

# SANDYSTON TOWNSHIP

## Minutes

July 12, 2016

This meeting was opened and called to order at 9:00 am 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: Erma Gormley; Barbara Ochs; Gizelle Garren; Jeff Walter; Glenn Hull; Roy McClain; Theresa Doyle; Betsy Pinzone; Tom & Nan Horsfield; M. Glenn Sumpman, former Superintendent of Sandyston-Walpack Consolidated School; Dr. Jeanne Apryasz, Superintendent of Sandyston-Walpack Consolidated School

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

**Minutes:** The Committee reviewed the regular meeting minutes of **June 14, 2016**. Deputy Mayor MacDonald made a motion to approve the regular meeting minutes for June 14, 2016, seconded by Committeewoman Hull and unanimously carried.

**Tax Collector Report:** The Tax Collector Report was presented for the month of **June 2016** with total receipts Month-To-Date of \$62,085.84 and a Year-To-Date total of \$2,742,308.21. Mayor Harper made a motion to accept the Tax Collector's Report as submitted, seconded by Deputy Mayor MacDonald and unanimously approved.

**Treasurer's Report:** The Treasurer's Report for the month of **June 2016** was presented with a beginning balance of \$1,303,110.57, total receipts of \$143,433.48 and total disbursements of \$251,949.70 leaving an ending balance of \$1,194,594.35. Mayor Harper read the following balances: General Capital Account \$150,032.45, Animal Control Escrow \$8,192.29, Public Assist Escrow \$3,537.22, Unemployment Escrow \$24,781.53, COAH Trust \$41,005.17, Security Asst. Fund \$18,596.85 and the Small Cities Master \$4,778.85. 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 \$357,121.52. 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. Mr. McClain discussed the road program. Deputy Mayor MacDonald complimented the patch and oil & stone work on Ayers Road.

The Committee also discussed a request by the Superintendent of Sandyston-Walpack Consolidated School to move the bus stop on Struble Road to the parking lot near what was once the Boy Scout Camp. Mr. Sumpman requested help during the winter months with snow plowing the parking lot near the former Boy Scout Camp (now owned by the State of NJ). The Clerk talked to the new Superintendent of Stokes State Forest, Rebecca Fitzgerald, who did not have a problem with the bus utilizing the parking lot to turn around, stated she has directed the maintenance crew to help with the parking lot if Sandyston Township

would also help with the parking lot during the winter months with snow plowing. Mr. McClain felt this could be worked into the schedule during snow plowing of Struble Road.

Mayor Harper reviewed the request by Mr. Robert Huber to change his office hours. The Clerk explained Mr. Huber would like to eliminate his hours on Monday and change his hours to 12:30 pm to 2 pm and 5:30 to 7 pm on Tuesday. Thursday would remain unchanged at 12:30 pm to 2 pm. Mayor Harper made a motion to approve the change in office hours on Monday and Tuesday, seconded by Deputy Mayor MacDonald and unanimously carried.

**Old Business:**           NONE

**New Business:**

**Shared Service with Sussex County – Sign Fabrication (Draft):** The Committee reviewed the draft shared service agreement with Sussex County for Road Sign Manufacturing Services. Mayor Harper made a motion to proceed with the shared services agreement for road sign manufacturing services, seconded by Deputy Mayor MacDonald and unanimously carried.

**Light Pole Replacement – Claim/Quote: M & B Electric:** The Committee reviewed the quote provided by M & B Electric in the amount of \$5,413.32 for the replacement of the light pole. The insurance has provided a reimbursement in the amount of \$4,413.32. Mayor Harper made a motion to approve the quote presented by M & B Electric, seconded by Deputy Mayor MacDonald and unanimously carried.

**Quotes: Generator Wiring (FEMA Grant):** The Clerk informed the Committee that she did not receive the second quote in time for the meeting, and this matter would be moved to the August meeting.

**Application for Fire Department Members:** The Committee reviewed the applications for fire department members. Mayor Harper made a motion to approve Christopher Lordy, Firefighter; Danielle Lordy, Fire Police; Thomas Hull, Junior Member and Mona Hull, Auxiliary Member, seconded by Deputy Mayor MacDonald and unanimously carried.

**Blue Light Permit: C. Lordy:** The Committee reviewed the Blue Light Initial Permit for Christopher Lordy. Mayor Harper made a motion to approve the Blue Light Permit Renewals, seconded by Committeewoman Hull and unanimously carried.

**Use of Facility:**

- Road Association of Hiram’s Grove – Saturday, July 30, 2016 10 am – 11 am for Association Meeting: Mayor Harper approved the use of the meeting hall, seconded by Deputy Mayor MacDonald and unanimously carried.
- Sandyston Township Historical Society – Tuesday, July 12, 2016, 7:30 pm, Board of Trustee Meeting. Mayor Harper approved the use of the meeting hall, seconded by Committeewoman Hull and unanimously carried.
- Sandyston Recreation – 11/22, 11/23, 11/24/2016 Gobble Hobble 5K. Mayor Harper approved the use of the meeting hall and grounds for this purpose, seconded by Committeewoman Hull and unanimously carried.

**Resolutions:**

**SANDYSTON TOWNSHIP RESOLUTION  
R-42-2016  
A RESOLUTION TO REDEEM TAX SALE CERTIFICATE 2016-001**

**WHEREAS**, Jessica M. Caruso, Tax Collector, has received \$7,088.32 from CitiFinancial for the redemption of Tax Sale Certificate 2016-001 on Block 502 Lot 6 and is requesting that \$7,088.32 plus a premium in the amount of \$9,000.00 which was paid at the tax sale and the Township is holding for a total of \$16,088.32 be refunded to the lien holder, Rustic Ridge Holdings, LLC 60 Deer Trail Lake Rd. Stockholm, New Jersey 07460.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey to authorize the Tax Collector to refund \$7,088.32 for the redemption of Tax Sale Certificate 2016-001 plus a premium in the amount of \$9,000.00 which was paid at the tax sale for a total of \$16,088.32 on Block 502 Lot 6 to the lien holder, Rustic Ridge Holdings, LLC 60 Deer Trail Lake Rd. Stockholm, New Jersey 07460.

The Committee reviewed **R-42-2016**. Mayor Harper made a motion to approve **R-42-2016**, seconded by Committeewoman Hull and unanimously carried.

**SANDYSTON TOWNSHIP RESOLUTION  
R-43-2016  
A RESOLUTION TO REDEEM TAX SALE CERTIFICATE 2014-002**

**WHEREAS**, Jessica M. Caruso, Tax Collector, has received \$15,017.47 from Richard Turner for the redemption of Tax Sale Certificate 2014-002 on Block 503 Lot 17 and is requesting that \$15,017.47 plus a premium in the amount of \$10,100.00 which was paid at the tax sale and the Township is holding for a total of \$25,117.47 be refunded to the lien holder, US Bank Cust for Actlien Holding Inc., 50 S. 16<sup>th</sup> St., Suite 2050, Philadelphia, PA 19102.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey to authorize the Tax Collector to refund \$15,017.47 for the redemption of Tax Sale Certificate 2014-002 plus a premium in the amount of \$10,100.00 which was paid at the tax sale for a total of \$25,117.47 on Block 503 Lot 17 to the lien holder, US Bank Cust for Actlien Holding Inc., 50 S. 16<sup>th</sup> St., Suite 2050, Philadelphia, PA 19102.

The Committee reviewed **R-43-2016**. Mayor Harper made a motion to approve **R-43-2016**, seconded by Committeewoman Hull and unanimously carried.

**SANDYSTON TOWNSHIP  
R-44-2016  
RESOLUTION TO REFUND OVERPAYMENT MADE ON  
BLOCK 1204 – LOT 7 FOR 2016 TAXES**

**WHEREAS**, Jessica Caruso, Tax Collector, advises that Block 1204 – Lot 7 has an overpayment; and

**WHEREAS**, Lilly Properties is the new owner of Block 1204 Lot 7; and

**WHEREAS**, Main Street Title & Settlement Services, LLC paid the 2015 and 2016 taxes in closing; and

**WHEREAS**, the amount paid by Main Street Title & Settlement Services, LLC has created an overpayment in the amount of \$406.30, and they have requested that it be refunded; and

**WHEREAS**, Jessica Caruso, Tax Collector, requests a refund be issued to Main Street Title & Settlement Services, LLC in the amount of \$406.30.

**THEREFORE, BE IT RESOLVED BY THE** Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey that approval be granted to refund overpayment in the amount of \$406.30 for Block 1204 – Lot 7 to Main Street Title & Settlement Services, LLC.

The Committee reviewed **R-44-2016**. Mayor Harper made a motion to approve **R-44-2016**, seconded by Committeewoman Hull and unanimously carried.

**TOWNSHIP OF SANDYSTON  
R-45-2016**

**RESOLUTION OF THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX AND STATE OF  
NEW JERSEY OPPOSING THE STATE LEGISLATURE’S GAS TAX OF \$0.23 PER GALLON**

**WHEREAS**, the Township Committee has discussed the State Legislature’s and Governor’s proposal to increase the gas tax by \$0.23 per gallon; and

**WHEREAS**, the Township Committee recognizes that Sussex County has over 40,000 commuter trips from the County’s residents that extend throughout the State of New Jersey; and

**WHEREAS**, these commuters will likely expend in excess of \$300 per year as a direct result of the \$0.23 per gallon gas tax proposed by the Governor and the certain State Legislators; and

**WHEREAS**, the Township Committee believes that based on the geographic location of Sussex County, this tax will provide an inequity to the residents of Sussex County in that these commutes to Morris, Passaic, Essex and Bergen Counties will be costlier and cause a financial hardship to the residents of Sussex County; and

**WHEREAS**, the Township Committee has discussed the overall economic hardships that this gas tax, as well as the deprivation of municipalities receiving the energy tax receipts which have been retained by the State of New Jersey as opposed to being provided to local governments, has resulted in a tax burden that is harmful to the overall quality of life of the residents of Sandyston Township and Sussex County; and

**WHEREAS**, the Township Committee hereby demands that our local legislators recognize the inequity of a gas tax that is exacerbated by the fact that residents of Sussex County will pay even more than the average \$300 per year in additional taxes to the State of New Jersey if in fact this is approved.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Sandyston, County of Sussex and State of New Jersey vigorously opposes, objects and urges our State Legislative representatives to oppose this \$0.23 gas tax.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Senator Steven Oroho, Assemblyman Parker Space, Assemblywoman Gail Phoebus, and Governor Chris Christie, as well as all Sussex County Municipalities urging them take action to oppose this legislation on behalf of Sussex County residents.

The Committee reviewed **R-45-2016**. Deputy Mayor MacDonald made a motion to approve **R-45-2016**, seconded by Committeewoman Hull and unanimously carried. Mayor Harper discussed his

disappointment in how this matter has been handled and stated it is a complex problem that is going to take a lot work to find a solution.

**Ordinances:** NONE

**Correspondence:** The Committee reviewed the correspondence.

Mayor Harper stated he would attend the meeting on Wednesday, July 27, 2016, from 6:00 pm to 8:00 pm at the Lafayette House with the Legislature regarding the gas tax and the transportation fund.

Carolyn Seifried sent an email requesting a light shield on the light post outside her house. Deputy Mayor MacDonald stated he would work with the road department to fabricate and install the light shield.

Mayor Harper noted the letter that was sent to the DEP Commissioner regarding the Tri-State Steel property. Mayor Harper stated the extent of the contamination is unknown and the letter sent to the DEP is in an effort to determine the contamination. Mayor Harper stated Cindy Randazzo of the DEP called him and will be sending information regarding granting programs to assess the contamination. Mayor Harper stated the conversation extended to the problem the township is having with the removal of the trees on Maple Lane by Centurylink and Ms. Randazzo called her counterpart with the BPU who returned a phone call to the Mayor and is helping with the Maple Lane trees.

Mayor Harper welcomed M. Glenn Sumpman, former Superintendent of Sandyston-Walpack Consolidated School and Dr. Jeanne Apryasz, newly hired Superintendent of Sandyston-Walpack Consolidated School. Mr. Sumpman introduced Dr. Apryasz outlining her history of living in working in Sussex County. Dr. Apryasz spoke to those present stating how excited she is to be in Sandyston and welcomed anyone to contact her with questions or comments.

Kathy Kieb, Sandyston Tax Assessor, addressed the Committee regarding the Tri-State Steel assessment and environmental impacts which can affect the assessment.

**Open Meeting To Floor:**

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

Jeff Walter, Chairman of the Kittatinny Lake Association, came forward to discuss a problem they are having within the lake with regard to "air bnb" transient rentals. Mr. Walter stated the property in question has had visits from the police three times. Mr. Walter stated those that are renting the property are not considerate of neighbors, throwing garbage all over and are using the lake facilities. Mayor Harper stated we will look into how other towns are handling this situation, discuss the matter with the Land Use Administrator and work with the Township Attorney to see what we can do. Deputy Mayor MacDonald explained that each time an owner/occupant changes in a residence there is supposed to be a new Smoke Detector Certification performed by the fire official.

Barbara Ochs, 16 East Shore Trail, came forward to discuss the "air bnb" situation, as she lives next door to the property being discussed. Ms. Ochs stated that in the past eight weeks since this has started she has seen a range of three couples to 15 drunk frat boys renting the property. Ms. Ochs stated it is a safety issue as these people are renting this house, the owner is not on the premises and those renting pile in the house and have no regard for the residents of the lake. Ms. Ochs expressed concern for the future if this practice is allowed to continue and asked for help in regulating this practice going forward. The Committee thanked Ms. Ochs for her time.

Glenn Hull, Bevans Road, came forward and commended the Township Committee for passing Resolution R-45-2016. A brief discussion took place regarding the gas tax, how the figure was determined, and the Transportation Trust Fund. Mayor Harper stated that he will be attending the Legislature meeting to be held on Wednesday, July 27, 2016 from 6 pm to 8 pm at the Lafayette House for the discussion on this matter.

Mr. Hull asked about the Tri-State Steel building. Mayor Harper explained how taxes are paid when a tax lien is struck back to the township, which is the case with the Tri-State Steel building and the process involved for the township to foreclose on these properties and return them to the tax rolls. Mayor Harper explained an outside lien company did not purchase the lien due to the contamination on the property and the mortgagee has not paid the taxes. Mayor Harper stated the township cannot foreclose on the property without knowing the extent of the contamination and we are investigating the best way to proceed for Sandyston Township.

Mayor Harper made a motion to close the public session, seconded by Committeewoman Hull and unanimously carried.

Mayor Harper made a motion to enter executive session at 10:09 am, seconded by Committeewoman Hull and unanimously carried. Mayor Harper read the following Resolution into the record:

## **Township of Sandyston**

### **Resolution Authorizing Executive Session**

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

**WHEREAS**, this public body is of the opinion that such circumstances presently exist; and

**NOW, THEREFORE, BET IT RESOLVED** by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey as follows:

- a. Pursuant to the provisions of the Open Public Meetings Act N.J.S.A. 10:4-12(b) the public shall be excluded from discussion of an action upon the hereinafter specified subject matter(s):

Matters relating to litigation, negotiation, and the attorney/client privilege

**AND BE IT FURTHER RESOLVED**, it is anticipated that the deliberation conducted in closed session may be disclosed to the public upon the determination of the Sandyston Township Committee that the public interest will no longer be served by such confidentiality and if not then legally privileged. This Resolution shall take effect immediately.

Mayor Harper made a motion to exit executive session at 10:55 am, seconded by Deputy Mayor MacDonald and unanimously carried.

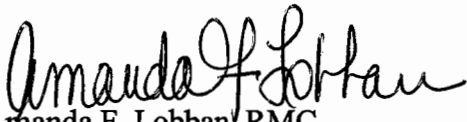
Mayor Harper made a motion to authorize Amanda F. Lobban, Municipal Clerk, to attend the upcoming settlement conference regarding Horsfield v. Sandyston Township, et al., on July 28, 2016 in Morristown and to negotiate and convey any settlement offer to the Township Committee at the August 9, 2016 Township Committee meeting, seconded by Deputy Mayor MacDonald and unanimously carried.

Upcoming events:

Regular Township Meeting:	Tuesday, August 9, 2016 at 7:00 pm
Planning Board Regular:	Monday, August 1, 2016 at 7:00 pm
Seniors Meeting:	Tuesday, August 2, 2016 at 12:00 pm
DVUMC Chicken BBQ:	Saturday, August 20, 2016
STVFD Tractor Parade:	Saturday, August 27, 2016 at 3:30 pm
Walpack Wilderness Challenge	Saturday, September 24, 2016
Recreation Meeting:	Tuesday, September 27, 2016 at 6:30 pm
Gobble Hobble 5K	Thursday, November 24, 2016

**Adjournment:** Deputy Mayor MacDonald made a motion to adjourn the meeting at 10:55 am seconded by Mayor Harper and unanimously carried.

Respectfully submitted,



Amanda F. Lobban, RMC  
Municipal Clerk