

Sandyston Township

Minutes

May 13, 2014

This meeting was opened and called to order at 7:00 pm by Mayor MacDonald 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 George B. Harper, Jr., Deputy Mayor William Leppert and Mayor Fred MacDonald

Also in attendance: Betsy Pinzone, Steve Williamson, Glenn Hull, Hixon Spangenberg, Sharon Spangenberg, Kim Cosgrove, Lou Frato, Jackie Espinoza, JCP & L

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

Minutes: The Committee reviewed the regular meeting minutes of **April 8, 2014** Township Committee meeting. Committeeman Harper made a motion to approve the regular meeting minutes of April 8, 2014, seconded by Deputy Mayor Leppert.

Tax Collector Report: The Tax Collector's report for the month of **April 2014** was presented with total receipts Month-To-Date of \$409,228.98 and a Year-To-Date total of \$1,781,219.93. Mayor MacDonald 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 **April 2014** was presented with a beginning balance of \$894,330.52, total receipts of \$417,721.95, and total disbursements of \$430,747.51 leaving an ending balance of \$881,304.96. Mayor MacDonald read the following balances: General Capital Account \$367,160.43, Animal Control Escrow \$43,247.05, Public Assist Escrow \$3,526.59, Unemployment Escrow \$23,203.38, COAH Trust \$29,113.79, Security Asst. Fund \$18,540.92 and the Small Cities Master \$4,764.49. Mayor MacDonald made a motion to approve the Treasurer's Report, seconded by Deputy Mayor Leppert and unanimously carried.

Payment of Vouchers: The bills list for the month **April 2014** was submitted for approval. Mayor MacDonald made a motion to approve the bills list for the month of **April 2014** in the amount of \$745,289.64, seconded by Deputy Mayor Leppert and unanimously carried.

Departmental Reports: The Committee reviewed the Departmental Reports. Committeeman Harper discussed the report provided by Roy McClain regarding the road program which includes Meyers Road, VanSickle Road, Mettler Road reviewing the estimates for Hotalen Road and Flatbrook Road. Committeeman Harper also explained crack sealing will be done as well, and we will be sharing the expense of the machine rental with Montague Township.

Old Business:

Performance Bond: There has been no performance bond posted on Block 1105 Lot 14 (Sandyston Mall). Mayor MacDonald noted no change in progress.

Centurylink: Mayor MacDonald stated no new information to date.

In Rem Foreclosure: The Clerk informed the Committee, per the letter received from Richard Stein, Esq., of Laddey, Clark & Ryan, the property of Michael Catalano must be pulled out of the In Rem Foreclosure because service was made on the father and not the son, who both have the same name. This In Rem Foreclosure is now at eight (8) properties and the time to respond ended on May 8, 2014. Mr. Stein will now prepare all documents to be sent to the Court for Final Judgment. The remaining two (2) In Rem Foreclosures being handled by Glenn Gavan, Esq., have been filed with the Court and is progressing.

Streetscape Route 560 – Phase II & Phase III

- Phase II – Mayor MacDonald stated Phase II should be starting soon.
- Phase III – Committeeman Harper stated Phase III drawings have been distributed to the property owners and the Township is in ongoing discussions with the property owners to discuss their concerns.

New Business:

Updated Agreement: Country Kennels, LLC: The Clerk advised the Committee that Kountry Kennels, LLC owned by Thomas and Bonnie Brackney has sold and is now Country Kennels, LLC and a new agreement and resolution have been prepared noting that change. Committeeman Harper made a motion to approve the updated agreement, seconded by Mayor MacDonald and unanimously carried.

Shared Service Agreement with Montague – Road Department: The Committee reviewed the renewal of the Shared Service Agreement with Montague for sharing of Road Departments. Committeeman Harper stated this agreement has worked out very well and this will renew this agreement for five years. Committeeman Harper stated he has discussed this agreement with the road department supervisor and both agree to move forward with this agreement. Deputy Mayor Leppert made a motion to approve the renewal of the Shared Service Agreement, seconded by Mayor MacDonald and unanimously carried.

Revaluation – Review Specs/Bid: The Committee reviewed the specifications for the bid for the revaluation and Committeeman Harper noted the following items which needed to be addressed:

- Bid Bond Form does not state if the form in the bid packet is mandatory or can be similar
- Bid Bond/Surety Insurance – Workers Compensation should state “meets statutory requirements of the State”.
- More should be included about reduction/retainage and should be spelled out better.
- Bid Specification should include liquidated damages per day the revaluation is not completed, as it is important that this is done timely.
- Should state “original Surety Bonds and Certificates of Insurance” shall be provided
- Should include insurance by A Rated Carriers by A.M. Best, the Township should be provided with a 30 day cancellation notice, and added as additional insured and Certificate should indicate and state that the Township of Sandyston shall be named as additional insured and such insurance shall be primary and non-contributory and shall include waiver of subrogation. Committeeman Harper stated that puts their insurance 100% until ours gets touched.
- The wording needed to be stronger that the Tax Assessor has control and has final say on the project.
- Billing needed to be explained in more detail.

Mayor MacDonald made a motion to make the requested changes and table this item to the June meeting, seconded by Deputy Mayor Leppert and unanimously carried.

Outdoor Entertainment License: Gyp's Tavern: The Committee reviewed the Outdoor Entertainment License for an event which is to be held on Sunday, May 25, 2014. Committeeman Harper made a motion to approve the application, seconded by Mayor MacDonald and unanimously carried.

Quote: Replace Damaged Light Pole: The Committee reviewed the quotes submitted to replace the damaged light pole on the sidewalk of Phase I near Maple Lane. Mayor MacDonald stated two quotes were submitted by TY Landscaping and Hauling in the amount of \$6,800 and the other submitted by M & B Electric in the amount of \$6,443. Committeeman Harper made a motion to approve the quote submitted in the amount of \$6,443 provided by M & B Electric, seconded by Mayor MacDonald and unanimously carried.

The Clerk asked if the Committee wished to pursue the litigation to recover the balance due from the individual who hit the light pole. The Clerk stated the legal fees to pursue this matter would cost as much as the balance left not covered by insurance which we would be trying to recover. The Committee decided not to pursue the matter any further.

Certification for Rescue Squad Contribution: The Committee reviewed the request from the County of Sussex for the Certification for Rescue Squad Contribution. Mayor MacDonald made a motion to approve this Certification, seconded by Deputy Mayor Leppert and unanimously carried.

Use of Building Request:

- The Committee reviewed the request for the use of the kitchen/meeting hall/fire department bays for the Delaware Valley United Methodist Church for August 15 & August 16, 2014 for the preparation and sale of their annual Chicken Barbeque. Deputy Mayor Leppert made a motion to approve this request, seconded by Mayor MacDonald and unanimously carried.
- The Committee reviewed the request for the use of the meeting hall for the Sandyston Township Historical Society for a program to be held on Sunday, June 1, 2014. Deputy Mayor Leppert made a motion to approve this request, seconded by Mayor MacDonald and unanimously carried.
- The Committee reviewed the request for the use of the meeting hall for the Sandyston Recreation for a CPR class to be held on Thursday, June 5, 2014. Mayor MacDonald made a motion to approve this request, seconded by Deputy Mayor Leppert and unanimously carried.
- The Committee reviewed the request for the use of the meeting hall/kitchen for the Sandyston Recreation for 6th grade graduation party to be held on Friday, June 20, 2014. Mayor MacDonald made a motion to approve this request, seconded by Deputy Mayor Leppert and unanimously carried.
- The Committee reviewed the request for the use of the meeting hall for Fire Police classes to be held on June 4, 11, 17, 18, and 25. Mayor MacDonald made a motion to approve this request, seconded by Deputy Mayor Leppert and unanimously carried.

Social Affair Permits for Sandyston Township Volunteer Fire Department:

- Sandyston Day, Sunday, June 8, 2014
- Chicken Barbeque, Sunday, June 29, 2014
- Tractor Day Parade, Saturday, August 23, 2014

The Committee reviewed the Social Affair Permits for the Sandyston Township Volunteer Fire Department for upcoming events. Committeeman Harper made a motion to approve the Social Affair Permits submitted, seconded by Deputy Mayor Leppert and unanimously carried.

Application for Raffle License:

- St. Thomas the Apostle Church Off-Premise Merchandise Raffle October 14, 2014
- St. Thomas the Apostle Church Off-Premise Cash Raffle July 6, 2014

- STVFD On-Premise Cash Raffle June 29, 2014

The Committee reviewed the Applications for Raffle License by the above organizations. Mayor MacDonald made a motion to approve all the Social Affair Permits submitted, seconded by Deputy Mayor Leppert and unanimously carried.

Application for STVFD Fire Department Member: R. McClain

The Committee reviewed an application by Roy McClain as a volunteer for the Sandyston Township Volunteer Fire Department (Fire Police). Committeeman Harper made a motion to approve this application, seconded by Mayor MacDonald and unanimously carried.

Application for STVFD Fire Department Junior Member: A. Reffi

The Committee reviewed an application by Adam Reffi as a volunteer for the Sandyston Township Volunteer Fire Department (Junior Member). Mayor MacDonald made a motion to approve this application, seconded by Committeeman Harper and unanimously carried.

Resolutions:

**SANDYSTON TOWNSHIP RESOLUTION
R-29-2014
GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

The Committee reviewed R-29-2014. The Audit has not been submitted for review of the Township Committee. Hold Resolution until June meeting.

**SANDYSTON TOWNSHIP
R-34-2014
RESOLUTION TO AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT
BETWEEN THE TOWNSHIP OF MONTAGUE AND THE TOWNSHIP OF SANDYSTON FOR ROAD
DEPARTMENT SERVICES**

WHEREAS, Sandyston Township Committee wishes to enter into a Shared Services Agreement with the Township of Montague for Road Department Services; and

WHEREAS, The Township of Montague will be the Provider and the Township of Sandyston will be the Recipient; and

WHEREAS, Montague Township shall provide three (3) Road Department employees for the purposes of this Agreement, and Sandyston Township shall supply two (2) Road Department employees; and

WHEREAS, for every man hour of work performed in either municipality under this agreement, there will be an equal amount of man hours performed in the other municipality; and

WHEREAS, the work completed under this agreement shall be at no cost to either Montague Township or Sandyston Township; and

WHEREAS, the duration of this agreement shall be for a period beginning on or about **January 1, 2014** and terminating on **December 31, 2019**;

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A.40A:65-1, et. seq.) (hereinafter, "the Act") provides that local units of government may enter into a contract to provide or receive any service that either local unit

participating in the Agreement is empowered to provide or receive within its own jurisdiction, including services incidental to the primary purposes of any of the participating units (N.J.S.A.40A:65-4); and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Sandyston authorizes the Mayor to execute the Shared Services Agreement between the Township of Sandyston and the Township of Montague for Road Department Services; and

BE IT FURTHER RESOLVED that this resolution take effect immediately upon adoption.

The Committee reviewed R-34-2014. Committeeman Harper made a motion to approve R-34-2014, seconded by Mayor MacDonald and unanimously carried.

SANDYSTON TOWNSHIP RESOLUTION

R-35-2014

A RESOLUTION DESIGNATING THE MONTH OF MAY AS OLDER AMERICANS MONTH AND PROCLAIMING SANDYSTON TOWNSHIP SENIOR CITIZEN OF THE YEAR 2014

WHEREAS, the month of May is traditionally observed throughout the nation as Older American's Month; and

WHEREAS, the month of May represents a cooperation of all levels of government, all collective groups and all private citizens in efforts to assure the inclusion of Senior Citizens in the community-at-large; and

WHEREAS, the older adults in Sandyston Township are among our most "treasured resources", united by historical experiences, strengthened by diversity, and interpreting events through varied perspectives and backgrounds to bring wisdom and insight to our community; and

WHEREAS, the older adults in Sandyston Township deserve recognition for the contributions they have made and will continue to make to the culture, economy, and character of our community and our nation; and

WHEREAS, Sandyston Township honors the Senior Citizen of the Year at the annual Sandyston Day held this year on Sunday, June 8, 2014; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey, that the month of May be proclaimed as Older American's Month in the Township of Sandyston, and do call upon all citizens to join in these efforts, thus guaranteeing a true and meaningful concern for, by, and with, all Older Americans; and

BE IT FURTHER RESOLVED the Township Committee of the Township of Sandyston, County of Sussex and State of New Jersey will announce the name of the Senior Citizen of the Year 2014 at the annual Sandyston Day to be held on Sunday, June 8, 2014.

The Committee reviewed R-35-2014. Deputy Mayor Leppert made a motion to approve R-35-2014, seconded by Mayor MacDonald and unanimously carried.

TOWNSHIP OF SANDYSTON

R-36-2014

**RESOLUTION RE: BLOCK NO. 1801, LOT NO. 25,
ASSESSED TO HOLLY ELLEN K CHADWICK AND
WILLIAM R CHADWICK**

WHEREAS, the Township of Sandyston holds Tax Sale Certificate No. 2010-12 against property designated as Block 1801, Lot 25 on the Tax Maps of the Township of Sandyston; and

WHEREAS, said property is assessed to Holly Ellen K Chadwick and William R Chadwick; and

WHEREAS, by Resolution duly adopted on February 11, 2014, the Governing Body of the Township of Sandyston authorized the In Rem foreclosure of Tax Sale Certificate 2010-12, along with eight other Tax Sale Certificates held by the Township of Sandyston; and

WHEREAS, the owner of Block 1801, Lot 25 has requested that it be allowed to redeem its property from the Township's tax foreclosure proceeding in installments due to the property owner's belief that the property had previously merged into its adjoining lot and was not taxed separately; and

WHEREAS, N.J.S.A. 54:5-65 authorizes a municipality to provide by resolution for the redemption of the lien in installment payments; and

WHEREAS, N.J.S.A. 54:5-68 provides that redemption in installments may be for a period not exceeding three (3) years, with the final year's taxes not included in the installment amount; and

WHEREAS, the Township calculated a payment of \$453.72 per month that is required from the property owner to redeem the tax lien over a period of eighteen (18) months; and

WHEREAS, the Tax Collector has prepared an amortization schedule, which schedule is incorporated herein by reference, showing the application of payments to be made by the property owner; and

WHEREAS, the redemption is at simple interest; and

WHEREAS, the property owner has made a good faith first installment payment of \$500.00.

NOW, THEREFORE, be it resolved by the Mayor and Committee of the Township of Sandyston that the Township shall allow for the redemption of Tax Lien Title 2010-12 held against Block 1801, Lot 25 in installments over a period of eighteen (18) months with the first monthly installment payment of \$453.72 being due on June 15, 2014 and a like amount on the fifteen day of each month thereafter through November 15, 2015 when any amount remaining shall be fully due and payable; and

BE IT FURTHER RESOLVED, that commencing with the second quarter 2014 tax payment, the taxes currently due shall also be paid; and

BE IT FURTHER RESOLVED, that in the event that the property owner should fail to make any monthly installment payment when due, or should fail to make any quarterly tax payment when due, the Township may proceed to again foreclose In Rem tax lien Title 2010-12.

The Committee reviewed **R-36-2014**. Mayor MacDonald made a motion to approve **R-36-2014**, seconded by Committeeman Harper and unanimously carried.

**SANDYSTON TOWNSHIP RESOLUTION
R-37-2014**

A RESOLUTION TO APPROVE THE TRANSFER OF A LIQUOR LICENSE

WHEREAS, an application was received from **PPD Holding Company, L.L.C.** for a transfer of a liquor license from **Nick's Bar & Grill, L.L.C.** to **PPD Holding Company, L.L.C.**; and

WHEREAS, Sussex Bank has foreclosed on Block 1101 Lot 16.02 and per the Letter of Intent has purchased the license under **PPD Holding Company L.L.C.**, a NJ Corporation that is owned by Sussex Bank, and intends to sell the license along with the real estate it owns at 269 Route 206, Sandyston, NJ; and

WHEREAS, in accordance with New Jersey State Statutes, the application has been reviewed by the Division of Alcoholic Beverage Control Enforcement Unit and with the Letter of Intent which has been supplied by Sussex Bank,

Sandyston Township finds there no information that would impede Sandyston Township Committee from approving the transfer of said license to **PPD Holding Company, L.L.C.**; and

WHEREAS, the Clearance Certificate for the Transfer is in the possession of the Municipal Clerk for the retail beverage license holder; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey, hereby approves the transfer of liquor license number **1917-33-006-002** held by **Nick's Bar & Grill, L.L.C.** to **PPD Holding, L.L.C.**

The Committee reviewed **R-37-2014**. Mayor MacDonald made a motion to approve **R-37-2014**, seconded by Deputy Mayor Leppert and unanimously carried.

SANDYSTON TOWNSHIP
R-38-2014
RESOLUTION TO REDEEM TAX SALE CERTIFICATE 2014-001

WHEREAS, Jessica M. Caruso, Tax Collector, has received \$ 1,580.88 from Stephen Hendrickson for the redemption of Tax Sale Certificate 2014-001 on Block 502 Lot 62 and is requesting that \$ 1,580.88 plus a premium in the amount of \$6,000.00 which was paid at the tax sale and the Township is holding for a total of \$ 7,580.88 be refunded to the lien holder, US Bank Cust for Pro Capital II, LLC, 50 S. 16th St., Suite 1950, 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 \$ 1,580.88 for the redemption of Tax Sale Certificate 2014-001 plus a premium in the amount of \$6,000.00 which was paid at the tax sale for a total of \$7,580.88 on Block 502 Lot 62 to the lien holder, US Bank Cust for Pro Capital II, LLC, 50 S. 16th St., Suite 1950, Philadelphia, PA 19102.

The Committee reviewed **R-38-2014**. Mayor MacDonald made a motion to approve **R-38-2014**, seconded by Committeeman Harper and unanimously carried.

SANDYSTON TOWNSHIP
R-39-2014
RESOLUTION REQUESTING CHANGE IN TITLE, TEXT OR AMOUNT OF APPROPRIATION
PURSUANT TO NJSA 40A:4-85

WHEREAS, NJSA 40A 4-85 provides that the Director of the Division of Local Government Services may, at the request of, or with the consent of, the governing body of any county or municipality, make such correction of the title, text, or amount of any appropriation appearing in the budget as may be necessary to make said item of appropriation available for the purpose or purposes required for the needs of any county or municipality.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with the provisions of NJSA 40A4-85, the Township of Sandyston hereby requests the Director of the Division of Local Government Services to make the following correction in the 2014 budget:

FROM: STREETS & ROADS	O/E	01-201-26-290-010	\$2,500.00
TO: AID TO SANDYSTON VFC	O/E	01-201-25-255-020	\$1,000.00
TO: FIRST AID ORG. CONTR.	O/E	01-201-25-260-020	\$ 500.00
TO: RECREATION	O/E	01-201-28-370-020	\$1,000.00

BE IT FURTHER RESOLVED that the foregoing correction is, in the opinion of the governing body, warranted and authorized by the statute referred to above, and is necessary for the orderly operation of the Township of Sandyston for the reasons set forth:

At the adoption of the 2014 budget, \$2,500.00 had been mistakenly added to the line item "Streets & Roads – O/E". The \$2,500.00 increase to appropriations was anticipated, however, the intended distribution was for it to be on the three(3) separate appropriations as listed above.

The Committee reviewed R-39-2014. Mayor MacDonald made a motion to approve R-39-2014, seconded by Committeeman Harper and unanimously carried.

SANDYSTON TOWNSHIP

R-40-2014

RESOLUTION – AGREEMENT: BETWEEN COUNTRY KENNELS, LLC AND THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY

WHEREAS, Sandyston Township entered into an agreement with Kountry Kennels, Thomas Brackney, in January 2014; and

WHEREAS, on April 30, 2014, Kountry Kennels sold to Robert and Theresa McGarry and have changed the name to Country Kennels LLC; and

WHEREAS, Kountry Kennels has pro-rated the amount due to Country Kennels, LLC and this amount of paid to Robert and Teresa McGarry at the closing which was held **April 30, 2014**; and

WHEREAS, the Township of Sandyston and County Kennels, LLC are desirous to continue the agreement providing the dog/cat pound facility for Sandyston Township.

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 updated agreement between the Country Kennels, LLC and the Township of Sandyston.

The Committee reviewed R-40-2014. Mayor MacDonald made a motion to approve R-40-2014, seconded by Deputy Mayor Leppert and unanimously carried.

SANDYSTON TOWNSHIP

R-41-2014

SPECIAL EMERGENCY RESOLUTION FOR REVALUATION OF REAL PROPERTY IN THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY PER NJSA 40A:4-53, 54, 55.1 AND 55.13

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred by reason of the need to perform a revaluation of real property in the Township of Sandyston, County of Sussex and State of New Jersey; and

WHEREAS, NJSA 40A: 4-53 et seq., provides that it shall be lawful to make such appropriation, which appropriation and/or the "special emergency notes" issued to finance the same shall be provided shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJSA 40A:-455;

1. An emergency appropriation is hereby made for the Revaluation of Real Property in the Township of Sandyston, County of Sussex and State of New Jersey in the amount of \$200,000.

2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of \$40,000 which represents one-fifth of the total amount.
3. That the statement required by the Local Finance Board has been filed with the clerk and a copy will be transmitted to the Director of the Division of Local Government Services.
4. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services; however, no approval is required from the Division.

The Committee reviewed R-41-2014. Mayor MacDonald made a motion to approve R-41-2014, seconded by Committeeman Harper and unanimously carried.

Ordinances:

**SANDYSTON TOWNSHIP
ORDINANCE 2014-03**

ORDINANCE APPROPRIATING THE SUM OF \$4,350 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE TOWNSHIP OF SANDYSTON FOR THE PURCHASE OF A THERMAL IMAGING CAMERA

WHEREAS, there is currently the sum of \$4,350 in the Capital Improvement Fund; and

WHEREAS, it is deemed appropriate to make use of the \$4,350 for the purchase of a Thermal Imaging Camera; and

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the 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 \$4,350 for the purchase of a Thermal Imaging Camera.

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.

Roll Call Vote: Ayes Harper, Leppert, MacDonald: Nays 0; Absent 0; Abstain 0

Introduced: May 13, 2014

The Committee reviewed Ordinance 2014-03. Committeeman Harper made a motion to approve the introduction of Ordinance 2014-03, seconded by Mayor MacDonald and unanimously carried. **Roll Call Vote:** Ayes Harper, Leppert, MacDonald: Nays 0; Absent 0; Abstain 0. This ordinance will have a public hearing on Tuesday, June 10, 2014 at 7 pm.

**SANDYSTON TOWNSHIP
ORDINANCE 2014-04**

ORDINANCE AUTHORIZING SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A-53 FOR REVALUATION OF REAL PROPERTY IN THE TOWNSHIP OF SANDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred by reason of the need to perform a revaluation of real property in the Township of Sandyston, County of Sussex and State of New Jersey; and

BE IT ORDAINED by the Township Committee of the Township of Sandyston, in the

County of Sussex and State of New Jersey that in accordance with N.J.S.A. 40A:4-53:

1. The sum of \$200,000 is hereby appropriated for revaluation of real property in the Township of Sandyston, County of Sussex and State of New Jersey and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A4-53.
2. The authorization to finance the appropriation shall be provided for in the succeeding annual budgets by the inclusion of \$40,000 which represents at least one-fifth of the amount authorized pursuant to this act (N.J.S.A. 40A4-55)
3. This ordinance shall take effect as provided by law.

Introduced: May 13, 2014

The Committee reviewed **Ordinance 2014-04**. Committeeman Harper made a motion to approve the introduction of **Ordinance 2014-04**, seconded by Mayor MacDonald and unanimously carried. **Roll Call Vote:** Ayes Harper, Leppert, MacDonald: Nays 0; Absent 0; Abstain 0. This ordinance will have a public hearing on Tuesday, June 10, 2014 at 7 pm.

Correspondence:

The Committee reviewed the correspondence. Committeeman Harper asked if we have addressed the email received from the Superintendent of Sandyston-Walpack School. The Clerk stated Roy McClain met with the Superintendent and stated he didn't feel that the people who worked on the baseball field for recreation were anywhere near the soccer field, but found there were some areas that needed dirt to fill holes and Mr. McClain has handled their request.

Mayor MacDonald noted a letter received from Mr. Rath regarding a neighbor dispute regarding dirt bikes. The Clerk stated the Mayor is in the process of trying to get the two neighbors together for an informal meeting.

The Committee reviewed a request received from Sandyston Recreation for a fund-raising event they wish to hold called a "Hobble Gobble" which is similar to a fun run from the Sandyston Township Municipal Building to Fox Run and back to the Municipal Building. The Clerk explained as part of the permit process through the County of Sussex, you must have a letter from the Township Committee stating they are aware that Recreation is having this event and provide a Certificate of Insurance. The Clerk stated since this is an event that is not held every year it should be brought to their attention. The Clerk stated she talked to George Morville and he had a few questions regarding the entry form and the hold harmless language that should be included. The Clerk stated that Sandyston Recreation has been thinking of ways to raise money. Committeeman Harper made a motion to support the "Hobble Gobble", seconded by Mayor MacDonald and unanimously carried.

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

Matthew Hull, 11 Old Mine Road, came forward and read a letter to the Township Committee:

"The comments I am presenting within this letter are regarding my family's property and my brother's family's property on Old Mine Road. To be specific I am referencing the road bed of Old Mine Road which is part of our property.

To my family's knowledge, Sandyston Township has never held a deed of conveyance to this road bed.

A quitclaim deed was written and issued by Sandyston Township to the US in 1989 and rejected in '89 by the Solicitor for the Department of Interior. Mayor Erma Gormley in 1989 was told the US required a warranty deed, not a quitclaim deed. Sandyston Township never produced a warranty deed for ownership of the road bed.

This 1989 rejected quitclaim deed was filed by Cynthia Branley on June 16, 2008 as a sale of property in fee from Sandyston Township to the US. A conveyance tax for a sale of property in fee was paid at the time of filing.

On June 17, 2008, the quitclaim deed was recorded as a conveyance of property in fee from Sandyston Township to the US. The filing and recording took place at the Sussex County Hall of Records.

I order you to forward to me a copy of the deed showing Sandyston Township's recorded ownership in fee of Old Mine Road before 1989.

This section of Old Mine Road is now claimed to be owned in fee by John Donahue of the DWGNRA by conveyance from this township.

If you cannot show an abstract of ownership in fee before 1989, I order you to remove from SCHR the quitclaim deed recorded on June 17, 2008, claiming conveyance of property in fee from Sandyston Township to the US."

Committeeman Harper made a motion to forward the letter to the Township Attorney, seconded by Deputy Mayor Leppert and unanimously carried. Mr. Hull asked for a response in writing. Committeeman Harper explained there is a lot of history on this matter and the advice from the attorney has been to make no comment. Committeeman Harper made a motion to have the attorney review and advise, seconded by Mayor MacDonald and unanimously carried.

Jackie Espinoza, Jersey Central Power and Light (56 Hampton House Road, Newton) came forward to introduce herself to the Township Committee and alert the Committee and the residents of Sandyston Township of a new scam involving JCP & L. Ms. Espinoza explained it is a nationwide utility scam circling in New Jersey where a caller calls a resident and poses as electric company employee threatening to shut off the power unless they give immediate payment using a "Green Dot Card". Ms. Espinoza is asking that if anyone receives this phone call to please report it to JCP & L.

Ms. Espinoza asked, with regard to fire department training, to make sure the fire department has the "Live Wires" JCP & L Training Video which was given out in the summer.

Ms. Espinoza also invited the Committee to attend the upcoming RDO Tour of JCP & L facility in Morristown, NJ

Mayor MacDonald thanked Ms. Espinoza for her help and assistance is getting the high voltage lines transferred from the Old Dingmans Road out to the main road.

Patte Haggerty Frato, Sandyston Township Volunteer Fire Department Treasurer, came forward to present the Committee with the 2013 income tax report and thanked the Committee for their much appreciated help with the fire department.

There being no further comment from the public, Mayor MacDonald made a motion to close the meeting to the floor, seconded by Deputy Mayor Leppert and unanimously carried.

Executive Session:

Mayor MacDonald made a motion to go into Executive Session at 7:36 pm for matters relating to litigation, negotiation and attorney/client privilege, employment relationship and professional contracts, seconded by Deputy Mayor Leppert and unanimously carried.

**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, BE 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
Matters relating to employment relationship
Matters relating to professional contracts

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.

At 7:53 pm Deputy Mayor Leppert made a motion to exit Executive Session, seconded by Mayor MacDonald and unanimously carried.

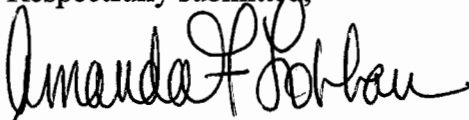
Deputy Mayor Leppert made a motion to authorize Committeeman Harper to discuss the perimeters of the Construction Official position and the salary discussed with the potential candidate, seconded by Mayor MacDonald and unanimously carried.

Coming up:

Township Meeting:	Tuesday, June 10, 2014 at 7:30 pm
Planning Board:	Monday, June 2, 2014 at 7:00 pm
Recreation Meeting:	Tuesday, May 27, 2014 at 6:30 pm
Seniors Meeting:	Wednesday, June 4, 2014 at 12:00 pm
Sandyston Day:	Sunday, June 8, 2014 at 12:00 pm – 5:00 pm
STVFD Chicken BBQ:	Sunday, June 29, 2014

Adjournment: Deputy Mayor Leppert made a motion to close the meeting at 7:54 pm, seconded by Mayor MacDonald and unanimously carried.

Respectfully submitted,



Amanda F. Lobban, RMC
Municipal Clerk