

Sandyston Township

Minutes

June 9, 2015

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: Committeeman Fred V. MacDonald, Deputy Mayor William Leppert, Mayor George B. Harper, Jr.

Also in attendance: Joseph Pinzone; Russell Spinks; Chris O'Sullivan; Roy McClain; Erma Gormley; Ron Allhands; Jeff Walter; John Snyder; William & Mary Erickson; Steve Williamson; Sandra Townsend; Glenn & Gayle Hull; Hixon and Sharon Spangenberg; Keith Utter; Tom & Nan Horsfield; Doug Hull; Wilbur & Marie Rath; Lou Frato

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

Minutes: The Committee reviewed the regular meeting minutes of **May 12, 2015** and the special meeting minutes of **May 26, 2015**. Committeeman MacDonald made a motion to approve the submitted minutes, seconded by Deputy Mayor Leppert and unanimously carried.

Tax Collector Report: The Tax Collector's report for the month of **May 2015** was presented with total receipts Month-To-Date of \$1,119,228.17 and a Year-To-Date total of \$12,749,678.69. Mayor Harper made a motion to approve the Tax Collector's Report, seconded by Deputy Mayor Leppert and unanimously carried.

Treasurer's Report: The Treasurer's Report for the month of **May 2015** was presented with a beginning balance of \$666,865.93, total receipts of \$1,240,593.51, and total disbursements of \$764,157.78 leaving an ending balance of \$1,143,301.66. Mayor Harper read the following balances: General Capital Account \$174,289.59, Animal Control Escrow \$6637.32, Public Assist Escrow \$3,531.43, Unemployment Escrow \$24,030.99, COAH Trust \$33,224.64, Security Asst. Fund \$18,566.27 and the Small Cities Master \$4,771.02. Mayor Harper made a motion to approve the Treasurer's Report, seconded by Committeeman MacDonald and unanimously carried.

Payment of Vouchers: The bills list was submitted for approval in the amount of \$286,727.69. Mayor Harper made a motion to approve the bills list, seconded by Committeeman MacDonald and unanimously carried. Mayor Harper questioned the amount due to Harold Pellow for bills submitted and asked for the matter to be reviewed.

Departmental Reports: The Committee reviewed the departmental reports. Roy McClain, Road Department Foreman, noted the beginning of the road program.

Old Business:

Performance Bond/Block 1105 Lot 14: The Clerk stated the Zoning Official informed the Clerk that the Attorney for Mr. Shi was looking to call the township attorney to discuss.

Status: In Rem Foreclosure: The Clerk stated we are awaiting final judgment from the Court.

CR 560 Streetscape:

- **Phase III** - Committeeman MacDonald stated a Pre-Construction meeting was held and the work is expected to begin the week of June 15th and should be completed roughly the third week in July. Committeeman MacDonald noted due to the resurfacing work the County is doing on County Route 560, the County will be replacing the white line instead of our contractor. Mayor Harper noted at the meeting it was discussed with Tony's Concrete that they must adhere to the stakes. Committeeman MacDonald also noted the streetlights have been ordered and are expected to be delivered in 12 weeks.

New Business:

Quote for Concrete Repair: The Committee reviewed two quotes for the repair of two slabs of concrete near the fire department. One is near the front entrance to the fire department and the other is near the rear entrance of the fire department. Vela Masonry submitted a quote in the amount of \$2,690 and Tanzola Farm and Lawn submitted a quote for \$3,100. Deputy Mayor Leppert made a motion to approve the quote submitted by Vela Masonry in the amount of \$2,690, seconded by Committeeman MacDonald and unanimously carried.

Nan Horsfield Archives: Mayor Harper stated the township attorney encouraged researching the possibility of allowing access. Mayor Harper stated he reached out to the Sandyston Township Historical Society who held a meeting of the Board of Trustees and submitted the following letter:

Dear Mayor Harper: On Thursday, May 28, 2015, a meeting of the Board of Trustees of the Sandyston Township Historical Society, Inc. was held. During this meeting, we reviewed the recent events surrounding the Nan Horsfield Archives and the public having access to our archive files currently located on the mezzanine level of the municipal building. We have discussed this matter with Robert Huber, Construction Official for Sandyston Township, and would like your thoughts on allowing public access to this area of the municipal building and how to proceed in working towards an amicable solution to this matter. Should this request be approved, it should be noted that access for file review by members of the general public shall continue to be by appointment and will never be without direct supervision of the trustees/officers of the Sandyston Township Historical Society. This practice is standard protocol with other historic archiving organizations. We look forward to your response.

Mayor Harper stated there was a suggestion to reach out to our architect to get his recommendations on what might be necessary for public access. Mayor Harper made a motion to approve the request to investigate the possibility of public access and work toward developing a plan that will allow public access, which includes reaching out to our architect, Charles Schaffer, for his recommendations, seconded by Committeeman MacDonald and unanimously carried.

Use of Meeting Hall:

- **Sussex County Office of Public Health Nursing:** The Committee reviewed the Use of Building form submitted by the Sussex County Office of Public Health Nursing for use of the meeting hall for the Flu Clinic to be held on Thursday, September 17, 2015. Mayor Harper made a motion to approve the use of the meeting hall for this purpose, seconded by Committeeman MacDonald and unanimously carried.
- **Layton Cemetery Association:** The Clerk advised the Committee the Association changed their plans and will not be needing the room on this date.
- **History Alliance/Sussex County Historical Society:** The Committee reviewed the Use of Building form submitted by the History Alliance/Sussex County Historical Society for use of the meeting hall for a meeting to be held on Monday, June 29, 2015. Deputy Mayor Leppert made a motion to

approve the use of the meeting hall for this purpose, pending receipt of proper Certificate of Insurance with additional insured, seconded by Mayor Harper and unanimously carried.

- **Sandyston Recreation:** The Committee reviewed the Use of Building form submitted by the Sandyston Recreation for use of the meeting hall for Soccer Awards to be held on Saturday, June 20, 2015. Committeeman MacDonald made a motion to approve the use of the meeting hall for this purpose, seconded by Mayor Harper and unanimously carried.
- **Sandyston Recreation:** The Committee reviewed the Use of Building form submitted by the Sandyston Recreation for use of the meeting hall for a 6th grade dance. The request involves Monday, June 22, 2015 (set up) and Tuesday, June 23, 2015 (dance/clean up). Deputy Mayor Leppert made a motion to approve the use of the meeting hall for this purpose, seconded by Mayor Harper and unanimously carried.

Application for Blue Light Permit (renewal) for E. Drake: The Committee reviewed an Application for Blue Light Permit for renewal for Edward Drake. Mayor Harper made a motion to approve this renewal application, seconded by Deputy Mayor Leppert and unanimously carried.

Certification for Rescue Squad Contribution from Sussex County: The Committee reviewed the Certification for Rescue Squad Contribution from the County of Sussex, which requires approval by the governing body which is served by Blue Ridge Rescue Squad as required by the Sussex County Board of Chosen Freeholders in a February 28, 2001 resolution which set the policy for Contributions to Emergency Rescue Squads. Deputy Mayor Leppert made a motion to approve this renewal application, seconded by Mayor Harper and unanimously carried.

Resolutions:

**SANDYSTON TOWNSHIP
R-44-15
A RESOLUTION TO REDEEM TAX SALE CERTIFICATE 2015-007**

WHEREAS, Jessica M. Caruso, Tax Collector, has received \$1,294.35 for the redemption of Tax Sale Certificate 2015-007 on Block 1701 Lot 2 and is requesting that \$1,294.35 plus a premium in the amount of \$3,200.00 which was paid at Tax Sale that the Township is holding, for a total of \$4,494.35, be refunded to the lien holder, US Bank, CUST for Actlien Holding, Inc, 50 S 16th Street, 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 \$1,294.35 plus a premium in the amount of \$3,200.00 which was paid at Tax Sale that the Township is holding, for a total of \$4,494.35, be refunded to the lien holder, US Bank, CUST for Actlien Holding, Inc., 50 S 16th Street, Suite 2050, Philadelphia, PA 19102.

The Committee reviewed **R-44-2015**. Mayor Harper made a motion to approve **R-44-2015**, seconded by Deputy Mayor Leppert and unanimously carried.

**SANDYSTON TOWNSHIP
R-45-15
A RESOLUTION TO REDEEM TAX SALE CERTIFICATE 2015-007**

WHEREAS, Jessica M. Caruso, Tax Collector, has received \$8,911.02 for the redemption of Tax Sale Certificate 2015-003 on Block 904 Lot 7 and is requesting that \$8,911.02 plus a premium in the amount of \$22,000.00 which was paid at Tax Sale that the Township is holding, for a total of \$30,911.02, be refunded to the lien holder, FWDSL & Associates, LP, 5 Cold Hill Road South, Suite 11, Mendham, NJ 07945.

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 \$8,911.02 plus a premium in the

amount of \$22,000.00 which was paid at Tax Sale that the Township is holding, for a total of \$30,911.02, be refunded to the lien holder, FWDSL & Associates, LP, 5 Cold Hill Road South, Suite 11, Mendham, NJ 07945.

The Committee reviewed R-45-15. Mayor Harper made a motion to approve R-45-15, seconded by Deputy Mayor Leppert and unanimously carried.

SANDYSTON TOWNSHIP RESOLUTION

R-46-2015

**RESOLUTION FOR THE CONTINUATION OF SUSSEX COUNTY FARMLAND PRESERVATION,
RECREATION AND OPEN SPACE TRUST FUND**

WHEREAS, The State of New Jersey has enacted legislation allowing counties to establish a county Farmland Preservation, Recreation and Open Space Trust Fund pursuant to P.L.1997, c24 and;

WHEREAS, In November 2000 and again in November 2005 the voters of Sussex County in a general election referendum approved public questions creating a Farmland Preservation Recreation and Open Space Trust Fund; and

WHEREAS, In the 15 years of existence of the County program the County has preserved in excess of 17,640 acres of farmland and 2,552 acres of open space. Said accomplishments being achieved in cooperation with municipal, state and private partners; and

WHEREAS, Both prior public authorizations provided for the expiration of the authorization after a period of 10 years. The November 2000 authorization expired on January 1, 2011 and the 2005 authorization is scheduled to expire on January 1, 2016; and

WHEREAS, There still exists a significant need for Farmland and Open Space preservation within Sussex County; and

WHEREAS, in the absence of a stable source of funding land preservation efforts within Sussex County will cease.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of The Township of Sandyston as follows:

1. We call upon the Board of Chosen Freeholders to adopt the necessary resolution pursuant to the provisions of N.J.S.A. 40:12 -15-15.2, to authorize a public referendum to appear on the November 3, 2015 general election ballot to seek voter approval to continue the Sussex County Farmland Preservation, Recreation and Open Space Trust Fund for an additional 10 year time period. And;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Clerk of the Board of Chosen Freeholders of the County of Sussex, and the Governing Bodies of all Sussex County Municipalities.

The Committee reviewed R-46-2015. Deputy Mayor Leppert made a motion to approve R-46-2015, seconded by Mayor Harper and unanimously carried.

Ordinances:

**SANDYSTON TOWNSHIP
2015-06**

ORDINANCE APPROPRIATING THE SUM OF \$5,850.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF SANDYSTON FOR THE PURCHASE OF THREE (3) SETS OF TURNOUT GEAR

WHEREAS, there is currently the sum of \$5,850.00 in the Capital Improvement Fund; and

WHEREAS, it is deemed appropriate to make use of the \$5,850.00 for the purchase of turnout gear; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by Township Committee of the Township of Sandyston, County of Sussex and State of New Jersey, that

SECTION 1: There is hereby appropriated from the Capital Improvement Fund of the Township of Sandyston the sum of \$5,850.00 for the purchase of turnout gear.

SECTION 2: All ordinances or parts of ordinances, which are inconsistent with the terms of this Ordinance, be and the same are hereby repealed to the extent of their inconsistency.

SECTION 3: This ordinance shall take effect immediately upon proper passage and publication in accordance with the law.

The Committee reviewed **Ordinance 2015-06**. Deputy Mayor Leppert made a motion to open **Ordinance 2015-06** for public comment, seconded by Committeeman MacDonald and unanimously carried. There being no comment from the public, Mayor Harper made a motion to close the public hearing for **Ordinance 2016-06**, seconded by Committeeman MacDonald and unanimously carried. Mayor Harper made a motion to approve **Ordinance 2015-06**, seconded by Deputy Mayor Leppert and unanimously carried. **Roll Call Vote followed:** Ayes: MacDonald, Leppert, Harper: Nays 0; Absent: 0; Abstain 0

Correspondence: The Committee reviewed the Correspondence.

Deputy Mayor Leppert noted the correspondence received from Farmside regarding the Boxwoods which have suffered from the harsh winter. Deputy Mayor Leppert requested a quote from Farmside to replace the Boxwoods.

The Clerk noted the FEMA grant for the updating of the emergency generator at the municipal complex has been approved. The Clerk advised the Committee FEMA would like to have a kick off meeting for the grants and we are awaiting the approval of the remaining two grants so a kick off meeting can be scheduled.

Mayor Harper asked how Sandyston Township avoided the lawsuit which was recently in the New Jersey Herald regarding an OPRA Request filed by Shawn Hopkins for tax assessment information. The Clerk advised Sandyston Township received the same OPRA Request; however, was in the middle of a revaluation and the information was not available at the time of the request.

Open Meeting To Floor: Deputy Mayor Leppert made a motion to open the meeting to the public, seconded by Committeeman MacDonald and unanimously carried.

Glenn Hull, Bevans Road, came forward and asked about the conversation with regard to correspondence. The Clerk noted Farmside and the FEMA grant. Mr. Hull then stated that he inquired at the last meeting about the block and lot concerning Old Mine Road and asked if the Township Committee researched the matter. Mayor Harper noted this matter is a redundant theme and set the time for five minutes. Mr. Hull made the following statement that property owned has a lot and block and it is in the realty index located in Sussex County Board of Taxation and he cannot find where Sandyston Township owned Old Mine Road and

he is asking what the lot and block number was and asked for the Township to provide the information. Deputy Mayor Leppert stated on the advice of counsel the committee would make no comment.

Tom Horsfield, Route 645, came forward and stated they appreciated the effort with regard to the Nan Horsfield Archives; however, do not want to see additional costs on the taxpayers of Sandyston Township to make this possible. Mr. Horsfield stated if it is possible at a reasonable cost fine, but if it is not possible at a reasonable cost he felt he would need to pursue this further. Mayor Harper stated we will refer the matter to the architect for review.

Steve Williamson, Route 560, came forward and thanked the Committee, and everyone in the township, for their efforts and the job they are doing. Mr. Williamson stated he voted for the three Committeeman, and while he doesn't always agree with what they do, their actions reflect his conservative values and the proof is in the pudding, in that the taxes that the township controls are right where he likes them and that is low. Mr. Williamson stated what concerns him is that he comes to the meetings month after month and listens to Glenn Hull and Hixon Spangenberg attack the Committeemen on a personal basis. Mr. Williamson stated, in his opinion for what it was worth, the township has passed a civility ordinance and he urged the Committee to talk with the township attorney and find out why the Committee can't shut the haters down as soon as they start. Mr. Williamson stated Glenn Hull is in a jackpot with the federal government because he convinced his kids to close a public thoroughfare that he believed George Washington marched down, and then he decided that when the government offered him \$115,000 to buy back what was ultimately found to be the federal government's to begin with, they turned that down.

During this time, Mayor Harper reminded those speaking during public comment to address the Committee and advised Mr. Williamson that being this matter is related to a redundant theme Mr. Williamson had four minutes and thirty seconds to address the Committee.

Mr. Williamson continued this is not taking responsibility for your actions and showing up at the meeting and trying to blame other people for your problems. Mr. Williamson stated that if anyone has proof of malfeasance by any township employee to report the matter to the prosecutor and bring it to their attention and let them handle it.

Glenn Hull, Bevans Road, approached the microphone where Mayor Harper stated Mr. Hull was given his five minutes to speak on this matter, which is redundant, and Mr. Hull was seated.

Gayle Hull, Bevans Road, came forward and stated the newspaper article stating that their sons were paid \$115,000 for Old Mine Road was an offer that was made where their sons were into forced negotiations. Mrs. Hull stated their sons did not want to have their road taken away from them through this fictitious sale that was created at the Sussex County Hall of Records. Mrs. Hull stated the newspaper reported that their sons were offered \$115,000 for the purchase of the road, but that money was never there and they knew it was not there to be distributed to their family, but sounded good for the park service to make a deal with the Hull's to take that piece of road that for the world to enjoy even though it is their private property owned to the center on both sides. Mrs. Hull stated everybody thinks that \$115,000 was given to the Hull's for the road, but they only offered it to make it look like it was a bona fide offer but no money has been exchanged for the sale of the road. Mrs. Hull stated the road has literally been stolen from them via a deed created by the Sussex County Hall of Records. Mrs. Hull stated the deed was written and made up and that is how the

whole lawsuit started because a deed was created to start the lawsuit and without the deed as a sale of property there would have been no lawsuit, but the Clerk at the Sussex County Hall of Records, Mrs. Erma Gormley, allowed the deed to be filed. Mrs. Hull stated it should have been thrown out immediately as it had no price on it, had no lot and block and had no address; but Mrs. Gormley allowed her workers to file it and from the filing the next day she recorded it as a sale. Mrs. Hull stated Mrs. Gormley then somewhere in between had the price changed to zero, after she said it was a sale, so it would like a donation because that is the only thing the United States could accept even though Sandyston had no ownership of this piece of property to give away. Mrs. Hull stated \$115,000 was never there, it was offered and it was printed in the newspaper, but it was never given and it was never even there to give. Mrs. Hull stated the US Attorney informed them they had to sign the papers in three days or the money goes away. Mrs. Hull stated their sons didn't have a survey of what the park service was taking from them but expected the Hulls to sign off. Mrs. Hull stated they are still sitting in federal court and nobody knows what to do with it.

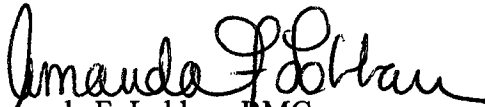
Deputy Mayor Leppert made a motion to close the public session, seconded by Mayor Harper and unanimously carried.

Coming up:

Township Meeting:	Tuesday, July 14, 2015 at 9:00 am
Planning Board:	Monday, July 6, 2015 at 7:00 pm
Seniors Meeting:	Monday, July 7, 2015 at 12:00 pm
Recreation:	Tuesday, June 23, 2015 at 6:30 pm
STVFD Chicken BBQ	Sunday, June 28, 2015 1:30 pm start
DVUMC Chicken BBQ	Saturday, July 25, 2015

Adjournment: Deputy Mayor Leppert made a motion to adjourn the meeting at 7:40 pm, seconded by Mayor Harper and unanimously carried.

Respectfully submitted,



Amanda F. Lobban, RMC
Municipal Clerk