

**STILLWATER TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES**

Tuesday August 15, 2023

A **REGULAR MEETING** of the Stillwater Township Committee was called to order by Mayor L. Chammings at 6:04 p.m. Mayor Chammings stated that this meeting is being held in compliance with the provisions of P.L. 1975, Ch. 231, Secs. 4 & 13 the Sunshine Law and that adequate notice of the meeting has been published in the New Jersey Herald as to the time, place, and date of meetings, and is posted in the usual location of posted notices in the municipal building as well as electronically on the township website and Facebook page.

ROLL CALL: Present: Mrs. Delaney, Mr. Barta, Mrs. Rumsey, Mr. Scott, Mayor Chammings

EXECUTIVE SESSION: held in Town Hall

A **MOTION** was made by Committeewoman V. Rumsey, seconded by Committeewoman D. Delaney, with all members in favor, to adopt the Resolution permitting the Committee to go into Executive Session at 6:07 p.m.

**STILLWATER TOWNSHIP COMMITTEE
RESOLUTION FOR EXECUTIVE SESSION**

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

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

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

1. The public shall be excluded from that portion of this meeting.
2. The general nature of the subject matter to be discussed is as follows: Personnel & Contract
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 Committeeman G. Scott and seconded by Committeewoman V. Rumsey, to go back into Regular Session at 7:09 P.M.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes.

FLAG SALUTE: Mayor L. Chammings led the Flag Salute.

Before moving on with the meeting, Mayor Chammings asked for a moment of silence for the state of Hawaii for their loss during the wildfires and for a close friend of Committeewoman V. Rumsey that recently passed away.

MINUTES: July 11, 2023 Regular & Executive Session Meeting Minutes

A **MOTION** was made by Committeewoman V. Rumsey and seconded by Committeewoman D. Delaney, to adopt the meeting minutes as presented.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes.

MINUTES: July 18, 2023 Workshop & Executive Session Meeting Minutes

A **MOTION** was made by Committeewoman D. Delaney and seconded by Committeewoman V. Rumsey, to adopt the meeting minutes as presented.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes.

REPORTS:

Recreation Commission Fee Report for July 2023
SC BOH Inspection Report for June 2023
Construction Permit Activity Report for July 2023
Board of Health Receipts for July 2023
Recycling and Convenience Center Report for June & July 2023
Landlord Registration Report for July 2023
Peddler License Report for July 2023
Liquor License Renewal Report for July 2023
Community Center Receipt Report for July 2023
Certified Copies Report for June & July 2023
Registrar Report for June & July 2023
OPRA Report for July 2023
ACO Report April – June 2023
Zoning Reports June 2023 – July 2023
Fire Dept Report July 2023

Mayor L. Chamblings went through the above listed reports. She requested that the zoning memo that was received that evening be put on the September 5th meeting agenda for discussion. Mayor Chamblings also requested that a copy of Zoning Report # 4 be given to Planning Board for review.

Committeewoman V. Rumsey stated that the Fire Dept Report for July 2023 was emailed to everyone prior to the meeting that evening for review.

A **MOTION** was made by Committeewoman V. Rumsey and seconded by Committeewoman D. Delaney to adopt the amended reports as presented.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes.

BILLS LIST #13 \$1,124,852.60

RESOLUTION 2023-153 Authorizing Payment of Bills

WHEREAS, the Chief Financial Officer has certified that funds are available in the proper account; and

WHEREAS, the Chief Financial 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 August 15, 2023, are on file and available for public inspection in the Office of the Chief Financial Officer and approved by the Chief Financial Officer for payment, be paid.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to adopt Resolution 2023-153.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes.

COMMITTEE REPORTS:

Committeewoman D. Delaney

Recreation

Committeewoman D. Delaney stated that the Recreation fields were treated with herbicide in July. At the Community Center, the new door is in operation and working out well so far. The summer camp is going great, they have been averaging about 30-40 children per week. They have had a water safety course, SC Sherriff & K9 dog program, Rizzo's Reptiles and more at the Summer Camp. She thanked Recreation Commission Chairwoman Tara Tosti and Vice President Gina McCabe-Richardson, as well as all the counselors, for all their hard work. She stated that they have done an exceptional job and that the children are very happy.

Committeewoman D. Delaney stated that the Recreation Commission will be participating at Sussex County Day on September 17th from 12n-4pm at the Sussex County Fairgrounds. The Recreation Commission is also hosting a guest speaker & dinner on September 15th for POW/MIA Recognition Day. You must sign up to attend the dinner, and it is a free event. Fall Cleanup Day is set for some time in September. Garage Sale weekend is Oct 14th & 15th. The Recreation Commission had their first movie night in August, and it was a good first dry run with setting up the equipment and playing the movie. The next movie night is scheduled on October 13th and will be showing the movie "Hocus Pocus". The other upcoming events for the rest of the year will be posted on the website. There is an upcoming meeting for Fall Fest on August 23rd at 5:30pm for anyone that's interested in going.

A request was made from the Recreation Commission to have the small table display that they do for the Veterans' to be at their dinner event and would also like a small table to be set up permanently in the back of the Community Center by the trophies.

Committeewoman D. Delaney also stated that since the new floor has been put in at the Community Center and the carpet was removed, the large round tables keep falling. The Committee agreed to order 15 new round tables to replace the older tables in the Community Center.

Zoning Board of Adjustment

Committeewoman D. Delaney stated that there wasn't much business to discuss at the June 26th Zoning Board meeting. The bills were paid, and the next meeting is scheduled for August 28th.

Committeeman P. Barta

Planning Board

Committeeman P. Barta stated that the Planning Board met on July 19th. He stated that three different escrow accounts were completed and were released to the prior applicants. The Nature Conservancy is trying to acquire property for public recreation. The property was supposed to be subdivided so that the Nature Conservancy would only be purchasing land however the subdivision was rescinded so that property would now include the residence with a septic system. He stated that the Nature Conservancy doesn't want the whole project to be held up, so they adopted a Resolution to subjugate the septic system out and deal with the property with the septic system later.

Committeeman P. Barta stated that they further discussed the issue with the Bed & Breakfast rentals. He stated that they still need to discuss it further.

Board of Education

Committeeman P. Barta stated that they had a meeting on July 17th. He stated that the superintendent thanked residents Kaitlyn & Justin Hammerle for finding the need for a "life vac" which is used for assisting a choking victim. It extracts the piece that is lodged in the child's throat. They have donated four life vacs to the school for the preschool and kindergarten classes. He stated that there are currently 290 children registered for Stillwater School in the fall. The exhaust fans have been replaced at the school.

Committeeman P. Barta stated that Stillwater School received funding from the American Rescue Plan "ARP", which is a one-year federal funding program for schools that are considered to be a "district in need" which Stillwater School is considered. The ARP is allowing Stillwater School to have \$2,000 per student due to the amount of funding that was lost over the last 2-3 years from the State. The Board of Education is thinking of using it toward a Response to Intervention "RTI" program. RTI is an educational strategy used in schools to: provide effective

and high-quality instruction, monitor all students' progress to make sure they are progressing as expected, and provide additional support (intervention) to students who are struggling.

Committeewoman V. Rumsey

Emergency Services

Committeewoman V. Rumsey stated that there have been 127 Fire calls YTD, 458 EMS calls YTD, yearly testing has been completed on all apparatuses and specialized equipment and has passed. She stated that the trucks will be going out for their yearly maintenance as well and that the training classes are continuing.

Community Center

Committeewoman V. Rumsey stated that there would be a bid opening at the Town Hall tomorrow at 11:00 A.M. for the new roof for the Community Center. After the new roof is completed at the Community Center, they will move on to do the stucco and the paint on the exterior of the building.

Architect

Nothing to discuss.

Personnel

Committeewoman V. Rumsey stated that everything is going fine with personnel.

Committeeman G. Scott

DPW

Committeeman G. Scott stated that there was a letter sent to the County for their bridges and roads. Sussex County Sheriff's Department has been working in Stillwater, pulling people over for speeding.

Committeeman G. Scott stated that the DPW has been cleaning up the roads & drains after storms. He stated that there were a few tractor trailers in town that were issued summonses for driving on Stillwater/Mt. Benevolence Road. He stated that the word is getting out about the recently passed Ordinance.

Engineering

Nothing to discuss.

Mayor Chammings

Environmental Commission

Mayor L. Chammings stated that the Environmental Commission met last night. She stated that the school has started their TREX collection this year. Last year they collected enough plastic film that they were able to get a free bench this year, which they were very happy with. She stated that they have approximately 50+ pounds of plastic bags so far this year.

Mayor L. Chammings stated that a member of the Environmental Commission attended a climate change resilience workshop. There was some more discussion on the Paulinskill Lake watershed. She stated that there was a lengthy discussion on how many bobcats are in the area now and that some of them are quite large.

Legal

Nothing to discuss.

Engineering

Mayor L. Chammings stated that engineering has been working with the DPW to make sure that the drainage that is being put in for Mt. Benevolence Road is going well. They are still working on a date when they will begin paving.

CERT

Mayor L. Chammings stated that for OEM that she heard back from the Hazard Mitigation that Stillwater Township can try and apply for a Hazard Mitigation grant for a fire hazard that falling trees cause (outside of JCP&L). The grant is through FEMA for fire suppression due to power line fires. Will start the initial paperwork on the Hazard Mitigation.

Mayor L. Chammings stated that CERT started a group messaging system instead of the old way of everything going through emails. She stated that it is a much more secure messaging system and is by invite only.

There was a presentation on Maverick's Legacy, the life vac program. The CERT program was given 6 or 8 of the life vacs. CERT will begin to have their courses again so more people will be able to be certified.

Personnel

Mayor L. Chammings stated that there are two new employees at the Municipal Office, Valerie & Danielle, and that they are both doing a wonderful job.

Mayor L. Chammings also stated that a representative from Congressman Tom Kean's office was at the municipal office that day for two hours to answer any questions that residents had or take in recommendations for concerns that they may have that can be addressed on the federal

level. They mostly address social security, passports, military benefits, and the IRS. Municipal Clerk L. Knott stated that the representative will also have a table at Stillwater's Fall Festival to speak with residents.

Mayor L. Chamming stated that the International Drug Overdose Awareness Day will be on August 31st from 7-9pm on the Newton Green. It will be a vigil to remember loved ones that were lost due to drug overdose. She asked that the information be put on the Stillwater Facebook page.

AMENDMENTS TO AGENDA:

Mayor L. Chamming stated that they are adding two Resolutions to the agenda for this meeting:

Resolution 2023-159 Equipment Operator/Acting Supervisor

Resolution 2023-160 Laborer I/Acting Assistant Supervisor

PUBLIC SESSION (Agenda Items Only – 3 Minute Time Limit)

Public Session Open. No Public Comment. Public Session Closed.

OLD BUSINESS

TAX IN REM FORECLOSURE UPDATE: The discussion will be moved to the next meeting when there is more information. There have been 7 properties that have been issued quick claim deeds. They are working to ensure that the courts have everything that they need to process the foreclosures.

ORDINANCES

PUBLIC HEARING AND FINAL ADOPTION

STILLWATER TOWNSHIOP ORDINANCE 2023-16- FIXING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF STILLWATER- ADDING LEAD PAINT CERTIFICATION

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 the Construction Official for services rendered as shown below. Figures shown represent annual salary, unless otherwise noted.

POSITION:

Lead Paint Certifications

SALARY RANGE:

\$12.50 per Certification

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 Committeeman G. Scott and seconded by Committeewoman D. Delaney to adopt at final reading Ordinance #2023-16.

PUBLIC HEARING

No comments from the public.

PUBLIC HEARING CLOSED

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes. Motion carried.

NEW BUSINESS

ORDINANCES

INTRODUCTION AND FIRST READING

STILLWATER TOWNSHIP ORDINANCE 2023-17

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER TO PROHIBIT THE IMPROPER SPILLING, DUMPING OR DISPOSAL OF MATERIALS OTHER THAN STORMWATER IN THE TOWNSHIP STORM WATER SEWERS AND BASINS [Introduction – Public Hearing and Adoption September 5, 2023]

WHEREAS, the Township Committee of the Township of Stillwater has been directed by the State of New Jersey to implement this Ordinance and must comply with said directive.

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

SECTION 1

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

Chapter ____ . STORM WATER SEWERS AND BASINS

§ ____-1. Purpose.

An ordinance to prohibit the spilling, dumping, or disposal of materials other than stormwater to the municipal storm sewer system operated by the Township of Stillwater so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ ____-2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

1. Municipal separate storm sewer system (MS4) – a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains) that is owned or operated by the Township of Stillwater or other public body, and is designed and used for collecting and conveying stormwater.
2. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
3. Stormwater – water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, is captured by separate storm sewers or other sewerage or drainage facilities, or is conveyed by snow removal equipment.

§ ____-3. Prohibited Conduct.

The spilling, dumping, or disposal of materials other than stormwater to the municipal separate storm sewer system operated by the Township of Stillwater is prohibited. The spilling, dumping, or disposal of materials other than stormwater in such a manner as to cause the discharge of pollutants to the municipal separate storm sewer system is also prohibited.

§ ____-4. Exceptions to Prohibition.

1. Waterline flushing and discharges from potable water sources.
2. Uncontaminated ground water (e.g., infiltration, crawl space or basement sump pumps, foundation or footing drains, rising ground waters).
3. Air conditioning condensate (excluding contact and non-contact cooling water).
4. Irrigation water (including landscape and lawn-watering runoff).
5. Flows from springs, riparian habitats and wetlands, water reservoir discharges and diverted stream flows.
6. Residential car washing water, and residential swimming pool discharges.
7. Sidewalk, driveway and street wash water.
8. Flows from fire-fighting activities.
9. Flows from rinsing of the following equipment with clean water:

- a. Beach maintenance equipment immediately following their use for their intended purposes; and
- b. Equipment used in the application of salt and de-icing materials immediately following salt and de-icing material applications. Prior to rinsing with clean water, all residual salt and de-icing materials must be removed from equipment and vehicles to the maximum extent practicable using dry cleaning methods (e.g., shoveling and sweeping). Recovered materials are to be returned to storage for reuse or properly discarded.
- c. Rinsing of equipment, as noted in the above situation is limited to exterior, undercarriage, and exposed parts and does not apply to engines or other enclosed machinery.

§ ____-5. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police, and all Township and County Officials whose duties permit municipal code enforcement.

§ ____-6. Violations and Penalties.

Unless another penalty is expressly provided by New Jersey Statute, any person convicted of a violation of this section shall be punished for a first conviction thereof by a fine of not more than \$100; for a second such conviction, such person shall be punished by a fine of not more than \$200.

§ ____-7. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

§ ____-8. Effective Date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

SECTION 2

The Township Clerk shall take all necessary action to assure the Code is promptly updated to include this Ordinance.

SECTION 3

This Ordinance shall take effect immediately upon its passage.

A MOTION was made by Committeeman G. Scott and seconded by Mayor L. Chamming to Introduce Ordinance 2023-17.

Mayor L. Chamming stated that the Township Committee must come up with a fee for this Ordinance. The committee discussed amongst themselves how to come up with the fees associated with the violation. They agreed to start with a fine of \$100 for the first offence for now, and that the amount can always be amended down the road as needed. This change will also need to be added to the Fee Ordinance.

Mayor L. Chammings stated to amend the Ordinance to include that the first offence will be \$100 and the second offence to be \$200.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried.

Mayor L. Chammings stated that before introducing the next Ordinance, which is like the one that they just discussed, that under "Section 5" that they add the fee to the Ordinance of \$100 for the first offence and \$200 for the second offence.

STILLWATER TOWNSHIP ORDINANCE 2023-18 - AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER REGARDING CONTAINERIZED YARD WASTE [Introduction – Public Hearing and Adoption September 5, 2023]

WHEREAS, the Township Committee of the Township of Stillwater has been directed by the State of New Jersey to implement this Ordinance and must comply with said directive.

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

SECTION 1

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

Chapter ____ . CONTAINERIZED YARD WASTE

§ ____-1. Purpose.

An Ordinance to establish requirements for the proper handling of yard waste in the Township of Stillwater so as to protect public health, safety and welfare, and to prescribe penalties for the failure to comply.

§ ____-2. Definitions.

For the purpose of this Ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

1. Containerized – means the placement of yard waste in a trash can, bucket, bag or other vessel, such as to prevent the yard waste from spilling or blowing out into the street and coming into contact with stormwater.
2. Person – any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

3. Street - means any street, avenue, boulevard, road, parkway, viaduct, drive, or other way, which is an existing State, county, or municipal roadway, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

4. Yard Waste – means leaves and grass clippings.

§____-3. Prohibited Conduct.

The owner or occupant of any property, or any employee or contractor of such owner or occupant engaged to provide lawn care or landscaping services, shall not sweep, rake, blow or otherwise place yard waste, unless the yard waste is containerized, in the street. If yard waste that is not containerized is placed in the street, the party responsible for placement of yard waste must remove the yard waste from the street or said party shall be deemed in violation of this ordinance.

§____-4. Enforcement.

This Ordinance shall be enforced by the New Jersey State Police, and all Township and County Officials whose duties permit municipal code enforcement.

§____-5. Violations and Penalties.

Unless another penalty is expressly provided by New Jersey Statute, any person convicted of a violation of this section shall be punished for a first conviction thereof by a fine of not more than \$100; for a second such conviction, such person shall be punished by a fine of not more than \$200.

§____-6. Severability.

Each section, subsection, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase, and the finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause, or reason, shall not affect any other portion of this Ordinance.

§____-7. Effective Date.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

SECTION 2

The Township Clerk shall take all necessary action to assure the Code is promptly updated to include this Ordinance.

SECTION 3

This Ordinance shall take effect immediately upon its passage.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to Introduce Ordinance 2023-18.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried.

STILLWATER TOWNSHIP ORDINANCE 2023-19 - AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER APPROPRIATING \$60,000.00 FOR SCBA TANKS FOR THE STILLWATER AREA VOLUNTEER FIRE DEPARTMENT [Introduction – Public Hearing and Adoption September 5, 2023]

BE IT ORDAINED by the Township Committee of the Township of Stillwater, in the County of Sussex, State of New Jersey, AS FOLLOWS;

Section 1. The improvement(s) or purpose(s) described in Section 3 of this capital Ordinance are hereby respectively authorized as general improvements to be made or acquired by the Township of Stillwater, New Jersey. For the said improvement(s) or purpose(s) stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvement(s) or purpose(s), said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to \$60,000.00, which has heretofore been set aside for the improvement(s) or purpose(s) stated in Section 3 and now available therefore by virtue of provision in a previously adopted budget or budgets of the Township for capital improvement purposes.

Section 2. For the financing of said improvement(s) or purpose(s) and to meet the part of said \$60,000.00 appropriations, the Township will use \$56,000.00 from American Rescue Plan Act (ARPA) funds and \$4,000 from the Capital Improvement Fund (C.I.F.), as described in Section 3.

Section 3. The purpose hereby authorized for the allocation of which said obligations are to be spent, the appropriation made for an estimated cost of each such purpose, and the estimated maximum amount of funds to be spent for such purpose, is respectively as follows:

SCBA Tanks – (5) Sets	\$56,000	ARPA Funds
	\$ 4,000	C.I.F.
	\$60,000	

The aforementioned improvement(s) or purpose(s) where applicable, are in accordance with specifications on file in the office of the Township Clerk, which specifications are hereby approved.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose(s) described in Section 3 of this capital ordinance are capital expenses and are each 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 specifically assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed by this capital ordinance, is five (5) years.

Section 5. This capital ordinance shall take effect ten (10) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

A **MOTION** was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to Introduce Ordinance 2023-19.

ROLL CALL: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes. Motion carried.

RESOLUTIONS

RESOLUTION 2023-154

MAYOR'S APPOINTMENT OF LIAM S McPEEK AS A MEMBER OF THE STILLWATER AREA VOLUNTEER FIRE DEPARTMENT JR. MEMBER 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 Liam S. McPeek as a Junior Member of the Stillwater Area Volunteer Fire Department effective August 1, 2023.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, August 15, 2023

A **MOTION** was made by Committeewoman V. Rumsey and seconded Committeewoman D. Delaney to adopt Resolution 2023-154.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes. Motion carried.

RESOLUTION 2023-155

RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING THE APPOINTMENT OF CONNOR LOGAN AS PART-TIME RECYCLING/SOLID WASTE ATTENDANT

BE IT RESOLVED that on July 11, 2023 Connor Logan was appointed as Part-Time Recycling/Solid Waste Attendant on a "as needed basis" at a rate of \$15.49 per hour: and

BE IT FURTHER RESOLVED that Mr. Logan will now be working ten hours per week; and

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater appoint of Connor Logan as Part-Time Recycling/Solid Waste effective August 15, 2023 on for ten (10) hours per week at a rate of \$15.49 per hour.

A MOTION was made by Committeewoman V. Rumsey and seconded by Committeeman G. Scott to adopt Resolution 2023-155.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamblings; yes. Motion carried.

Mayor L. Chamblings stated that there is just one amendment to the next Resolution after the second "WHEREAS" that the tax bills were mailed on August 4th, not "to be determined", and that the grace period has been extended to September 1st.

RESOLUTION 2023-156 RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF STILLWATER AUTHORIZING A 25 DAY GRACE PERIOD FOR TAX BILL MAILING

WHEREAS, N.J.S.A. 54:4-64 requires that municipal tax bills be mailed forty-seven (47) days before the third installment of taxes falls on August 1st, namely on June 14th; and

WHEREAS, the date(s) of mailing of Stillwater Township tax bills to Stillwater Township was August 4 through August 7, 2023; and

WHEREAS, in accordance with the intent of N.J.S.A. 54:4-64 invoking any payment of interest for delinquency under the provisions of N.J.S.A. 54:4-64; and

WHEREAS, R.S. 54:4-67 deems twenty-five (25) days after proper mailing of said tax bills and certification of such mailing, to be adequate notice of the amount of taxes due.

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

Stillwater Township taxes or assessments due August 1, 2023 will not be considered delinquent and interest for delinquency in the payment of such taxes and assessments shall not be charged for the failure to pay any such taxes or assessments if received by the Township on or before the twenty fifth (25th) day after the proper mailing of the tax bills and provided further, however, that if any such installment is not paid on or before said twenty fifth (25th) day, interest at the usual rate will be charged from September 1, 2023.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to adopt Resolution 2023-156.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes. Motion carried.

RESOLUTION 2023-157

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF STILLWATER
AUTHORIZING INSTALLATION OF A FIBER
CABINET IN THE POSSUM HILL UTILITY RIGHT
OF WAY BETWEEN 910 AND 912 POSSUM HILL
ROAD**

WHEREAS, High Point Utilities LLC has submitted a zoning application on behalf of Altice / Cablevision to install a fiber cabinet in the Possum Hill Road utility right-of-way, between 910 and 912 Possum Hill Road, respectively Block 1501 Lots 25 and 27; and

WHEREAS, the application was appropriately deferred by the Zoning Officer, Tom Dixon, to the Township Committee for consideration of right-of-way encroachment approval since the Zoning Officer's authority is limited to zoning matters on private property; and

WHEREAS, the matter was subsequently forwarded to the Township Engineer for technical review and recommendation and said recommendation was thereafter provided.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Stillwater that, pursuant to the recommendation of the Township Engineer, the application for a permit to install a fiber cabinet in the Possum Hill Road utility right-of-way, between 910 and 912 Possum Hill Road is approved with the following conditions:

1. The fiber cabinet shall be located offset from the edge of pavement behind the on-center alignment of the trench between existing utility poles #1152 and #1153 so as not to conflict with the existing line of sight for vehicles exiting the driveways of 910 and 912 Possum Hill Road.
2. The Applicant's Surveyor shall stakeout corner markers for Block 1501 Lots 25 and 27 to ensure the installation is within the Township right-of-way and not on private property.
3. All disturbance shall be restored by the Applicant to preexisting conditions and stabilized for erosion control to maintain existing drainage patterns of road runoff outside the edge of pavement.
4. In addition, pursuant to Township Code §350-12C, the Applicant shall "indemnify the Township and hold it harmless from all loss, damage, claim or expense, including expenses incurred in the defense of any litigation arising out of injury to any person or property resulting from any work done by the applicant under the permit."

5. The requirement for bonding under Township Code §350-12B, is hereby waived as is permitted in the case of a public utility “upon the presentation of satisfactory proof that the utility is capable of meeting any claims against it up to the amount of the bond which would otherwise be required.”

6. Due to the limited nature of the proposed installation behind the edge of pavement, the requirement set forth in Township Code §350-13 for “deposit, in cash or certified check, to defray the expense of restoring the street to its preexisting condition should the permittee fail to do so,” is also hereby waived.

7. The submitted Certificate of Liability Insurance satisfies the requirements of Township Code §350-14 and must remain in full force and effect until the project is completed.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman D. Delaney to adopt Resolution 2023-157.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes. Motion carried.

RESOLUTION 2023-158

**MAYOR’S ACCEPTANCE OF THE RESIGNATION
OF ROBERT VENEZIA AS A MEMBER ON THE
PLANNING BOARD WITH COMMITTEE
CONCURRENCE**

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater they do hereby concur with the Mayor’s acceptance of the resignation of Robert Venezia as a member of the Planning Board effective August 15, 2023.

A MOTION was made by Committeeman G. Scott and seconded by Committeeman P. Barta to adopt Resolution 2023-158, with regret.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes. Motion carried.

RESOLUTION 2023-159

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF STILLWATER
AUTHORIZING THE APPOINTMENT OF GERRY
LEATHAM, JR. AS PROVISIONAL DPW
SUPERVISOR/EQUIPMENT OPERATOR**

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater appoint of Gerry Leatham, Jr. as Provisional DPW Supervisor/Equipment Operator

pursuant to the Collective Bargaining Agreement at a salary of \$28.00 per hour. Mr. Leatham, Jr.'s designation is effective July 31, 2023 and is contingent upon a 30/60/90 review.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, August 15, 2023.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey, to adopt Resolution 2023-159.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; no, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried.

RESOLUTION 2023-160

**RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF STILLWATER
AUTHORIZING THE APPOINTMENT OF JOSPEH
FUNARI AS PROVISIONAL DPW ASSISTANT
SUPERVISOR/LABORER I**

THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Stillwater appoint of Joseph Funari as Provisional DPW Assistant Supervisor/Laborer I pursuant to the Collective Bargaining Agreement at a salary of \$26.20 per hour. Mr. Funari's designation is effective August 16, 2023 and is contingent upon a 30/60/90 review.

BE IT FURTHER RESOLVED that this appointment was made at a meeting of the Township Committee on Tuesday, August 15, 2023.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey, to adopt Resolution 2023-160.

ROLL CALL VOTE: Committeewoman D. Delaney; yes, Committeeman P. Barta; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried.

DISCUSSION ITEMS:

Stillwater Township Educational Benefit Request

Mayor L. Chammings stated that the first discussion item- Stillwater Township Educational Benefit Request, should be talked about in Executive Session which they didn't have time for that evening. She stated that the educational benefit request should be tabled to the September 5th meeting for discussion.

Movie Sponsor for Rec Commission Movie Nights

Mayor L. Chammings stated that she would suggest instead of it saying "sponsor" to put the in word "donation". The Committee agreed that they should contact the person that's offering to

sponsor a movie night and explain that they may give a donation that may be put towards the recreation commissions events.

Sussex County Day

Already discussed during Committee Reports.

Model Drug and Alcohol Policy

Mayor L. Chamblings stated that Municipal Clerk L. Knott received the policy after the safety meeting a couple months ago and it was given to the Township Committee for review. It would require an amendment to the current policy that the Township has in place. The Committee discussed whether they should amend the current policy. They decided to keep the current policy that the Township has in place which is that Stillwater Township is a drug free environment.

Pack 83 Community Center Christmas Tree Sale

Mayor L. Chamblings stated that Pack 83 would like to have their annual Christmas tree sale at the community center again. She stated that they need to request their exact date and time and will be notified that they may use the inside of the community center to use the restroom & make hot chocolate but the rest of the time they will need to stay outside and not leave the doors open to the community center.

Building File Purge

Mayor L. Chamblings stated that the municipal building file purge will be on September 21st. The Municipal Building will be closed to the public that day so that the employees may focus their full attention on the file purge.

Municipal Clerk L. Knott stated the person that has been going through files and purging them at the municipal office stated there are only three weeks left before the funds run out. Mayor L. Chamblings stated to use the file clerk line to replenish the funds so that she may continue to go through the files. She asked L. Knott to have a resolution put on the September 5th agenda to pull funds from the file clerk line to replenish that account.

PUBLIC SESSION (any subject – 3-minute limit)

Township Resident Mr. Joseph Doherty stated that he had an excessive noise complaint in his neighborhood. He stated that someone is riding up and down Old Schoolhouse Road on a very loud dirt bike. He stated that he's also worried that there could be an accident caused by him racing down the road like that. The Township Committee stated that they would have the Sheriff's Department investigate it.

Township Resident Ms. Kathy Draghi had a question on the first discussion item, for the educational benefit request. She asked if it was still a requirement that if an employee was applying for a benefit request if they sign that they must pay back the requested amount if they leave the Township within a certain period of time. The Township Committee stated that policy is still in place.

Recreation Commission President Ms. Tara Tosti stated that the Summer Camp was going great, and that the new door was working out well. The Township Committee thanked Ms. Tosti & all others involved, for all the work that they have done for the Summer Camp, and that they have all heard great things.

PUBLIC SESSION CLOSED

ATTORNEY'S REPORT

Attorney H. Vex stated that he had nothing further to discuss.

ADJOURNMENT

A **MOTION** was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey, with all members in favor, to adjourn the meeting at 8:55 P.M.

Respectfully submitted,

Valerie Ingles
Deputy Municipal Clerk