

SANDYSTON TOWNSHIP

Minutes

December 13, 2016

This meeting was opened and called to order at 7:00 pm by Mayor George B. Harper, Jr. who stated this meeting was being held in compliance with the Open Public Meetings Act, having been duly advertised.

Roll Call

The clerk was asked to call the roll. Present were: Committeewoman Kamala M. Hull, Deputy Mayor Fred MacDonald and Mayor George B. Harper, Jr.

Also in attendance: Keith Utter; Ernest Soehl, Sr.; Wilbur & Marie Rath; Jon Snyder; Louie Frato; Stan Dutkus

The Mayor Harper invited all to join in the Pledge of Allegiance.

Minutes: The Committee reviewed the regular meeting minutes of **November 15, 2016**. Mayor Harper complimented the Clerk on the thoroughness of the minutes and made a motion to approve the regular meeting minutes for November 15, 2016, seconded by Committeewoman Hull and unanimously carried.

Tax Collector Report: The Tax Collector Report was presented for the month of **November 2016** with total receipts Month-To-Date of \$1,180,989.64 and a Year-To-Date total of \$5,662,200.21 Deputy Mayor Harper made a motion to accept the Tax Collector's Report as submitted, seconded by Mayor Harper and unanimously approved.

Treasurer's Report: The Treasurer's Report for the month of **November 2016** was presented with a beginning balance of \$1,163,075.51 total receipts of \$1,273,803.83 and total disbursements of \$786,804.95 leaving an ending balance of \$1,650,074.39. Mayor Harper read the following balances: General Capital Account \$59,435.83, Animal Control Escrow \$8,301.31, Public Assist Escrow \$3,539.48, Unemployment Escrow \$25,156.41, COAH Trust \$41,030.40, Security Asst. Fund \$18,608.50 and the Small Cities Master \$4,781.90. Mayor Harper made a motion to approve the Treasurer's Report, seconded by Committeewoman Hull and unanimously approved.

Payment of Vouchers: The bills list was submitted for approval in the amount of \$231,759.86. Deputy Mayor MacDonald made a motion to approve the bills list, seconded by Mayor Harper and unanimously approved.

Departmental Reports: The Committee reviewed the departmental reports. Mayor Harper discussed the need for temporary road department drivers. Mayor Harper stated he had a lengthy conversation with Roy McClain, Road Department Foreman, where they discussed raising the per hour pay for current temporary drivers to \$18 per hour, as well as new hires.

Mayor Harper discussed various repairs which have been needed to the trucks and the various snow/ice storms. Mayor Harper commended Mr. McClain and stated he has matured into a fine foreman of the road department. Mayor Harper noted the 1995 Ford F-350 was sold on "Municibid", an online bidding site used by government entities, to a gentleman in Tennessee for \$10,300. Mayor Harper also noted, the Branchville Council approved our request to increase the salaries of the Electrical and Plumbing Sub-Codes 15%. This is the amount of money that Branchville pays for the Shared Service to Sandyston

Township and was done so with the increased workload Branchville has faced with the sewer and gas line installations and inspections.

Mayor Harper commented on the Building/Facility Use spreadsheet prepared by the Clerk which outlines the organizations which use the facility, reason for use, and insurance information and commented the facility has become the community center they envisioned it would be, and everyone has treated the building with respect. Deputy Mayor MacDonald noted the facility was utilized on 43 occasions by various organizations, which is one of the reasons the building was built, to be an asset to the community. Mayor Harper commented on the many fundraisers that happen on the grounds like the Gobble Hobble and Trunk or Treat during the year and he is proud of each organization for what they accomplish.

Salary & Wage Workshop: A brief discussion was held regarding the Salary & Wages of the Township employees. Mayor Harper made a motion for a 2% wage, with no increase for the Township Committee members, seconded by Deputy Mayor MacDonald and unanimously carried. Mayor Harper noted the Township Committee received an increase in 2016, after many years of no increase to their salary.

Old Business:

Green Acres: Deeds of Devita Road: The status of these deeds remains unchanged since the last meeting. The Clerk noted the scheduled meeting with the Department of Environmental Protection scheduled for January 5, 2017 where this matter will be discussed. The Clerk also noted the Flatbrook Road property that the Township is selling to the DEP is in the final stages of review and should be finalized soon.

New Business:

Year End Report – Harold E. Pellow & Associates, Inc.: Mayor Harper noted the Year End Report of the Township Engineer, Harold E. Pellow & Associates, Inc.

Resignation of Sandyston Recreation President: Mayor Harper noted the resignation of Sandyston Recreation President, Kerry Deckert, effective December 31, 2016. Committeewoman Hull noted they have been working to find a replacement and have had one interested party. Mayor Harper praised Sandyston Recreation for all they have done over the past few years. Committeewoman Hull praised the efforts of Kerry Deckert for her fundraising efforts and keeping Sandyston Recreation continuing in a positive direction. Mayor Harper added she has been a hard worker and very dedicated.

Shared Service – Truck Washing Facility: The Committee reviewed the Shared Service Agreement and noted the Resolution for approval further in the meeting.

Shared Service – Land Use Admin/Planning Board Sec/Zoning Official: The Committee reviewed the Shared Service Agreement and noted the Resolution for approval further in the meeting. The Clerk noted this Shared Service has a 2% increase.

Shared Service – Animal Control: The Committee reviewed the Shared Service Agreement and noted the Resolution for approval further in the meeting. The Clerk noted this Shared Service has a 2% increase.

Raffle Application: St. Thomas the Apostle, Friday, May 5, 2017 On-Premise Merchandise Raffle: The Committee reviewed the Raffle Application of St. Thomas the Apostle Church for Friday, May 5, 2017 for a Merchandise Raffle (Tricky Tray). Deputy Mayor MacDonald made a motion to approve the Raffle Application, seconded by Committeewoman Hull and unanimously carried.

Raffle Application: St. Thomas the Apostle, Friday, May 5, 2017 One-Premise 50/50 Raffle: The Committee reviewed the Raffle Application of St. Thomas the Apostle Church for Friday, May 5, 2017 for a Merchandise Raffle (Tricky Tray). Deputy Mayor MacDonald made a motion to approve the Raffle Application, seconded by Committeewoman Hull and unanimously carried.

Use of Meeting Hall:

- **Sandyston Seniors: 1st Tuesday afternoon of each month 2017:** The Committee reviewed the application for the use of the meeting hall for the stated purpose. Deputy Mayor MacDonald made a motion to approve the application, seconded by Mayor Harper and unanimously carried.
- **Sandyston Township Volunteer Fire Department – Various 2017:** The Committee reviewed the application for the use of the meeting hall for the stated purpose. Deputy Mayor MacDonald made a motion to approve the application, seconded by Committeewoman Hull and unanimously carried.
- **Sandyston Township Volunteer Fire Department – Friday, March 10 & Saturday, March 11, 2017 for “Installation Dinner”:** The Committee reviewed the application for the use of the meeting hall for the stated purpose. Deputy Mayor MacDonald made a motion to approve the application, seconded by Committeewoman Hull and unanimously carried.

Resolutions:

SANDYSTON TOWNSHIP

R-69-2016

**RESOLUTION – AGREEMENT: SHARED SERVICES – TOWNSHIP OF SANDYSTON,
COUNTY OF SUSSEX, STATE OF NEW JERSEY
TO UTILIZE THE VEHICLE WASHING EQUIPMENT OF THE HAMPTON TOWNSHIP
PUBLIC WORKS DEPARTMENT**

Be it and it is hereby resolved by the Sandyston Township Committee that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Committee of the Township of Sandyston the following shared services agreement with the Township of Hampton as permitted by N.J.S.A. 4-8:A-1, et seq.: for the utilization of the Vehicle Washing Equipment of the Hampton Township Public Works Department from January 1, 2017 through December 31, 2017.

The Committee reviewed **R-69-2016**. Deputy Mayor MacDonald made a motion to approve **R-69-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP

R-70-2016

**A RESOLUTION FOR THE TOWNSHIP OF SANDYSTON TO ENTER SHARED SERVICE
AGREEMENT WITH THE BOROUGH OF ANDOVER FOR THE SERVICES OF THE LAND
USE ADMINISTRATOR, PLANNING BOARD SECRETARY AND ZONING OFFICER**

WHEREAS, THE TOWNSHIP OF SANDYSTON, a municipal corporation of the State of New Jersey and **BOROUGH OF ANDOVER**, a municipal corporation of the State of New Jersey desire to enter into this Shared Services Agreement for the services of the Land Use Administrator, Planning Board Secretary and Zoning Officer in accordance with N.J.S.A. 40A:65-1 et seq.; and

WHEREAS, the Borough of Andover is hereby designated as the agent of the Township of Sandyston, to furnish a Land Use Administrator, Planning Board Secretary and Zoning Officer; and

WHEREAS, said Shared Service Agreement shall be for a period of one year, beginning on or about **January 1, 2017** and terminating on **December 31, 2017**; and

THEREFORE, BE IT RESOLVED the Township Committee of the Township of Sandyston hereby agrees to enter into the shared service agreement for the provision of Land Use Administrator, Planning Board Secretary and Zoning Officer services in accordance with N.J.S.A. 40A:65-1 et seq. in the form attached hereto.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Sandyston hereby authorizes the Mayor and Municipal Clerk to execute said Shared Service Agreement on behalf of the Township Committee of the Township of Sandyston. A copy of the Shared Service Agreement and this Resolution will be placed on file in the office of the Municipal Clerk.

The Committee reviewed **R-70-2016**. Deputy Mayor MacDonald made a motion to approve **R-70-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP

R-71-2016

RESOLUTION – AGREEMENT: SHARED SERVICES – BEWEEN TOWNSHIP OF WANTAGE AND THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY FOR THE SERVICES OF ANIMAL CONTROL OFFICER

Be it and it is hereby resolved by the Sandyston Township Committee that the Mayor and Township Clerk are hereby authorized to execute on behalf of the Township Committee of the Township of Sandyston the following shared service agreement with the Township of Wantage as permitted by N.J.S.A. 40:8A-6, et seq.: for the services of Animal Control Officer from January 1, 2017 to December 31, 2017.

The Committee reviewed **R-71-2016**. Deputy Mayor MacDonald made a motion to approve **R-71-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP RESOLUTION

R-72-2016

A RESOLUTION TO FIX A TIME AND DATE FOR THE ANNUAL REORGANIZATION MEETING

WHEREAS, the Township of Sandyston, County of Sussex, State of New Jersey has a Township Committee form of government; and

WHEREAS, the members of the governing body are elected for terms commencing January 1; and

WHEREAS, the governing body utilizes N.J.S.A. 40:45A-1 to fix the date and time of its annual reorganization meeting; and

WHEREAS, the Reorganization Meeting Agenda to be followed, more or less, by the Sandyston Township Committee is as listed below:

- Call to Order & Opening Statement
- Roll Call
- Flag Salute
- Certification of Election
- Oath of Office
- Nomination of Mayor
- Oath of Office for Mayor
- Nomination for Deputy Mayor
- Oath of Office for Deputy Mayor
- Oath of Office administered to other officials
- Adoption of Appropriate Resolutions with respect to appointment of Mayor and Deputy Mayor, adoption of temporary budget of 26.25% of the 2013 budget for the 2014 year, appointment of professionals, authority for tax assessor and municipal attorney to defend tax appeals and correct assessments, staff and board appointments, insurance fund, fix rate of interest for delinquent taxes, authority for tax collector to conduct annual tax sale, cancel all underpayments/overpayments \$5.00 or less, schedule of annual meeting dates
- Adjournment

THEREFORE, BE IT RESOLVED, in compliance with the State of New Jersey Open Public Meetings Act P.L. 1975 C.231, publication of this document is to be considered official advance notice that the Township of Sandyston, County of Sussex and State of New Jersey, will hold their annual Reorganization Meeting at **9:00 am on Monday, January 2, 2017**, at the Sandyston Township Municipal Building meeting room, 133 Route 645, Sandyston, NJ 07826.

The Committee reviewed **R-72-2016**. Deputy Mayor MacDonald made a motion to approve **R-72-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP RESOLUTION

R-73-2016

A RESOLUTION TO CANCEL BALANCES TO SURPLUS

WHEREAS, Sandyston Township Chief Finance Officer, Jessica Caruso, has recommended that the following amounts be cancelled to surplus.

01-201-20-110-010	Mayor/Committee	SW	\$ 1,300.00
01-201-20-110-020	Mayor/Committee	OE	\$ 1,700.00
01-201-20-120-010	Clerk	SW	\$ 1,300.00
01-201-20-120-020	Clerk	OE	\$ 2,500.00
01-201-20-130-010	Finance Administration	SW	\$ 2,900.00
01-201-20-130-020	Finance Administration	OE	\$ 3,000.00
01-201-20-140-020	Computer Maintenance	OE	\$ 1,200.00
01-201-20-145-020	Tax Collector	OE	\$ 2,500.00
01-201-20-150-020	Tax Assessor	OE	\$ 6,000.00
01-201-20-155-020	Legal	OE	\$ 3,000.00
01-201-20-165-020	Engineering	OE	\$ 7,000.00
01-201-20-185-010	Zoning Bd. of Adj.	SW	\$ 1,200.00
01-201-20-185-020	Zoning Bd. of Adj.	OE	\$ 3,000.00
01-201-21-180-020	Planning Board	OE	\$13,000.00
01-201-22-195-010	Construction	SW	\$ 900.00

01-201-22-195-020	Construction	OE	\$ 7,500.00
01-201-22-198-010	Fire Sub-Code Official	SW	\$ 3,495.00
01-201-22-198-020	Fire Sub-Code Official	OE	\$ 2,000.00
01-201-23-220-092	Employee Group Ins.	OE	\$ 1,800.00
01-201-23-225-020	Unemployment Insurance	OE	\$ 1,200.00
01-201-26-305-020	Sanitation	OE	\$ 1,600.00
01-201-26-315-020	Vehicle Maintenance	OE	\$ 5,500.00
01-201-27-335-020	PEOSHA	OE	\$ 1,000.00
01-201-27-340-020	Animal Control	OE	\$ 4,000.00
01-201-31-430-020	Electricity	OE	\$ 7,000.00
01-201-31-440-020	Telephone	OE	\$ 1,000.00
01-201-43-490-020	Municipal Court	OE	\$10,000.00
		TOTAL:	\$96,595.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey to authorize Chief Financial Officer to cancel balances to surplus.

The Committee reviewed **R-73-2016**. Deputy Mayor MacDonald made a motion to approve **R-73-2016**, seconded by Committeewoman Hull and unanimously carried. The Mayor credit the entire staff on their diligence.

Sandyston Township Resolution
R-74-2016

WHEREAS, the Township of Sandyston has adopted a "Minimum and Maximum Salary and Wage Ordinance"; and

WHEREAS, the Township of Sandyston wishes to establish salaries and wages for the calendar year **2017** within the minimum and maximum ranges established by Township Ordinance 2015-01.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey, that the following employees and officials shall receive the compensation herein set forth, effective **January 1, 2016**, until amended or repealed. Salaries are hereby established and fixed as the salary to be paid to the officers, and positions of employees, herein set forth. All of the salaries to which the respective incumbents of said offices might otherwise be entitled, except, however, which may be payable by law, or which otherwise may be properly authorized to be paid by this resolution, or another resolution of the Township Committee, to wit:

Mayor	per annum, payable quarterly	\$ 3,600.00
Committeemen	per annum, payable quarterly	\$ 2,700.00
Municipal Clerk	per annum, payable monthly	\$44,479.03
Deputy Clerk	per annum, payable monthly	\$ 5,000.00
Registrar	per annum, payable monthly	\$ 926.33
Tax Collector	per annum, payable monthly	\$20,777.71
Tax Assessor	per annum, payable monthly	\$16,320.00
Deputy Tax Assessor	per annum, payable quarterly	\$ 500.00

Treasurer	per annum, payable monthly	\$ 4,681.80
CFO	per annum, payable monthly	\$ 8,311.07
Construction Official/ Building Subcode	per annum, payable monthly Shared Service (Montague) Shared Service (Hampton)	\$ 19,247.40 \$ 14,000.00 \$ 35,000.00
Sec., Bd. of Health	per annum, payable monthly	\$ 1,196.46
Emer. Mgt. Coord.	per annum, payable quarterly	\$ 1,949.89
Animal Control Off. (plus \$1.00 per dog license issued payable to Municipal Clerk)	Shared Service (Wantage)	\$ Shared Service
Dog Pick-Up		\$ 25.00
Dog Boarding Fee (per day)		\$ 25.00
Sec., Const. Off.	per hour, payable monthly	\$ 15.30
Fire Sub-Code Official	per hour, payable monthly (maximum-\$3,000.00 per year)	\$ 30.00
Plumbing Sub-Code Off.	per annum, payable monthly Shared Service (Branchville) Shared Service (Montague) Shared Service (Hampton)	\$ 4,265.64 \$ 1,582.00 \$ 5,000.00 \$ 8,442.00
Electrical Sub-Code Off.	per annum, payable monthly Shared Service (Branchville) Shared Service (Montague) Shared Service (Hampton)	\$ 6,339.66 \$ 1,847.00 \$ 7,000.00 \$ 10,676.00
Housing Officer	per insp., payable monthly	\$ 40.00
Code Enforc. Off.	per hour, payable monthly (plus mileage)	\$ 40.80
Fire Prevention/Life Hazard	per inspection Shared Service Agreement (Hampton)	\$ 50.00 \$ 10,404.00
Road Foreman,	per hour, payable bi-weekly	\$ 26.53
Roadman Sr.	per hour, payable bi-weekly	\$ 22.63
Roadman Jr.	per hour, payable bi-weekly	\$ 16.48
Laborers,	per hour, payable monthly	minimum wage

Temp. Truck Drivers	per hour, payable monthly	\$11.00 - \$15.00
Temp. Truck Driver w/CDL	per hour, payable monthly	\$11.00 - \$18.00
Land Use Administrator/ Planning Bd. Secretary/ Zoning Officer	per annum, payable quarterly Shared Service (Andover Borough) 50% zoning permit fees	\$ 15,912.00
Official Tax Search Off.	100% search fees	

Official Improv. Search Off. 100% search fees

Vouchers for mileage shall be prepared and submitted monthly. All those eligible for car allowance shall be allowed: \$0.51 (cents) per mile.

All employees, other than hourly employees, whose appearance is necessary in a court case shall be paid \$20.00 (dollars) per appearance. The hourly employees shall be paid their hourly rate.

Date of Adoption: December 13, 2016

The Committee reviewed **R-74-2016**. Deputy Mayor MacDonald made a motion to approve **R-74-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTONTOWNSHIP

R-75-2016

RESOLUTION APPROVING THE ADOPTION OF THE SUSSEX COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AS SUBMITTED TO THE NEW JERSEY OFFICE OF EMERGENCY MANAGEMENT AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY

WHEREAS, the **Township of Sandyston**, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS, the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS, a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees;

WHEREAS, the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS, the draft plan was provided to each participating jurisdiction and was posted on the Sussex County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Sandyston:

1. The *Sussex County Multi-Jurisdictional Hazard Mitigation Plan*, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 31, 2016** by the Sussex County Sheriff's Office, Division of Emergency Management, is hereby adopted as an official plan of the **Township of Sandyston**; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **Township of Sandyston** departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Township Committee** of the **Township of Sandyston**, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Sussex County Deputy OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Sussex County Sheriff's Office, Division of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

The Committee reviewed **R-75-2016**. Deputy Mayor MacDonald made a motion to approve **R-75-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP

R-76-2016

RESOLUTION TO EXECUTE CONTRACT WITH SPACE WILD ANIMAL FARM FOR DEER CARCASS REMOVAL

WHEREAS, Sandyston Township is in need of the services to remove deer carcasses from municipally maintained roadways; and

WHEREAS, Space Wild Animal Farm, Inc., will provide the services to Sandyston Township at a fee of \$31.00 per deer, payable monthly, through December 31, 2016.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Sandyston authorizes the contract with Space Wild Animal Farm, Inc., for deer carcass removal from municipally maintained roadways at a fee of \$31.00 per deer, payable monthly, through December 31, 2017. The Township Committee hereby authorizes the Mayor of the Township of Sandyston to execute said agreement.

The Committee reviewed **R-76-2016**. Deputy Mayor MacDonald made a motion to approve **R-76-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP

R-77-2016

A RESOLUTION TO HIRE TEMPORARY ROAD DEPARTMENT EMPLOYEE

WHEREAS, Sandyston Township is in need of a Temporary Road Department Employee; and

WHEREAS, the Temporary Road Department employee will be paid \$18.00 per hour; and

THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Sandyston will hire James Gregory as a Temporary Road Department employee at \$18.00 per hour, pending successful Motor Vehicle report.

The Committee reviewed **R-77-2016**. Deputy Mayor MacDonald made a motion to approve **R-77-2016**, seconded by Committeewoman Hull and unanimously carried.

SANDYSTON TOWNSHIP

R-78-2016

A RESOLUTION TO HIRE TEMPORARY ROAD DEPARTMENT EMPLOYEE

WHEREAS, Sandyston Township is in need of a Temporary Road Department Employee; and
WHEREAS, the Temporary Road Department employee will be paid \$18.00 per hour; and

THEREFORE, BE IT RESOLVED, the Township Committee of the Township of Sandyston will hire Michael Gilmartin as a Temporary Road Department employee at \$18.00 per hour, pending successful Motor Vehicle report.

The Committee reviewed **R-78-2016**. Deputy Mayor MacDonald made a motion to approve **R-78-2016**, seconded by Committeewoman Hull and unanimously carried.

Deputy Mayor MacDonald explained the Sandyston Township Road Department has two employees, but during the winter extra help is needed to maintain the roads when there is snow and ice. Deputy Mayor MacDonald stated with these two additional temporary drivers it increases those available to help the road department when needed. Mayor Harper stated in we are a rare town, as our Road Department plows the Sandyston-Walpack School parking lots and the church parking lots.

Ordinances:

SANDYSTON TOWNSHIP

2016-08

ORDINANCE OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, REPEALING AND REPLACING ARTICLE X ENTITLED "SIGNS" OF CHAPTER 150 ENTITLED "ZONING" OF THE CODE OF SANDYSTON TOWNSHIP

WHEREAS, the Township of Sandyston adopted Article X Entitled "Signs" of Chapter 150 entitled "Zoning" which set forth regulations concerning Signs in Sandyston Township; and

WHEREAS, Article X entitled "Signs" of Chapter 150 Entitled "Zoning" of the Code of Sandyston Township has been determined by the Township Committee of the Township of Sandyston to be in need of revision and modifications; and

WHEREAS, as a result of the above, the Township Committee of the Township of Sandyston has deemed it in the best interest of the public health, safety and welfare to repeal and replace Article X entitled "Signs" of Chapter 150 Entitled "Zoning":

Chapter 150. Zoning

Article X. Signs

§ 150-49. Permit required; exceptions; definitions.

[Added 3-5-2002 by Ord. No. 1-02]

A. EXCEPTIONS: No sign, temporary sign or portable sign shall be constructed or displayed unless a permit shall have first been obtained from the Land Use Administrator, but excluding:

(1) Official public notices and notices posted by public officers in the performance of their duties.

(2) Governmental signs for the control or direction of traffic and other regulatory purposes.

(3) Flags or emblems of the United States, the State of New Jersey or their political subdivisions. A flagpole may not exceed 30 feet above ground level, and the pole shall be set back from all property lines at least the height of the pole. Residential, nongovernmental flags, not exceeding 15 square feet.

[Amended 11-1-2005 by Ord. No. 10-05]

(4) Temporary signs for a period not to exceed 30 days, totaling not over seven square feet of surfaces area on any lot, appertaining to campaigns, drives or events of civic, philanthropic, education or religious organization.

(5) Signs posted in conjunction with doorbells or mailboxes, none exceeding 36 square inches in surface area.

(6) Small, nonilluminated instructional signs, none exceeding 1 1/2 square feet in surface area.

(7) Address signs, not more than one for each street frontage of each principal use on a lot, and none exceeding 72 square inches in surface area, showing only the numerical address designations of the premises upon which they are situated. All address signs shall be prominently displayed and written in contrasting colors to the color of the structure or background against which said signs are placed in order to facilitate emergency identification for public service employees.

(8) Decals, numerals names, addresses, hours, credit information, etc., attached to doors or windows and all of which occupy a total area of one square foot or less.

(9) Signs identifying or urging voter support for a particular election issue, political party, or candidate for public office.

(10) No trespassing signs, no hunting signs no larger than 1 square foot in area.

B. Definitions. As used in this section, the following terms shall have the meanings indicated:

PORTABLE SIGN

A sign that is not permanently affixed to a building, structure or the ground.

SIGN

Any identification, description, illustration or device which is visible from any public place, whether located on private property or public property, which directs attention to a product, location, service, place, activity, person, institution or business, , any exterior situated merchandise or any emblem, paint, banner, pennant, or placard designed to direct customers to or advertise, identify or convey information, . For the purpose of this section, signs may also include sign structures.

TEMPORARY SIGN

A portable sign or banner that is used in connection with a situation, circumstances or event that is designed, intended or expected to take place or to be completed within a reasonably short period of time after the erection of such sign, or is intended to remain on location where it is erected or placed for a period not more than 90 days per year

FREE STANDING SIGN

Any sign not affixed or attached to any building or structure.

§ 150-50. Sign area measurement.

The area of a sign shall be computed as the total square foot content of the background, upon which the lettering, illustration or display is presented. If there is no background, the sign area shall be computed as the product of the largest horizontal dimension and the largest vertical dimension of the lettering, illustration or display. When there is no well-defined frame or edge, the area shall be that defined by a projected, enclosed, four-sided geometric shape (straight sides) which most closely outlines the sign. This shall not be construed to include the supporting members of any sign which are used solely for such purpose. For signs with two sides, the maximum area requirement shall be permitted on each side. Signs with more than two sides or revolving signs are prohibited.

§ 150-51. General regulations.

A. No signs shall be placed so as to interfere with or be mistaken for a traffic light or similar safety device.

Reflective signs are prohibited with the exception of required signs.

[Amended 11-1-2005 by Ord. No. 10-05]

B. All illuminated signs shall be either indirectly lighted or diffused- type or LED lighting with automatic ambient adjustment control. No sign shall be lighted by means of flashing illumination. All lights used for the illumination of any use or building or the areas surrounding them or for the illumination or display of merchandise or products of business establishments shall be completely shielded from the view of vehicular traffic using the road or roads abutting such business properties. Floodlights used for the illumination of said premises or of any sign thereon, whether or not such floodlights are attached to or separate from the building, shall not project above the highest elevation of the front wall of the building or more than 18 feet above the street level of the premises, whichever is less. All sign illumination will be designed to eliminate all light glare onto adjacent properties.

C. No sign, as permitted, shall extend or project above the highest elevation of the wall to which it is attached or above the height of the building, as defined in this chapter.

D. Gasoline service stations and public garages, where permitted only, may display, in addition, the following signs which are deemed customary and necessary to their respective business:

(1) One freestanding or pylon sign advertising the name of the station or garage and the principal products sold on the premises, including any special company or brand name, insignia or emblem, provided that such sign shall not exceed 35 square feet in area on a side and shall be hung within the property line and not less than 10 nor more than 20 feet above the ground. Said sign shall not obstruct drivers line of sight in any way.

(2) One temporary sign located inside the property line and specifically advertising special seasonal servicing of automobiles, provided that said sign does not exceed seven square feet in area.

(3) Directional signs or lettering displayed over individual entrance doors or bays, consisting only of the words "washing," "lubrication," "repairs," "mechanic on duty" or other words closely similar in import, provided that there shall be not more than one such sign over each entrance or bay, the letters thereof shall not exceed 12 inches in height and the total area of each such sign shall not exceed six square feet.

(4) Customary lettering on, or other insignia which are a structural part of, a gasoline pump, consisting only of the brand name of gasoline sold, a lead warning sign, a price indicator and any other sign required by law, and not exceeding a total of three square feet on each pump.

E. Temporary signs.

[Added 3-5-2002 by Ord. No. 1-02]

(1) Permit required. Any owner or operator of an existing business located on nonresidential property shall be permitted, in addition to any other signs permitted under this chapter, upon issuance of a permit, to erect an additional temporary sign or banner. No more than one temporary sign will be allowed per site regardless of single or multiple tenants. The owner or applicant, with the owner's written consent, shall submit a sketch of the proposed location and design of the sign and banner showing its dimensions to the Land Use Administrator. All temporary sign applications must be accompanied by the fee required in Chapter 69 of these Ordinances. The fees to be collected for the application review and permit shall be paid to the Sandyston Township Land Use Administrator and/or department.

(2) Maintenance. All signs/banners including supports, braces, hooks, anchors, and similar fastening devices shall be of substantial and sturdy construction, shall be kept in good repair and shall be painted or cleaned as often as necessary to maintain a clean, neat, safe and orderly appearance. If the Land Use Administrator determines that any sign/banner has fallen into a state of disrepair, has become dilapidated, or constitutes a safety hazard, the sign owner and property owner shall be given written notice to correct the condition within seven days.

(3) Size. The maximum area of any temporary sign or banner shall not exceed 48 square feet.

[Amended 11-1-2005 by Ord. No. 10-05]

(4) Location and placement. No sign shall be closer than five feet from any right-of-way and shall not interfere with sight distance. Signs or banners that receive prior approvals may be displayed over a roadway.

(5) Illumination. No temporary sign/banner shall be internally illuminated.

(6) Grand openings. A newly established business shall be permitted to erect, in addition to all other permitted signs, additional temporary signs, banners, and pennants indicating a grand opening of the business, subject to the following conditions.

(a) Additional temporary signs/banners and pennants shall not interfere with the sight distances of vehicles or persons entering or exiting the property or building.

(b) Additional temporary signs/ banners or pennants shall be permitted for a maximum of three weeks.

(c) If at any time the Land Use Administrator finds a hazard exists as a result of additional grand opening temporary signs, the sign/ banner or pennant shall be removed immediately.

(d) Temporary signs/ banners and pennants for grand openings shall be erected or placed only upon application and receipt of a permit pursuant to this section.

(7) Penalties for violation. Any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of the provisions of this section, or any order, decision or determination by the Land Use Administrator or his designee, and who refused to abate said violation within five days after written notice has been served upon him either by registered mail or by personal service shall, for each and every violation of this section, be subject to a penalty, upon conviction, of one or more of the following: a fine not exceeding \$1,000, and/or imprisonment for a period not exceeding 90 days, or to a period of community service not exceeding 90 days at the discretion of the Municipal Court Judge (N.J.S.A. 40:495). Each and every successive day that such violation continues after such notice, shall be considered a separate and specific violation of this section without the service of additional notice.

§ 150-52. Signs in residential zones.

In residential zones, only the following signs shall be permitted:

A. One customary professional sign or nameplate sign not more than two square feet in area, which may be illuminated, provided that the direct source of light is shielded in such a manner that it is not visible from the street or any adjoining residential property, unless a porch light or lamppost light.

B. A nonilluminated temporary sign pertaining to the lease or sale of the premises upon which it is placed, not exceeding eight square feet in total area, provided that it shall be removed within seven days after the signing of the contract of sale or the signing of a sale transaction or the execution of a lease.

C. Subdivision developments involving six or more residential lots may contain signs advertising the sale of the dwellings contained therein, as approved by the Planning Board, provided that:

(1) One nonilluminated sign no larger than 30 square feet is permitted at each entrance of the development. In addition, customary nonilluminated trade or professional signs no larger than four square feet are permitted on lots being developed.

(2) All signs permitted under this subsection shall be removed within seven days after the signing of the contract of sale or the signing of a sale transaction or the execution of a lease of the last house in the development.

D. A sign deemed necessary to the public welfare by the governing body and signs required by federal and state governments.

E. A sign not more than 20 square feet in area advertising the name of a church on the premises, its pastor and its coming activities.

F. Agricultural uses permitted in the residence zones may display, in addition to the foregoing:

(1) Customary warning, trespassing and posted signs.

(2) No more than three signs advertising the sale and price of seasonal and farm produce, provided that the total area of such signs does not exceed six square feet.

(3) One identification sign of not more than 10 square feet, which may be illuminated, stating the name of the agricultural use, the address and the name of the owner.

G. None of the signs permitted in the residential districts shall be erected nearer any street or road than half the setback required for the principal building to be erected on the plot, provided that a nameplate or farm sign not more than two square feet in area, as regulated above, may be placed anywhere within the front yard.

§ 150-53. Signs in village zones.

In the village zones, no sign shall be permitted which is not accessory to the business conducted on the property. Signs may only be erected provided all of the following requirements are met:

A. No business establishment shall be permitted a total of more than three attached signs; provided, however, that corner lots may display four attached signs. The total sign area for the sign or signs permitted on the face of any wall shall not exceed 10% of the area of the face of the wall upon which such sign or signs are attached.

B. No sign shall extend farther than 15 inches from the face of the building upon which it is attached; provided, however, that where a sign extends more than three inches from the face of said wall, the bottom of said sign shall not be closer than 10 feet from the ground level below said sign.

C. The maximum height of any single sign area shall not exceed five feet, and the maximum width shall not exceed 90% of the width of the wall to which the sign is attached.

D. In addition to the above regulations, all signs permitted in the residential zones are also permitted in the village zones.

E. One of the permitted signs may be freestanding, with the following restrictions:

(1) The height shall not be more than 10 feet.

(2) Setback from the street right-of-way shall be at least five feet and perpendicular thereto.

(3) The area shall not exceed the limitations as follows:

V-1 Highway Village 40 square feet per side;

V-2 Neighborhood Village 20 square feet per side;

V-3 Lakeside Village 40 square feet per side.

(4) It must not occupy side yards of principal buildings.

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

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

The Committee reviewed **Ordinance 2016-08**. Mayor Harper noted this is the public hearing for this Ordinance. Mayor Harper made a motion to open the meeting to the floor for public comment on Ordinance 2016-08, seconded by Deputy Mayor MacDonald and unanimously carried. There being no comment from the public, Mayor Harper made a motion to close the public comment for Ordinance 2016-08, seconded by Deputy Mayor MacDonald and unanimously carried. Mayor Harper made a motion to approve Ordinance 2016-08, seconded by Deputy Mayor MacDonald and unanimously carried. A **Roll Call Vote followed:** Ayes: Hull, MacDonald, Harper (3); Nays 0; Absent: 0; Abstain 0.

Correspondence: The Committee reviewed the correspondence.

Mayor Harper read the following letter into the record from Father Wayne Varga, Pastor of the St. Thomas the Apostle Church: *"Dear Amy Lobban, Township Clerk: I hope this letter finds you well. I am writing to thank you very much for the incredible donation of food that you have collected for our St. Thomas Food Pantry. I want to thank Sandyston Township, and Girl Scout Troop 96156 for all that they did in collecting this large donation of canned and boxed goods. Our pantry was getting low, but this donation will keep us supplied for a long while. The Pantry serves a number of individuals and families each week. We can get up to 25 calls in a month. And we thank very much the Sandyston townspeople, and yourself for organizing this collection, and to the Girl Scouts, for thinking of us. We really appreciate your generosity and all the work in raising this donation. The families of our area are blessed by your thoughtfulness. Wishing you a sacred Advent Season, and a very Merry Christmas."*

Mayor Harper noted the successful program of the Sandyston Has Heart sponsored by the Sandyston Township Historical Society. Mayor Harper asked the Clerk to explain how the program began and the details of the program. The Clerk explained seven years ago, the nurse and the Clerk were discussing if there was anyone in the Township that needed help during the holidays and how we could help the nurse promote the help needed. The nurse was grateful for donations, but often times received donations for clothes or items that did not apply to the people that needed help. The Clerk explained that this program was developed out of the need to help the families but keep their anonymity - all donations stay in Sandyston Township. The Clerk continued that people may make a donation in the form of cash or gift card or a check to the Sandyston Township Historical Society, and all donations are turned into gift cards and given to the nurse at the school. The Clerk explained the nurse is privy to the children and families involved in the school that need help and this information is kept confidential. The Clerk explained during the past several years, Steve and Tracey Woodhead have donated money to the program and have matched donations to a specific amount. This year, Mr. and Mrs. Woodhead have generously offered to match all donations up to \$3,500, with an added caveat that when that goal was reached they would also donate an additional \$1,500 to the Sandyston Township Volunteer Fire Department. The Clerk stated this year, each donation received a stained glass heart donated by Patte (President of the Sandyston Township Historical Society) and Lou Frato, who own Lou's Glass in Branchville, and a paper heart is created with

the donors name and hung on the municipal building doors. The Clerk explained the success of the program to date, noting donations are being received from historical society members, residents, business owners, organizations and many people who live outside Sandyston Township. The Clerk discussed the generous donation from Walpack Wilderness Challenge in the amount of \$1,000 and the donations coming from Franklin Mutual Insurance Company and Delaware Valley United Methodist Church parishioners, as well as a donation from Paige Hull and Madilyn Lavin for a sale they held during Halloween and donated the funds to Sandyston Has Heart. The Clerk stated to date there has been approximately \$8,600 in donations.

Mayor Harper noted this is not a national program, it is a program the Clerk put together with the Nurse at Sandyston-Walpack School with the support of the historical society and it is something to be proud of.

Mayor Harper read a thank you letter from Kathy Green of the Delaware Valley United Methodist Church: *"Dear Mayor Harper and Council Members: I would like to thank you once again for the use of the meeting room. "Holiday Creations" final craft fair for the Delaware Valley United Methodist Church was a huge success! In the 11 years we have been doing this, we have been able to give the church \$55,000! We are proud of this accomplishment, but it couldn't have been done without the use of this meeting room and considerate people like Amy Lobban. She was always on top of all that was going on and made things easier for setting up and taking everything down after the sale. The fire department also helped with tables and recycling all the empty boxes. As I stated above this is our last fair. After losing 4 of our older crafters this year with no one to replace them it has been a mutual feeling it is time to stop. WE hope we have left the facilities each time to your satisfaction. Once again a sincere thank you to all involved from all of the "Craft Ladies" and the Delaware Valley United Methodist Church. Sincerely, Kathleen Green"*

Mayor Harper noted the correspondence from Daniel E. Kent, who maintains our Tax Maps and the need to designate private roads on our tax map. Mayor Harper noted this resulted from a recent Land Use meeting where the status of a private road was discussed at their meeting. The Clerk noted the Tax Assessor and Daniel E. Kent will be working on this matter.

Mayor Harper noted a thank you email received from Mike Lavin who facilitated his request of JCP & L to have a tree removed from his property which was within the power company's right-of-way. Mayor Harper stated Mr. Lavin specifically wished to thank Jackie Espinoza, Sandyston's representative for JCP & L, for her help with the matter, and the email was forwarded to her. Mayor Harper stated with JCP & L's shortcomings in the past two major storms – JCP & L has over a new leaf.

Mayor Harper stated that he attended the League of Municipalities Conference in November and met with the DEP, where he discussed the Devita Road Deeds and the Tri-State Steel property which resulted in our upcoming meeting, and the Board of Public Utilities. Mayor Harper noted that rural regions in the State of New Jersey are seeing a lack of maintenance on cable and phone lines where the cable and phone lines run independently from the power lines. Mayor Harper stated that JCP & L has been working to maintain their powerlines and maintain vegetation; however, we are not seeing the same maintenance with cable and phone companies. Mayor Harper noted that it took over a year to have three trees removed on Maple Lane by Centurylink who claimed not to have a tree crew capable of removing the trees. Mayor Harper stated the Clerk has taken a picture of these areas in Sandyston and the next project is to get this reviewed by the Board of Public Utilities. The Clerk stated the photos have been sent to the Board of Public Utilities who stated they are in the process of reviewing the information. Mayor Harper stated while at the League he also attended a seminar with the leaders of our Assembly and Senate where they discussed the Bill to ban bear hunting. Mayor Harper discussed with them how vital hunting is to Sandyston Township, the fact that Sandyston Township is approximately 70% State and Federal land and our proximity to Pennsylvania and the problem with our overrunning bear population. Mayor Harper

stated the League is very informative and you accomplish a lot while you are down there and the agencies and leaders take the time to listen to your concerns.

Mayor Harper noted the correspondence regarding Professional Enterprises who owns a piece of property in Kittatinny Lake on Mountain Trail that is currently slated for In Rem Foreclosure. The Clerk stated, as discussed previously, Professional Enterprise contacted the Township requesting to deed the property to the Township. The Clerk explained, the Committee agreed to this to save the Township money on the In Rem process with the intent to sell this property to Green Acres who borders this property. The Clerk stated the Township Attorney and the attorney for Kittatinny Lake Club are working on this matter.

Mayor Harper reviewed the letter from the State of New Jersey, Department of Transportation regarding the grant opportunities that are available. The Clerk asked if the Committee wished to reapply for the Hotalen Road Phase III grant. The Committee agreed to have our engineer apply for Hotalen Road Phase III grant, as well as to inquire if we could do something about repaving Flatbrook Road.

Mayor Harper noted the Consent Order has been signed by the Judge with regard to Horsfield v. Sandyston Township Historical Society, Inc. and Sandyston Township.

Open Meeting To Floor:

Mayor Harper made a motion to open the meeting to the public, seconded by Deputy Mayor MacDonald and unanimously carried.

Stanley Dutkus, Emergency Management Coordinator, came forward and thanked the Committee for the passing the resolution for the Hazard Mitigation Plan and thanked the employees and professionals who assisted with the preparation of the plan. Mr. Dutkus stated this plan is helpful when applying for grants when they become available that will benefit Sandyston Township. The Committee thanked Mr. Dutkus for his time and effort in preparing the information.

Ernest Soehl, Sr., Route 560, came forward and stated he has been living in Sandyston Township full-time since 1988 and his family settled in Sandyston in 1940 and he would like to personally thank the Township Committee and Clerk for the great job that is done for the Township. Mr. Soehl stated he travels all over the United States and this is one of the best places to live. The Committee thanked Mr. Soehl for his comments.

Keith Utter, Route 206, came forward and stated he had intended to attend the November meeting and due to a change in his schedule was unable to attend. Mr. Utter stated the Clerk presented him with the Proclamation which was read at the November meeting and wished to personally thank the Committee for the proclamation. Mr. Utter stated it was a very humbling experience that he is still continuing to process. Mr. Utter stated being born and raised in Sandyston Township he felt this was "Small Town America" and to sit at one of these township meetings and see what people put into their town that the accolades cannot go far enough. Mr. Utter stated that over the past few years he has spent working away from home and working in other towns and noted there has been some dissention and animosity at these meetings, but felt it was not on any level what other towns experience or what he has experienced while working in other towns. Mr. Utter reiterated Mr. Soehl's sentiment and stated that he has traveled around the United States as well, and there isn't any place out there like Sandyston Township. Mr. Utter thanked the Committee for the recognition.

Mayor Harper thanked Mr. Utter for his heroic actions and read the Proclamation into the record from the November meeting:

PROCLAMATION

WHEREAS, the strength and future of a community is reflected in the selfless and heroic acts of residents who go above and beyond in emergent situations making the community a safe and enjoyable place to live; and

WHEREAS, at approximately 6:09 am on Friday, October 21, 2016, a motor vehicle accident took place on Route 206 in Montague Township as a passenger van traveling north struck the back of a pick-up which was parked on the shoulder of the road in front of Hinkley Auto Sales; and

WHEREAS, this accident involved many vehicles parked in the Hinkley Auto Sales car lot and after the impact between the van and the pick-up the van overturned and burst into flames – trapping several occupants inside the van; and

WHEREAS, Keith Utter, resident of Sandyston Township, was driving south on Route 206 shortly after the accident and, with the help of another unnamed gentleman, rushed to the aid of those who were trapped in the burning overturned van; and

WHEREAS, Keith Utter helped the gentleman pull one woman out a broken window in the back of the van. While rescuing this woman, he noticed another woman inside and returned to rescue her. While rescuing the second woman, Keith noticed another woman up toward the front of the van trapped in a difficult position and entangled in the seat belt – during which time the van was on fire and quickly spreading; and

WHEREAS, Keith Utter’s quick thinking, selfless and heroic actions saved two occupants of the van. Unfortunately, the third occupant suffered life threatening injuries and did not survive the accident, but this person would have suffered a much worse fate were it not for the actions of Keith Utter; and

NOW, THEREFORE BE IT RESOLVED, the Township Committee of the Township of Sandyston does offer their sincere pride, gratitude and appreciation of Keith Utter for his selfless, heroic and alert actions on the morning of Friday, October 21, 2016. While many people may not know what happened that morning, we want you to know we are proud of you and proud you are a resident of Sandyston Township and hope you will accept this Proclamation as a small token of our appreciation.

IN WITNESS WHEREOF, the Township Committee of the Township of Sandyston has set their hand and caused the seal of the Township of Sandyston to be affixed on this 15th day of November 2016.

Mayor Harper made a motion to close the meeting to the public, seconded by Deputy Mayor MacDonald and unanimously carried.

Upcoming events:

Township Reorganization:	Monday, January 2, 2017 at 9:00 am
Regular Township Meeting:	Tuesday, January 10, 2017 at 7:00 pm
Planning Board Regular:	Monday, January 2, 2017 at 7:00 pm
Seniors Meeting/Lunch	Tuesday, January 3, 2017 at 12:00 pm
STVFD Venison Dinner	Saturday, January 21, 2017 at 6:00 pm
Recreation Meeting:	Tuesday, January 24, 2017 at 6:30 pm

Deputy Mayor MacDonald thanked those who attended the meeting for coming.

Adjournment: Deputy Mayor MacDonald made a motion to adjourn the meeting at 7:55 pm, seconded by Committeewoman Hull and unanimously carried. Mayor Harper wished everyone a Merry Christmas and Happy New Year,

Respectfully submitted,

A handwritten signature in cursive script that reads "Amanda F. Lobban". The signature is written in black ink and is positioned above the printed name.

Amanda F. Lobban, RMC
Municipal Clerk