption**

**WHEREAS,** the Township of Stillwater is the owner of certain real property set forth in Schedule “A”, which properties are not needed or required for municipal use; and

**WHEREAS,** the lots are less than the minimum size required for development under the municipal ordinance and is without capital improvements; and

**WHEREAS,** the Township Committee deems it in the best interest of the Township of Stillwater to sell the properties to owners of each contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

 **WHEREAS,** the sale shall be conducted as an auction limited to contiguous property owners to be held at the Township of Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey 07860 on June 20, 2023, at 7:00pm or such adjourned date as may be determined by the Stillwater Township Committee; and

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

1. The Township of Stillwater shall offer for sale by auction, pursuant to the provisions of N.J.S.A. 40A:12‑13(b)(5) and N.J.S.A. 40A:12-13.2, the properties listed on Schedule “A” to the contiguous property owners. Schedule “A” also contains the minimum sale price for each property. The sale is limited to contiguous property owners, and the sale is conditioned upon the property being sold merging with the contiguous property owner’s existing property. The properties being sold are less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvement and shall be merged with the purchaser's contiguous lot. The Township Committee reserves the right, in its discretion to reject all bids for each property for any reason, including but not limited to, in the event that the minimum sale price for such property is not met.
2. Upon final passage of this Ordinance, the sale shall take place on June 20, 2023 at 7:00pm at the Stillwater Township Municipal Building, 964 Stillwater Road, Newton, New Jersey, subject to receiving no higher bid for said parcels, after offering same to the highest bidder, at said time and place.
3. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Stillwater Township Municipal Building. Notice of adoption of this Ordinance shall be made in the official Township newspaper within five (5) days following the enactment of the Ordinance. Notice of the public sale shall be published in the official Township of Stillwater newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication shall be within seven (7) days prior to the sale date.
4. The property shall be sold subject to the following terms and conditions:
5. The property is sold "as is". No representations of any kind are made by the Township as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate. The properties are being sold in the present “as is”, “where is”, with all faults.
6. The sale shall be made after legal advertisement of this Ordinance to the highest bidder who is the owner of a contiguous property, which property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.
7. The Township does not warrant or certify title to the property and in no event shall the Township of Stillwater be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
8. Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
9. The highest bidder shall deposit with the Township cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township of Stillwater will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.
10. The highest bidder must pay the balance of the purchase price, plus (1) the sum of $275 for the legal services incurred by the Township; (2) the Township of Stillwater’s advertising and the actual recording fees within thirty (30) days after the date the Council adopts a resolution confirming the winning bid(s); and (3) realty transfer fees, if any. The balance shall be paid by certified funds. In addition, for all properties that are subject to Section 5 (r) of this Resolution, the Purchaser shall provide the Township Attorney with a copy of the deed for their existing property and their title insurance policy within seven (7) days of their being notified that they are the successful bidder of the sale. Once the purchase price has been paid, a Quitclaim Deed without covenants will be prepared by the Township Attorney and, after execution by the Township Officials, shall be recorded with the Sussex County Clerk’s Office by the Township Attorney. Additional work performed by the Township Attorneys beyond the standard preparation of the sale resolutions, notice of sale, letters to property owners and adjoining property owners, Deed and closing statement shall be billed at the rate charged by the Township Attorney and shall be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.
11. The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Stillwater and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.
12. The property will be sold subject to the current year taxes, prorated from the date of sale.
13. The Township Committee reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.
14. All bidders currently owing property within the Township must have their taxes, as well as all municipal utility charges, if applicable, paid to date in order to be a qualified bidder. In the event the bidder's taxes or municipal utility charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.
15. This same is made subject to all applicable laws, statutes, regulations, resolutions and ordinances of the United States, State of New Jersey and Township of Stillwater.
16. No employee, agent or officer of the Township of Stillwater has any authority to waive, modify or amend any of the conditions of sale.
17. The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.
18. The failure of the purchaser to close on title within the time provided for in Subsection 5(f) of this Ordinance shall constitute a breach of this Ordinance unless the Township agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within the dates provided for in Subsection 5(1) or such date as may be extended by the Township, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit as provided for in Subsection 5(c) of this Ordinance.
19. The purchase shall not be used for any County, Board of Taxation, Tax
Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.
20. The sale shall be subject to final approval by the Township Committee.

Potential Bidders are advised:

(1) To conduct all necessary title searches prior to the date of sale.

(2) No representations of any kind are made by the Township of Stillwater as to the conditions of the Property, including habitability or usability; the Property is being sold in its present conditions ''as is".

(3) The Property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the Property to be conveyed.

(4) The highest bidder for the Property shall have the right, at its sole cost and expense, to obtain a new survey of the Property. Provided such survey depicts the Property and is certified to be correct to the Township of Stillwater, the Township of Stillwater shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Township of Stillwater not less than one week prior to the date set for closing of title.

Additional Terms the Successful Bidder must comply with:

(1) To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.

(2) That the failure to close title as agreed shall forfeit to the Township of Stillwater any and all money deposited with the Township.

1. Severabilitv. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.
2. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.
3. Effective Date. This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

This Ordinance shall take effect upon final adoption of publication as may be required by law.

A motion was made by Mr. Scott to **adopt Ordinance 2023-09,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**NEW BUSINESS:**

**RESOLUTION 2023-97** RESOLUTION TO AUTHORIZE TO CANCEL DELINQUENT TAXES ON EXEMPT PROPERTIES

**WHEREAS,** the following parcels were foreclosed on by the Township of Stillwater in 2019, and

**WHEREAS,** the delinquent taxes need to be cancelled from record,

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Township Committee to authorize the Tax Collector to cancel the taxes for the following properties that are owned by the Township of Stillwater.

Block / Lot Address Amount

501/3 Baldwin Gate $ 505.06

1401/6 Fairview Lake Road 134.39

1501/26 Possum Hill Road 1,535.15

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-97,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**ORDINANCE 2023-10** AN ORDINANCE AUTHORIZING THE PUBLIC SALE
OF REAL PROPERTY TO CONTIGUOUS PROPERTY OWNERS PURSUANT TO N.J.S.A. 40A:12-13(b)(5) – **INTRODUCTION [Public Hearing and Adoption – 5/16/2023]**

**WHEREAS,** the Township of Stillwater is the owner of certain real property set forth in Schedule “A”, which properties are not needed or required for municipal use; and

**WHEREAS,** the lots are less than the minimum size required for development under the municipal ordinance and is without capital improvements; and

**WHEREAS,** the Township Committee deems it in the best interest of the Township of Stillwater to sell the properties to owners of each contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

 **WHEREAS,** the sale shall be conducted as an auction limited to contiguous property owners to be held at the Township of Stillwater Municipal Building, 964 Stillwater Road, Newton, New Jersey 07860 on June 20, 2023, at 7:00pm or such adjourned date as may be determined by the Stillwater Township Committee; and

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

1. The Township of Stillwater shall offer for sale by auction, pursuant to the provisions of N.J.S.A. 40A:12‑13(b)(5) and N.J.S.A. 40A:12-13.2, the properties listed on Schedule “A” to the contiguous property owners. Schedule “A” also contains the minimum sale price for each property. The sale is limited to contiguous property owners, and the sale is conditioned upon the property being sold merging with the contiguous property owner’s existing property. The properties being sold are less than the minimum size required for development under the municipal zoning ordinance and are without any capital improvement and shall be merged with the purchaser's contiguous lot. The Township Committee reserves the right, in its discretion to reject all bids for each property for any reason, including but not limited to, in the event that the minimum sale price for such property is not met.
2. Upon final passage of this Ordinance, the sale shall take place on June 20, 2023 at 7:00pm at the Stillwater Township Municipal Building, 964 Stillwater Road, Newton, New Jersey, subject to receiving no higher bid for said parcels, after offering same to the highest bidder, at said time and place.
3. A copy of this Ordinance shall be posted on the bulletin board or other conspicuous place in the Stillwater Township Municipal Building. Notice of adoption of this Ordinance shall be made in the official Township newspaper within five (5) days following the enactment of the Ordinance. Notice of the public sale shall be published in the official Township of Stillwater newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication shall be within seven (7) days prior to the sale date.
4. The property shall be sold subject to the following terms and conditions:
5. The property is sold "as is". No representations of any kind are made by the Township as to the conditions of the property, and the descriptions of the property are intended as a general guide only and may not be accurate. The properties are being sold in the present “as is”, “where is”, with all faults.
6. The sale shall be made after legal advertisement of this Ordinance to the highest bidder who is the owner of a contiguous property, which property shall merge with the property being sold, and become part of the contiguous property owned by the successful bidder.
7. The Township does not warrant or certify title to the property and in no event shall the Township of Stillwater be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Township. The sole remedy being the right to receive a refund prior to closing of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Township shall not be responsible for same, shall not be required to refund money or correct any defect in title or be held liable for damages.
8. Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.
9. The highest bidder shall deposit with the Township cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township of Stillwater will re-auction the property at the same public sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.
10. The highest bidder must pay the balance of the purchase price, plus (1) the sum of $275 for the legal services incurred by the Township; (2) the Township of Stillwater’s advertising and the actual recording fees within thirty (30) days after the date the Council adopts a resolution confirming the winning bid(s); and (3) realty transfer fees, if any. The balance shall be paid by certified funds. In addition, for all properties that are subject to Section 5 (r) of this Resolution, the Purchaser shall provide the Township Attorney with a copy of the deed for their existing property and their title insurance policy within seven (7) days of their being notified that they are the successful bidder of the sale. Once the purchase price has been paid, a Quitclaim Deed without covenants will be prepared by the Township Attorney and, after execution by the Township Officials, shall be recorded with the Sussex County Clerk’s Office by the Township Attorney. Additional work performed by the Township Attorneys beyond the standard preparation of the sale resolutions, notice of sale, letters to property owners and adjoining property owners, Deed and closing statement shall be billed at the rate charged by the Township Attorney and shall be the responsibility of the purchaser, which fees must be paid prior to the Deed being recorded.
11. The Deed will be subject to all matters of record, which may affect title herein, what an accurate survey may reveal, the Ordinances of the Township of Stillwater and reserving an easement for all natural or constructed drainage systems, waterways, water and sewer easements, if any, on the premises and the continued right of maintenance and flow thereof.
12. The property will be sold subject to the current year taxes, prorated from the date of sale.
13. The Township Committee reserves the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.
14. All bidders currently owing property within the Township must have their taxes, as well as all municipal utility charges, if applicable, paid to date in order to be a qualified bidder. In the event the bidder's taxes or municipal utility charges are delinquent, the bidder shall be deemed unqualified and such bid shall be rejected.
15. This same is made subject to all applicable laws, statutes, regulations, resolutions and ordinances of the United States, State of New Jersey and Township of Stillwater.
16. No employee, agent or officer of the Township of Stillwater has any authority to waive, modify or amend any of the conditions of sale.
17. The purchaser must abide by appropriate zoning, subdivision, health and building regulations and code, and agrees that this sale will not be used as ground to support any variance from or realization of the regulations.
18. The failure of the purchaser to close on title within the time provided for in Subsection 5(f) of this Ordinance shall constitute a breach of this Ordinance unless the Township agrees in writing prior to that date to extend the time of the closing. In the event the purchaser fails to close within the dates provided for in Subsection 5(1) or such date as may be extended by the Township, the deposit paid by the purchaser shall be retained by the Township as liquidated damages. The municipality is entitled to retain the purchaser's deposit to the extent of any expenses and/or losses it incurs including but not limited to advertising costs, attorney's fees, lost tax revenues from the date of the required closing as well as additional cost of resale and the difference in the sales price, to the extent the property is sold for a lower price and any subsequent sale. The only exception to this section is in the event that the purchaser fails to close as a result of the title being unmarketable, in which case the Purchaser shall be entitled to a refund of their deposit as provided for in Subsection 5(c) of this Ordinance.
19. The purchase shall not be used for any County, Board of Taxation, Tax
Court of New Jersey, or in any Courts of the State as grounds to support a challenge of the existing assessments with regard to other properties.
20. The sale shall be subject to final approval by the Township Committee.

Potential Bidders are advised:

(1) To conduct all necessary title searches prior to the date of sale.

(2) No representations of any kind are made by the Township of Stillwater as to the conditions of the Property, including habitability or usability; the Property is being sold in its present conditions ''as is".

(3) The Property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the Property to be conveyed.

(4) The highest bidder for the Property shall have the right, at its sole cost and expense, to obtain a new survey of the Property. Provided such survey depicts the Property and is certified to be correct to the Township of Stillwater, the Township of Stillwater shall utilize the legal description drawn in accordance with such survey in the Deed of conveyance, provided the highest bidder provides such legal description and a copy of the certified survey to the Township of Stillwater not less than one week prior to the date set for closing of title.

Additional Terms the Successful Bidder must comply with:

(1) To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.

(2) That the failure to close title as agreed shall forfeit to the Township of Stillwater any and all money deposited with the Township.

1. Severabilitv. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.
2. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.
3. Effective Date. This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

This Ordinance shall take effect upon final adoption of publication as may be required by law.

A motion was made by Mrs. Delaney to **introduce Ordinance 2023-10,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**ORDINANCE 2023-11** AN ORDINANCE TO COMPLY WITH NEW STATE REQUIRED RESTRICTIONS ON WILDLIFE FEEDING ON PUBLIC PROPERTY – **INTRODUCTION [Public Hearing and Adoption – 5/16/2023]**

A motion was made by Mrs. Rumsey to table Ordinance 2023-11 until the May 16, 2023 meeting to introduce with potential enforcement language and fee, seconded by Mr. Scott. Roll Call Vote: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**ORDINANCE 2023-12** REPEALING ORDINANCE 2023-04 AMENDING CHAPTER 272 OF THE CODE OF STILLWATER ENTITLED “NOISE” AND RESTORING IT TO THE JANUARY 18, 1972 VERSION – **INTRODUCTION [Public Hearing and Adoption 5/16/2023]**

**WHEREAS**, the Mayor and Township Committee of the Township of Stillwater has determined that Ordinance 2023-04 Chapter 272, Noise, of the Code of the Township of Stillwater, that was adopted by the Township Committee on March 7, 2023, should be repealed and Chapter 272, Noise should be restored to its January 18, 1972 version in effect prior to the March 7, 2023 ordinance 2023-04.

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

**SECTION 1.**

Ordinance 2023-04 be repealed in its entirety and, Chapter 272, Noise of the Code of the Township of Stillwater, Sussex County, New Jersey, be restored to its January 18, 1972 version.

**SECTION 2 - SEVERABILITY**

If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

**SECTION 3 - REPEALER**

All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

**SECTION 4: EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption and publication in accordance with law.

A motion was made by Mr. Scott to **introduce Ordinance 2023-12,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-90** RESOLUTION AUTHORIZING ACCEPTANCE OF A

STORMWATER ASSISTANCE GRANT FROM THE NEW JERSEY ENVIRONMENTAL PROTECTION AGENCY, WATER RESOURCES PLANNING MANAGEMENT

**WHEREAS**, the Township of Stillwater has been awarded a Stormwater Assistance Grant from the New Jersey Environmental Protection Agency, Water Resources Planning Management to help offset the cost of the new MS4 Tier A Permit; and

 **WHEREAS**, the total amount of the Grant Award is $75,000.00; and

 **WHEREAS**, the Township of Stillwater has received the first installment of $25,000.00; and

 **WHEREAS**, the Township of Stillwater accepts the award of the Stormwater Assistance Grant from the New Jersey Environmental Protection Agency, and the initial installment in the amount of $25,000.00;

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

1. The Township of Stillwater hereby accepts the Stormwater Assistance Grant detailed above.
2. The Chief Financial Officer is authorized to establish a grant line in the amount of the initial installment of $25,000.00.

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-90,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-91** RESOLUTION AWARDING FIELD MAINTENANCE CONTRACT

**WHEREAS**, the Township of Stillwater requires a field maintenance contractor to provide field maintenance services for the 2023 season for the three (3) municipal parks; and

**WHEREAS**, the anticipated cost of said services would not exceed the bid threshold; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:11-6.1, the Township solicited competitive quotations for the requested field maintenance services; and

**WHEREAS**, the Township received one (1) written response to its request for quotations; and

**WHEREAS**, Farmside Landscape & Design provided a responsive, responsible quote in the amount of $11,490.00 for field maintenance and an additional $3,220.00 for aeration of Veterans Field for the 2023 lawn maintenance season;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Farmside Landscape & Design for the 2023 lawn maintenance season in the amount not to exceed $14,710.00 in accordance with Farmside Landscape & Design’s written proposals dated December 6, 2022.

A motion was made by Mrs. Delaney to **adopt Resolution 2023-91,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes

**RESOLUTION 2023-92** RESOLUTION AWARDING LAWN MAINTENANCE CONTRACT

**WHEREAS**, the Township of Stillwater requires a lawn maintenance contractor to provide lawn maintenance service for the 2023 lawn maintenance season for various municipal parks and properties; and

**WHEREAS**, the anticipated cost of said services would not exceed the bid threshold; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:11-6.1, the Township solicited competitive quotations for the requested lawn maintenance services; and

**WHEREAS**, the Township received one (1) written response to its request for quotations; and

**WHEREAS**, Country Care LLC has provided lawn maintenance services for the Township since 2019 and provided a responsive, responsible quote in the amount of $18,975.00 with a possible fuel surcharge of $5.00 per location if the price of gasoline exceeds $4.05 per gallon for the 2023 lawn maintenance season;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Country Care LLC for the 2023 lawn maintenance season in the amount not to exceed $18,975.00 plus possible gas surcharge in accordance with Country Care LLC’s written proposal dated January 9, 2023.

A motion was made by Mr. Scott to **adopt Resolution 2023-92,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, abstain.

**RESOLUTION 2023-93** RESOLUTION AWARDING JANITORIAL SERVICES CONTRACT

**WHEREAS**, the Township of Stillwater required a janitorial services contractor to provide janitorial services for two (2) of its Municipal Buildings; and

**WHEREAS**, the anticipated cost of said services would not exceed the bid threshold; and

**WHEREAS**, the Township received one (1) written proposal(s) to its request for quotations; and

**WHEREAS**, Jan-Pro of Northern NJ provided a responsive, responsible quote in the amount of $549.91 per month to clean both the Municipal Building located at 964 Stillwater Road and the Community Center located at 931 Swartswood Road;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater that it does hereby award a contract to Jan-Pro of Northern NJ for 2023 janitorial services in an amount not to exceed $549.91 per month for 964 Stillwater Road and 931 Swartswood Road in accordance with Jan-Pro of Northern NJ’s written proposal.

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-93,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-94** RESOLUTION AUTHORIZING AGREEMENT WITH SUSSEX COUNTY SHERIFF’S OFFICE TO HAVE SHERIFF’S OFFICERS PATROL THE TOWNSHIP IN THE AMOUNT NOT TO EXCEED $12,500

**WHEREAS**, the Township of Stillwater and the Sussex County Sheriff’s Office have agreed to enter into an Agreement by which the Sheriff’s Office shall provide Sheriff’s Officers to patrol the Township; and

 **WHEREAS**, the Township has completed the Application to use Sheriff’s Officers for patrols and has agreed to utilize their services on a schedule to be mutually agreed upon by the Township and the Sheriff’s Office; and

 **WHEREAS**, the Application provides for a charge of $93.12 per hour with a minimum of four (4) hours per shift, per day.

 **NOW, THEREFORE, BE IT RESOLVED** by the Stillwater Township Committee, County of Sussex, State of New Jersey, that the Mayor and Township Clerk are authorized to sign the Application on behalf of the Township; and

 **BE IT FURTHER RESOLVED** that the Township’s expenses for the Sheriff’s Office patrols shall not exceed in total $12,500.00 during the year 2023; and

 **BE IT FURTHER RESOLVED** that the Township’s Chief Financial Officer has certified the Township has $12,500.00 available for 2023 for these services.

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-94,** seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, abstain, Mayor Chammings, yes.

**RESOLUTION 2023-95** RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE MT. BENEVOLENCE ROAD PROJECT SECTION II IN THE AMOUNT NOT TO EXCEED $35,000

**WHEREAS**, the Township of Stillwater is undertaking the reconstruction of Mt. Benevolence Road (the “Project”); and

 **WHEREAS**, Michael Vreeland, P.E. from the engineering firm Van Cleef Engineering Associates, LLC, serves as the Stillwater Township Engineer and has submitted a proposal dated January 24, 2023, to design, bid, administer and close out the Project in the total amount of $35,000; and

 **WHEREAS**, the Township desires to accept the proposal by Van Cleef Engineering Associates, LLC for the services;

 **NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Stillwater, New Jersey that the Township Engineer, Michael Vreeland, P.E. from Van Cleef Engineering Associates, LLC is hereby authorized to provide professional engineering services for the Mt. Benevolence Road Project Section II in an amount not to exceed $35,000.

 The Township’s Chief Financial Officer has certified that sufficient funds are available for the engineering services.

 This resolution shall take effect immediately.

 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 2023-95,** seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-96** AUTHORIZING SUBMISSION OF AN APPPLICATION FOR DMHAS GRANT FUNDING through Governor’s Council on alcoholism and Drug Abuse (GCADA)

**FORM 1A**

# DMHAS Youth LEADERSHIP Grant - MUNICIPAL ALLIANCES

 Year One Grant Term: 9/1/23 – 9/30/25

|  |  |
| --- | --- |
| APPLICANT MUNICIPALITY/IES: Stillwater   | COUNTY: Sussex  |
| ALLIANCE  NAME: Stillwater Municipal Alliance | ALLIANCE WEBSITE:  |
| ALLIANCE STREET ADDRESS: 964 Stillwater RoadTOWN: Stillwater STATE: NJ ZIP: 07860 |
| TELEPHONE: (973)383-9484  | FAX: (973) 383-8059 |
| ALLIANCE CHAIRPERSON: Lynda Knott STREET ADDRESS: 964 Stillwater RoadTOWN: Stillwater STATE: NJ ZIP: 07860E-mail: clerk@stillwatertwp.com | ALLIANCE COORDINATOR: Dawn TigheSTREET ADDRESS: 964 Stillwater RoadTOWN: Stillwater STATE: NJ ZIP: 07860E-mail: dawn@stillwatertwp.com |
| DATE OF RESOLUTION AUTHORIZING THE DMHAS Grant Application (MM/DD/YYYY): 05 **/**02 **/**2023 |

DMHAS Grant Allocation $ 747.00

No Cash Match or In-Kind Match is required to accept DMHAS Grant.

Stillwater

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*MUNICIPALITY Lisa Chammings/ MAYOR SIGNATURE

Lynda Knott

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ALLIANCE CHAIRPERSON SIGNATURE DATE

**\* If a municipality is part of a consortium, a signature and resolution is required from all participating municipalities entering into the agreement. Signatures hereby accept all components of this grant including membership terms, Statement of Assurances and Fiscal Requirements.**

**FORM 1B – DMHAS Youth Leadership Grant**

**WHEREAS,** the Governor’s Council on Alcoholism and Drug Abuse (GCADA) 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. In coordination with GCADA, the New Jersey Department of Human Services/Division on Mental Health and Addiction Services (DMHAS) has awarded a Youth Leadership Grant to the GCADA Municipal Alliance Program.

**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 DMHAS Youth Leadership funding through 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 an application for DMHAS Grant funding for the Stillwater Municipal Alliance for Grant Term Two, 9/1/23 – 9/30/25, in the total amount of:

 DMHAS Grant Funding $747.00

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 Mrs. Delaney to **adopt Resolution 2023-96,** seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-98** RESOLUTION APPROVING AN APPLICATION FOR A PERSON TO PERSON & PLACE TO PLACE TRANSFER OF LIQUOR LICENSE 1920-33-011

**WHEREAS,** an application has been filed for a Person to Person transfer of Plenary Retail Consumption License 1920-33-011 from The Boat House at Swartswood Lake, LLC to

 **WHEREAS,** the submitted application form is complete in all respects, as outlined in N.J.S.A.33:1-1 et seq., an Affidavit of Publication has been received by the Municipal Clerk and the transfer fees have been paid; and

 **WHEREAS,** the application is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

 **WHEREAS,** the New Jersey State Police has investigated the applicant and the source of all funds to be utilized in connection with the purchase and operation of the business and the results meet ABC standards; and

 **WHEREAS,** a Tax Clearance Certificate has been received from the Division of Taxation; and,

 **WHEREAS,** the applicant is qualified to be licensed per Title 33 of the New Jersey Statutes and all rules and regulations promulgated there under, in addition to pertinent Township Ordinances, and

 **WHEREAS,** an application has also been filed for a place-to place transfer of Plenary Retail Consumption License 1920-33-011 heretofore issued to The Boat House at Swartswood Lake, LLC located at 1040 Route 521, Swartswood, NJ 07877 and application is made to attach this license for Stillwater Liquors LLC premises at 911 Swartswood Road, Newton, NJ 07860 and

 **WHEREAS,** the location meets ABC and Municipal requirements; and,

 **WHEREAS,** the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term.

 **NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Stillwater, New Jersey does hereby approved, effective May 2, 2023, the person-to-person transfer of the aforesaid Plenary Retail Consumption License to Stillwater Liquors LLC and the place-to-place transfer of the aforesaid Plenary Retail Consumption License from its former location 1040 Route 521, Swartswood, New Jersey 07877 and does hereby direct the Municipal clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Stillwater Liquors LLC at the premises located at 911 Swartswood Road, Newton, NJ 07860, effective May 2, 2023.

A motion was made by Mr. Scott to **adopt Resolution 2023-98**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-99** 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 authorized 2022 Township Attorney Howard Vex to commence In Rem proceedings to foreclose on 22 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 three other undeveloped properties 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 draft and obtain completed Quit Claim Deeds from the owners of any of the 22 undeveloped properties included in the pending In Rem Foreclosure litigation so long as he remains the Township Attorney.
2. That Mr. Vex is authorized to draft and obtain a completed Quit Claim Deed and any other necessary property transfer documents from the owners of the following properties who have expressed an interest in donating their property to the Township:

Owner Property Dimensions Location

Robert and Karen Cartabona Block 1901, Lot 8 1.324 acre Anne Road

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-99**, seconded by Mrs. Delaney. Mr. Scott asked if there were any liens on the property. Mr. Vex said none we are aware of but he will confirm. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-100** RESOLUTION TO AUTHORIZE PAYMENT OF REDEMPTION – M & V LIENS

**WHEREAS,** on December 20, 2022 Terry Beshada, Collector of Taxes sold at Public Auction Tax Lien for delinquent municipal taxes on premises known as Block 3601 Lot 10.22 to M & V Liens 23 Irving Place Newton NJ 07860,

 **WHEREAS,** the Tax Collector has received redemption of said lien on April 25, 2023 and has deposited said sum in the current account of Township of Stillwater.

**NOW THEREFORE BE IT RESOLVED,** by the Mayor and Committee of the Township of Stillwater that the Tax Collector be authorized once funds have cleared, that the tax lien be redeemed and Certificate of Sale in the amount of $ 2,657.63 be cancelled from record.

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-100**, seconded by Mr. Scott. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-101** 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:

**PLANNING BOARD**

Name Term Term Expires

Dean Voris Class IV Member 4 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.

Mrs. Delaney noted there is no date on the Citizen Leadership Form to let anyone know when the application was submitted. The clerk will change the form to incorporate Mrs. Delaney’s request.

A motion was made by Mrs. Rumsey to **adopt Resolution 2023-101**, seconded by Mrs. Delaney. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-102** RESOLUTION APPROVING CONTRACTED SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF STILLWATER AND KATHRYN WUNDER

**WHEREAS**, Stillwater Township has the need for purging/filing/scanning assistance in the Construction Department; and

**WHEREAS**, the Township Committee desires to contract with Kathryn Wunder to provide the necessary services; and

**WHEREAS**, the work will be undertaken for the number of hours reaching a total of $2,300.00 for the calendar year of 2023; and

**WHEREAS**, the Township’s Chief Financial Officer has certified the funds are available for this purpose;

**BE IT RESOLVED** the Township Committee of the Township of Stillwater will contract with Kathryn Wunder to provide purging/filing/scanning assistance to the Construction Department at a rate of $20 per hour until reaching a total of $2,300.00 for the calendar year of 2023 beginning June 6, 2023.

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

The Resolution shall take effect immediately.

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 Mr. Scott to **adopt Resolution 2023-102**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**RESOLUTION 2023-103** RESOLUTION AUTHORIZING ACCEPTANCE OF FY2023 LOCAL RECREATION IMPROVEMENT GRANT (LRIG)

**WHEREAS**, the Township of Stillwater has been awarded a FY2023 Local Recreation Improvement Grant from the New Jersey Department of Community Affairs (DCA) Division of Local Government Services (DLGS) in order to strengthen and improve their recreational spaces and programs; and

 **WHEREAS**, the total amount of the Grant Award is $71,000.00; and

 **WHEREAS**, the Township of Stillwater accepts the award of the FY2023 Local Recreation Improvement Grant in the amount of $71,000;

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

1. The Township of Stillwater hereby accepts the FY2023 Local Recreation Improvement Grant detailed above.

 The Chief Financial Officer is authorized to establish a grant line in the amount of $71,000.00.

A motion was made by Mrs. Delaney to **adopt Resolution 2023-103**, seconded by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**DISCUSSION ITEMS:**

Employee Education Reimbursement: The Committee had quite a few questions regarding the monetary amounts of the clerk’s classes. It will be discussed in an executive session, since it is a personnel issue. Further discussion will take place once the employees are properly RICE noticed.

Planet Networks Right of Way Request: A motion was made by Mr. Scott to **allow Planet Network to begin the investigation process on the underground cable at Stillwater Park outfield area, at their expense**, seconded by Mrs. Rumsey. **Roll Call Vote:** Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes.

**OPEN PUBLIC SESSION (any subject – 3-minute limit):**

Alicia Gardner expressed her concerns about the agenda being posted in a timely manner prior to the meeting. Mayor explained they are working with the clerk to work out a schedule to have everything done so the agenda can be posted in a timely manner prior to the meeting.

Ebonie Berkitte from Medical Essential Diagnostics was in attendance to let the governing body and residents know of her company’s service for bringing medical services for both current and retired police, firefighters, emergency medical responders, educations nurses etc.

Cody Castner, Sean Donahue, Alicia Gardner, Stacy Monahan, Josh Raff, James Current, Chris Jones, Nolan Voris, Frank Vilas, and Travis Billingers, read the following statement into the record: “*I,* stated name*, urge the committee to make a motion to amend 272-3 to include the discharge of firearms under exceptions.”* A motion was made by Mr. Scott to **Amend Ordinance Chapter 272-3 to include the discharge of firearms under exceptions** by Mrs. Rumsey. **Roll Call Vote**: Mrs. Delaney, yes, Mrs. Rumsey, yes, Mr. Scott, yes, Mayor Chammings, yes. The amended ordinance will be on the May 16, 2023 agenda for discussion.

Bill Doolittle was in attendance and was following up on his inquiry whether Emmons Lane Association was qualified to become covered under the Municipal Services Act and receive reimbursement from the Township for snow removal. Mr. Vex noted prior counsel had determined Emmons Lane Assoc. was not but suggested they do their own research. The Township Committee suggested they speak with other private communities to see what they had to do be qualified. Mr. Doolittle presented the Township Committee with a proposed agreement for their review.

James Current thanked Cody Castner for all of his efforts to get this situation resolved.

Heidi Mountford questioned why the township is adopting an ordinance regarding wildlife feeding on public property. The committee explained it is part of the Stormwater Management Tier A requirements.

Marcia Bradley thanked Mrs. Rumsey for her CERT report and added the next CERT meeting will be held May 24, 2023 at 7pm at the town hall.

**ATTORNEY’S REPORT:**

Mr. Vex had no further report at this time.

There being no further business, Mr. Scott made a motion to adjourn the meeting at 9:00 p.m., seconded by Mrs. Rumsey. In a voice vote, all were in favor.

Respectfully submitted,

Beth Martin, Deputy Clerk