

**STILLWATER TOWNSHIP
BOARD OF HEALTH MEETING MINUTES
TOWNSHIP COMMITTEE MEETING MINUTES
TO IMMEDIATELY FOLLOW**

MAY 7, 2024

A **MEETING** of the Stillwater Township Board of Health was called to order by Mayor L. Chamblings at 7:01pm. Mayor L. Chamblings 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 on April 28, 2024 and is posted in the usual location of posted notices in the municipal building as well as electronically on the township website.

ROLL CALL: Committeeman D. Manser, Committeewoman D. Delaney, Committeewoman V. Rumsey, Mayor L. Chamblings, Committeeman G. Scott

Also Present: Township Attorney E. Bernstein

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

NEW BUSINESS

ORDINANCE INTRODUCTION & FIRST READING

ORDNANCE NO. 2024-10

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE BOARD OF HEALTH ORDINANCES OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

Be it ordained and enacted by the Board of Health of the Township of Stillwater, County of Sussex, State of New Jersey, as follows:

§ 420-1. Code adopted; existing ordinances continued.

Pursuant to N.J.S.A. 40:49-4, the Board of Health ordinances of the Township of Stillwater of a general and permanent nature adopted by the Board of Health of the Township of Stillwater, as revised and codified and consisting of Chapters 420 through 467, are hereby approved, adopted, ordained and enacted as "Part III of the Code of the Township of Stillwater," hereinafter known and referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the Board of Health ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such Board of Health ordinances and not as new enactments. This ordinance and the Code adopted hereby shall supersede and replace Chapters 420 through 467 of the 2005 Code of the Township of Stillwater, as amended and supplemented.

§ 420-2. Code on file; additions and amendments.

A. A copy of the Code has been filed in the office of the Township Clerk and/or the Board of Health Secretary and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Secretary of the Board of Health of the Township of Stillwater, as provided by law, and such certified copy shall remain on file in the office of the Board of Health Secretary and/or Clerk of the Township, to be made available to persons desiring to examine the same during all times while said Code is in effect.

B. Additions or amendments to Part III of the Code, when adopted in such form as to indicate the intent of the Board of Health to make them a part thereof, shall be deemed to be incorporated into Part III of such Code so that reference to the "Code of the Township of Stillwater" shall be understood and intended to include such additions and amendments.

§ 420-3. Notice; publication.

The Secretary of the Board of Health or the Clerk of the Township of Stillwater shall cause notice of the passage of this ordinance be given in the manner required by law. The notice of passage of this ordinance coupled with the filing of the Code in the office of Secretary of the Board of Health or the Clerk of the Township of Stillwater as provided in § 420-2 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 420-4. Severability.

Each section of this ordinance and Part III of the Code and every part of each section is an independent section or part of a section, and the holding of any section or a part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 420-5. Repealer.

A. Board of Health ordinances or parts of ordinances inconsistent with the provisions contained in Part III of the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the Board of Health of the Township of Stillwater which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.

B. The following Board of Health ordinances have been excluded from the Code and specifically repealed:

- (1) Former Chapter 452, Plumbing, of the 2005 Code.
- (2) Former Chapter 467, Water Supply, of the 2005 Code.

§ 420-6. Ordinances saved from repeal.

The adoption of Part III of this Code and the repeal of ordinances provided for in § 420-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any Board of Health ordinance adopted subsequent to December 5, 2017.
- B. Any right or liability established, accrued or incurred under any legislative

provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.

C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision of the Board of Health or any penalty, punishment or forfeiture which may result therefrom.

D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered, prior to the effective date of this ordinance, brought pursuant to any legislative provision of the Board of Health.

E. Any franchise, license, right, easement or privilege heretofore granted or conferred by the Board of Health.

§ 420-7. Changes in previously adopted ordinances.

A. In preparing the revision and codification of the Board of Health ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Board of Health that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.

B. In addition, the changes, amendments or revisions as set forth in Board of Health Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the Board of Health ordinances as they have been renumbered and appear in the Code.)

C. Nomenclature changes. Throughout Part III of the Code, the following titles have been updated as follows:

(1) References to "Road Department" are amended to read "Department of Public Works."

(2) References to "Map Filing Law (N.J.S.A. 46:23-9.9 et seq.)" are amended to read "Map Filing Law (N.J.S.A. 46:23-9.9 et seq.)."

§ 420-8. Titles and headings; editor's notes.

A. Chapter and article titles, headings and titles of sections and other divisions of Part III of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 420-9. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with Part III of the Code in any manner which will cause the laws of the Board of Health of the Township of Stillwater to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to a fine of not less than \$5 nor more than \$500.

§ 420-10. When effective.

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

Township Attorney E. Bernstein stated that the supplement explaining the code changes didn't seem to match the corresponding Ordinance 2024-10. He recommended introducing the Ordinance by title only, the second reading will be to discuss the changes and it will be finally adopted at the June 18th meeting.

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to introduce Ordinance 2024-10 by title only.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Champlings; yes. Motion carried with all in favor.

ADJOURNMENT

A MOTION was made by Committeewoman V. Rumsey and seconded by Committeewoman D. Delaney, with all members in favor, to adjourn the Board of Health meeting at 7:08 P.M.

STILLWATER TOWNSHIP COMMITTEE REGULAR MEETING MINUTES

MAY 7, 2024

A REGULAR MEETING of the Stillwater Township Committee was called to order by Mayor L. Champlings at 7:09 p.m. Mayor L. Champlings 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.

ROLL CALL: Committeeman D. Manser, Committeewoman D. Delaney, Committeewoman V. Rumsey, Mayor L. Champlings, Committeeman G. Scott

Also Present: Township Attorney E. Bernstein

PRESENTATION: NO NATIONAL PARK – SANDRA HULL

Sandra Hull gave a presentation on the Delaware Water Gap Defense Fund. Their goal is to prevent the efforts of any group or organization to change the designation of the Delaware Water Gap National Recreation Area to that of a National Park. To preserve, protect and promote responsible resource management and diversity of recreational opportunities within DWGNRA. Ms. Hull started her presentation by explaining that in 2022, Stillwater Township passed a resolution opposing the original park proposal to turn the Delaware Water Gap National Recreation Area into a national park & preserve. In September 2023, a revised proposal came out. Ms. Hull distributed a copy of the revised proposal to the Committee members and Township Clerk. President Johnson had signed a legislation for a National Park during his administration. She expressed that there are items in the new proposal that are very concerning;

most notably being that the national park, which is about 17% of the property will have new regulations instilled. They also leave open the 58,000-acre Lenape preserve and are talking about “Forest to Field Conversion”. They have not responded to say what that means but the definition is possible timbering/timber derogation, opening up more landscape for possible agricultural uses or resource extraction which could be gas and oil exploration. They are not sure if the “Forest to Field Conversion” includes any of these items as they have not responded but that is the definition.

Ms. Hull stated that there is a Resolution in the NJ Assembly, asking them to reject the proposal. She is hoping that it will go onto legislation. She asked that the Township Committee consider contacting Mr. William Moen, Jr. and explain why Stillwater Township does not support them and their proposal changes. There is currently a petition on [change.org](https://www.change.org) and information on their Facebook and website.

Committeeman G. Scott asked who started the proposal. Ms. Hull responded that the proposal is from John Donohue. He put the alliance together as well as the proposal.

The Township Committee thanked Ms. Hull for her presentation and stated that it was very informative. Township Attorney E. Bernstein suggested contacting Josh Gottheimer as a Republican point of contact. The Township Committee agreed to contact the Congressman as a Committee via Resolution. They will forward it onto the County Commissioners, Legislatures and Congressman Gottheimer. More information on “No National Park” can be found on their website www.nonationalpark.org and their Facebook page “no national park”.

2023 Audit- Mayor L. Chamings stated that CFO T. Leonard could not attend the meeting that evening but had supplied communication from Township Auditor Valerie Dolan. Some financial highlights that she shared were that the fund balance for the Current Fund was \$3,855,738.17 which is a decrease of approximately \$38,000 from 2022, which was expected as \$25,000 of additional fund balance was utilized in the 2023 budget. The tax collection rate was 97.67%. Currently there is \$2,080,490.09 in debt, most of which is the form of bond anticipation notes. The Township received the same recommendations as they have every year. Due to the municipality’s size, separation of duties is extremely difficult, and the Township doing is doing their best to address the Township liens. As of December 31, 2023, the Township has 88 liens which represents approximately \$440,000 of open receivables.

Mayor L. Chamings encouraged the members to take the time to read the audit book as it is very informative.

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT RESOLUTION 2024-65

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, N.J.S.A. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit containing the auditor's findings, comments, and recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit containing the auditor's findings, comments, and recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of N.J.S.A. 52:27BB-52, to wit:

N.J.S.A. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Township Committee of the Township of Stillwater, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

A **MOTION** was made by Committeewoman V. Rumsey and seconded by Committeeman D. Manser to adopt Resolution 2024-65.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chamings; yes. Motion carried with all in favor.

Township Attorney E. Bernstein corrected some changes to the Consent Agenda, to move it to the Resolutions section of the Agenda.

MINUTES: April 16, 2024 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: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried with all in favor.

CORRESPONDENCE:

1. Stillwater Township Environmental Commission Meeting Minutes: February 15, 2024
2. Stillwater Township Planning Board Meeting Minutes: March 20, 2024
3. Stillwater Township Zoning Board Meeting Minutes- March 24, 2024
4. Stillwater Township Recreation Commission Meeting Minutes: March 4, 2024 Regular Meeting and March 18, 2024 Workshop Meeting Minutes
5. State of NJ DEP Flood Damage Prevention Ordinance
6. State of NJ DOT Letter- NJDOT Fiscal Year 2025 State Aid Programs
7. Final Equalization Table for the County of Sussex For the Year 2024

Mayor L. Chammings asked the Committee to take the time to look over Correspondence #5 State of NJ DEP Flood Damage Prevention Ordinance. She also pointed out that on the Final Equalization Table for the County of Sussex that Stillwater went up a little from 2023, if anyone has any questions to direct them to the Tax Assessor.

RESOLUTIONS:

1. A Resolution of the Township of Byram Requesting That First Energy Rapidly Increase Internal Funding for JCP&L to Quickly Rectify Long Delayed, Yet Necessary, Modernization Upgrades to its Electrical Distribution Grid
2. Resolution in Support of NJ Assembly Bill A4102 Which Allows Boards of County Commissioners to Remove Commissioners Who Miss Three Consecutive Meetings Without an Excused Absence

Mayor L. Chammings stated that the Resolutions are just for the Township Committee's knowledge, that if anyone feels that Stillwater should adopt one of them then they can consider doing so.

COMMITTEE REPORTS:

Committeeman David Manser

Board of Education

Committeeman D. Manser stated that the Board of Education had their meeting on April 29th where they approved their budget. There will be a \$15.76 increase per month or about \$189 per year in resident taxes for the average family home. He stated that they also discussed the cracks in the wall in the gym. They will be working on fixing that over the summer. They discussed the law enforcement training that they did there over spring break and how well it went. They plan on doing another training event there in the future.

Recreation Commission

Committeeman D. Manser stated that he attended the April workshop meeting as well as last night's meeting. He explained that they were finishing buttoning up the last details for Stillwater Day. He stated that they also discussed the Water Safety Fair which was over the weekend and although it was a rainy day that it was still a great event. He stated that they are working on the Memorial Day service, more Sheriff's events, a First Responder & Police luncheon, a bus trip to a Yankee's game, an outdoor movie and more.

Recycling Center

Committeeman D. Manser stated that he visited the Recycling Center and that it was a slow day Sunday due to the weather but Saturday was busy.

Committeewoman Dawn Delaney

Planning Board

Committeewoman D. Delaney stated that there were no Resolutions or hearings, they paid the bills which amounted to \$2,044. They had a public discussion on economic development and commercial businesses.

Finance

Committeewoman D. Delaney stated that she spoke with the CFO who stated that the Township is moving ahead with the Capital Purchases.

Committeeman George Scott

DPW

Committeeman G. Scott stated that the DPW has cut the invasive plants back at Veteran's Park along the walking path and area in prep for the pickleball courts. They did a great job cleaning the park up. He stated that Nielson has also been putting pink ribbons on the trees that need to be taken down throughout the township.

Engineering

Committeeman G. Scott stated that he recently had a meeting with the Township Engineer to address some issues in the township.

Committeewoman Vera Rumsey

Zoning Board of Adjustment

Committeewoman V. Rumsey stated that she really enjoys attending the Zoning Board meetings as they are always very informative. She stated that 999 Stillwater Road received their final approval. The Stillwater Deli's application is incomplete. The digital sign for the Fire Department was approved; it will be on a dimmer at night.

Emergency Services

Committeewoman V. Rumsey stated that they received 34 fire calls and 38 EMS calls for the month of April. Two of those were tech rescues and one was a structure fire. The department had a drill with Hampton and Fredon on horse rescue techniques along with areal and ground ladders. All of the apparatus' are back in station and all are in service. They participated in a Healthy Kids Day at the YMCA with both of their UTV's being on display which the kids loved seeing and hearing the sirens. They are prepping for their comedy show this upcoming weekend and to get tickets soon if you haven't already. Their two newest firefighters are expected to be fully certified by the end of June. As always, they are deeply grateful for all the support from the township and the committee. The air tanks were also delivered which were paid through by a grant. There is FIT testing being completed that evening. There is also progress on the new fire truck, which may be completed by the end of May.

Community Center

Committeewoman V. Rumsey stated that the Community Center has their new tables in place. The wiring will start soon in the kitchen area, community center, the upstairs office and fire department bays. They will also be removing the old security cameras and installing new ones. She stated that they have straightened out the Community Center calendar on the website as well, the only person to have access to it is the Municipal Clerk. She stated that the back shed is also going to be painted, it was cleaned out on cleanup day in preparation for the trash cans to be stored in there so the bears can't get to them. They will be able to then remove the dumpsters which will help save some money.

CERT

Committeewoman V. Rumsey stated that CERT had a really good meeting. They discussed continuing their education and going to training in Washington DC from July 23-26th. She stated that their coats are being relabeled because they are no longer an MRC; they will just say

Stillwater CERT on them. There was a good seminar where two of the CERT members attended an autism class and learned how to be able to assist people with autism during emergencies. She stated that the siren works again by the school. It will be shut off during school hours as not to disturb the kids.

Mayor Lisa Chammings

Environmental Commission

Mayor L. Chammings stated that Christine Dunbar of the Paulinskill Water Shed gave a presentation at the meeting and is also available to do a presentation for the Township Committee if they'd like. Trex is about 1/3 of the way to having the plastic that they need to be able to get another bench. They have until November to collect the rest of the plastic needed. There is a can at town hall for collection if anyone has plastic to drop off. They discussed the stream water subcommittee. Robert Lippencott will be doing a presentation for the Environmental Commission on stream water first then can do one at a Township Committee meeting if they'd like.

OEM

Mayor L. Chammings stated that the County Hazardous Litigation updates were due; she and her Deputy OEM attended. She stated that each municipality must have their past plan reviewed and updated.

After meeting with the Hazard Mitigation Plan (HMP) team, she and her deputy discussed the HMP progress on an emergency exit for lower Crandon Lake and two potential options. They must also come up with an exit plan for Lower Crandon Lakes. Currently there is only one road to go in and out of the lake community. They also discussed a township owned lot adjacent to the damn/bridge that could be a potential staging area for local Fire Department's for drafting site.

Personnel

Mayor L. Chammings stated that she and Deputy Mayor V. Rumsey had a staff meeting on April 29th. They discussed the Receptionist position at town hall with the other Township staff.

Mayor L. Chammings also noted the various other meetings that she attended the past month including a meeting the engineer at Veteran's park, meeting the DPW and Committeeman Manser at Veteran's, an EMMA workshop, the Historical Society Fundraiser at the Barn, the County Commissioners Meeting, with David Lott of ADR Environmental at 992 Fairview Lake Road, the Tax Assessors seminar, and a meeting with Tammy Horsefield for a walk through downtown Stillwater to discuss ways to revitalize, to name a few.

AMENDMENTS TO AGENDA:

Adjusting the Consent Agenda placement.

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

Public Session Open 8:25 pm.

Township Resident K. Draghi asked what the Board of Education considers to be an average assessed home. Committeeman D. Manser replied that it's \$207,100. He stated that Kittatinny High School approved their budget as well and it was less of an impact then the Elementary School. He stated that the information is on their website.

Public Session Closed 8:27 pm.

OLD BUSINESS

None.

NEW BUSINESS

ORDINANCE INTRODUCTION AND FIRST READING

ORDINANCE 2024-08A

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

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 18, 2024, 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 18, 2024 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 to be not earlier than seven (7) days prior to the sale date.

4. The property shall be sold subject to the following terms and conditions:

(a) 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.

(b) 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.

(c) 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.

(d) 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.

(e) 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.

(f) 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.

(g) 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.

(h) The property will be sold subject to the current year taxes, prorated from the date of sale.

(i) 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.

(j) 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.

(k) 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.

(m) No employee, agent or officer of the Township of Stillwater has any authority to waive, modify or amend any of the conditions of sale.

(n) 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.

(o) 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.

(p) 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.

(q) 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.

5. 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.

6. 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.

7. 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.

SCHEDULE A

<u>Tax Block</u>	<u>Lot</u>	<u>Location</u>	<u>Lot Size</u>	<u>Minimum Sale Price</u>
301	7	Poplar Terrace	338 x 100	\$500
301	5	Poplar Terrace	75 x 100	\$250
409	1	Lower Lake W	150 x 105	\$250
409	14	Vine Way	75 x 100	\$250
501	6	East Court	70 x 165	\$250

A MOTION was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey, to Introduce Ordinance 2024-08A.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried with all in favor.

ORDINANCE NO. 2024-11

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE TOWNSHIP OF STILLWATER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

Township Attorney E. Bernstein stated to carry the Ordinance for now. He will work with the Municipal Clerk to review the Ordinance with General Code.

CONSENT AGENDA - All items with an Asterisk (*) are considered routine and non-controversial by the Committee and will be approved by one motion. There will be no separate discussion of these items unless a citizen or Committee Member requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

**RESOLUTION 2024-66
RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF STILLWATER
AUTHORIZING THE ISSUANCE OF RAFFLE LICENSE
RA-2024-02**

WHEREAS the following Raffle Application with required fees have been submitted for Township Committee approval;

<u>Raffle #</u>	<u>Applicant</u>	<u>Date</u>	<u>Type of Game</u>
RA-2024-02	SECTION A3 DISTRICT WARDENS ASSO	05/24/2024	Merchandise Raffle

WHEREAS said Raffle Applications have been provided to the Township Committee and New Jersey State Police for their review;

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

1. The appropriate officials are hereby authorized to execute the findings and determination for the above application and shall forward same to the Legalized Games of Chance Control Commission (LGCCC) for review.
2. That the above license shall be issued pending LGCCC approval, pursuant to N.J.A.C. 13.1 et seq.

**RESOLUTION 2024-67
MAYOR'S ACCEPTANCE OF THE RESIGNATION
OF DANIELLE LOCASCIO AS DEPUTY CLERK/RECEPTIONIST
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 Danielle LoCascio as Deputy Clerk/Receptionist effective April 26, 2024.

**RESOLUTION 2024-68
RESOLUTION RESCINDING AUTHORIZATION OF SOLICITOR'S LICENSE #0001
ISSUED TO MICHAEL ROTHMAN OF TRINITY SOLAR**

WHEREAS, the Township of Stillwater approved a peddling and soliciting permit application from Michael Rothman of Trinity Solar on January 9, 2024: and

WHEREAS, License number 0001 and a badge were issued to Michael Rothman on January 26, 2024; and

WHEREAS, Mr. Rothman is no longer employed by Trinity Solar as of April 24, 2024;

NOW, THEREFORE, BE IT RESOLVED, the Township Committee of the of Stillwater hereby rescinds their authorization for Soliciting License #0001 for Michael Rothman immediately.

**RESOLUTION 2024-69
A RESOLUTION TO APPROVE CIVIC GROUPS USE OF THE COMMUNITY
CENTER**

WHEREAS, the following civic groups have completed the Community Center Agreement; and

WHEREAS, they have submitted the proper annual fee, proof of insurance, requested dates of use, and their Community Center Agreement

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Stillwater approves the following civic groups use of the Community Center for a one year period from this date:

Paulinskill Lake Association
Girl Scouts
Happy Together- A Women's Acapella Singing Group

**RESOLUTION# 2024-70
AUTHORIZING REFUND OF ZONING BOARD ESCROW ACCOUNTS**

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

WHEREAS, all conditions have been met;

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

Name & Address	Funding	Amount
Newhouse	Escrow Acct	\$473.75
Maio	Escrow Acct	\$181.00
Fischer	Escrow Acct	\$177.50
Stolzenberg	Escrow Acct	\$62.25
Skylands 10X LLC	Escrow Acct	\$603.50
Lotus Way	Escrow Acct	\$588.50
Total Refund:		\$2,086.50

**RESOLUTION 2024-71
RESOLUTION APPROVING SUBMISSION OF THE CORRECTIVE ACTION PLAN
FOR THE YEAR ENDED DECEMBER 31, 2023 TO THE STATE OF NEW JERSEY,
DIVISION OF LOCAL GOVERNMENT SERVICES**

WHEREAS, all municipalities operating under the Local Fiscal Affairs Law must prepare and submit a Corrective Action Plan as part of their annual audit process, and

WHEREAS, the Township of Stillwater has by Resolution accepted the 2023 audit prepared and presented by the Township Auditors, and

WHEREAS, Tammy Leonard, the Chief Financial Officer for the Township of Stillwater, has prepared a Corrective Action Plan to address the findings and recommendations for the 2023 audit and presented copies of same to the Township Committee,

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Stillwater, New Jersey that the Corrective Action Plan, attached hereto and made a part hereof, be approved for submission to the Division of Local Government Services.

RESOLUTION 2024-72
RESOLUTION TO ACCEPT STAGE RENTAL DONATION FROM ALL ACCESS
STAGING & PRODUCTIONS, INC

WHEREAS the Township of Stillwater can use a stage for Stillwater Day on June 1, 2024; and

WHEREAS, All Access Staging & Productions, Inc. has offered to donate a stage for use at Stillwater Day; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Committee of the Township of Stillwater to accept the donation of the stage from All Access Staging & Productions, Inc for use at Stillwater Day.

RESOLUTION# 2024-73
RESOLUTION AUTHORIZING ACCEPTANCE OF DONATIONS TO
THE WATER SAFETY FAIR

WHEREAS, the Township of Stillwater has been given donations to the Water Safety Fair sponsored by the Stillwater Recreation Commission from area businesses; and

WHEREAS, the amount of the donations received are as follows:

Shoprite	\$25.00 Gift Card
Weis Markets	\$25.00 Gift Card
Home Depot	\$50.00 Gift Card
Sterling Financial	\$250.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Stillwater, County of Sussex, New Jersey hereby accepts the donations as detailed above with gratitude.

Mayor L. Chamblings asked that Resolution 2024-69 be pulled from the Consent Agenda for further discussion.

A **MOTION** was made by Committeewoman D. Delaney and seconded by Committeewoman V. Rumsey to approve Resolutions 2024-66 through 2024-68 on the Consent Agenda

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; no, Mayor L. Chamblings; yes. Motion carried with 4 in favor and one opposed.

A **MOTION** was made by Committeewoman V. Rumsey and seconded by Committeewoman D. Delaney to approve Resolutions 2024-70 through 2024-73 on the Consent Agenda

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; no, Mayor L. Champlings; yes. Motion carried with all in favor.

Mayor L. Champlings stated that she wanted to abstain from voting on Resolution 2024-69 as she has a family member in one of the organizations requesting use of the Community Center.

A **MOTION** was made by Committeewoman D. Delaney and seconded by Committeeman G. Scott to approve Resolution 2024-69.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; no, Mayor L. Champlings; abstain. Motion carried with 4 in favor and one abstention.

Mayor L. Champlings noted that the solicitor's permit was removed because the person who was issued the permit was very abrasive with pushing sales. The company took it upon themselves to no longer employ them.

RETURN TO REGULAR AGENDA

DISCUSSION ITEMS:

Receptionist/Deputy Clerk Position Discussion

Mayor L. Champlings stated that they needed to discuss how to advertise for the open position. Committeewoman V. Rumsey stated that at the meeting with the township staff that they decided that the most beneficial days & times would be Monday through Thursday from either 9am-2pm or 10am-3pm. She read the civil service descriptions for Receptionist and Secretary Assistant. Both need to be sent to civil service to be advertised. The Deputy Clerk position was statutorily created and would not be apart of Civil Service. The Committee discussed what would be best to advertise for and decided on Receptionist for 20 hours per week. The salary range is \$15-\$20 per hour.

992 Fairview Lake Road Building Demolition

Mayor L. Champlings stated that they received two quotes for the demolition of the structure at 992 Fairview Lake Road from Pierson Excavating and Sterling. She stated that she had spoken with ADR Environmental David Lott at the site recently and he pointed out that there are some areas around the building that they won't be able to remediate without the building being demolished. They have budgeted \$20,000 for the building demo in this year's budget.

A **MOTION** was made by Committeeman G. Scott and seconded by Committeeman D. Manser to approve Pierson Excavating the contract for demolition of 992 Fairview Lake Road in an amount not to exceed \$20,000 and after providing insurance and other necessary paperwork.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; no, Mayor L. Champlings; yes. Motion carried with all in favor.

PUBLIC SESSION (any subject – 3-minute limit) at 9:05 PM

Township Resident M. Tsidalas stated that she was concerned with the shed by the Community Center. She had a frame in there that was going to be used for something in the future. Mayor L. Champlings stated that she had actually grabbed two pieces of the frame but that's all that was there. Mayor L. Champlings also noted that a mowing deck was also saved from the shed. M. Tsidalas stated that she took the blue pool from the shed and will store it in the POD.

M. Tsidalas stated that she was amazed at how the Recreation Commission and volunteers were with helping at the Water Safety Fair and she wanted to thank them for all of their help. The YMCA Camp and the dog rescue team were fantastic. She stated that next year that there will be a rain date. She stated that there were leftover bags that will be given out at Stillwater Day. She thanked everyone for their support and announced how it is a free event and doesn't cost the taxpayers anything, it's all based on donations.

Mayor L. Champlings thanked Municipal Clerk V. Ingles for working on the Stormwater Plan with Engineer Joe Vuich. to submit.

Mayor L. Champlings noted that the issues with the Route 521 Bridge are being worked on. The County has been very helpful with responding to resident concerns.

No further public comment.

PUBLIC SESSION CLOSED at 9:12 PM

ATTORNEY'S REPORT

Township Attorney E. Bernstein stated that he did not have anything to discuss at this point in time.

BILLS LIST #08 \$1,376,055.29

RESOLUTION 2024-74

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 May 7, 2024, 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.

Committeewoman V. Rumsey stated that she would like more information on PO 14922 in the amount of \$400 for coloring books for the Bicentennial Celebration.

A **MOTION** was made by Committeeman G. Scott and seconded by Committeewoman V. Rumsey to adopt Resolution 2024-74 with the exception of PO 14922 for further clarification, funds permitting.

ROLL CALL: Committeeman D. Manser; yes, Committeewoman D. Delaney; yes, Committeewoman V. Rumsey; yes, Committeeman G. Scott; yes, Mayor L. Chammings; yes. Motion carried with all in favor.

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 9:17 P.M.

Respectfully submitted,

Valerie Ingles
Municipal Clerk