

Sandyston Township

Minutes

Special Meeting

May 26, 2015

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

Mayor Harper stated notice of this meeting was sent to the New Jersey Herald on Tuesday, May 12, 2015, to be advertised in said newspaper on Friday, May 15, 2015 & Sunday, May 17, 2015, posted on the bulletin board in the Municipal Building on Tuesday, May 12, 2015 and has remained continuously posted as required under the statute. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.

Roll Call

The clerk was asked to call the roll. Present were: Committeeman Fred MacDonald, Deputy Mayor William Leppert., and Mayor George B. Harper, Jr.

Also in attendance: Sandra Townsend, Glenn Hull, Hixon & Sharon Spangenberg, Kim Cosgrove, Ryan earley

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

Ordinance:

SANDYSTON TOWNSHIP

ORDINANCE 2015-07

AN ORDINANCE TO AMEND THE FUNDING OF NEW JERSEY DEPARTMENT OF TRANSPORTATION'S 2013 MUNICIPAL AID PROGRAM FOR COUNTY ROUTE 560 STREETScape IMPROVEMENTS PHASE III IN SANDYSTON TOWNSHIP, SUSSEX COUNTY, STATE OF NEW JERSEY

WHEREAS, it has been determined that additional funding is necessary, and to amend Ordinance 2013-10 originally adopted December 17, 2013, in the amount of \$50,000 to provide a total of \$250,000 for the improvement authorization; and

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey, the funding used in order to complete the New Jersey Department of Transportation's 2013 Municipal Aid Program for County Route 560 Streetscape Improvements Phase III shall be the following:

Section 1. The total sum of the \$39,000 (thirty-nine thousand dollars) from Sandyston Township's Capital Improvement Fund and \$11,000 (eleven thousand dollars) from the 2015 Sandyston Township municipal budget appropriation entitled "Engineering Services & Costs: Other Expenses" is hereby appropriated, and may be spent

for the necessary New Jersey Department of Transportation's 2013 Municipal Aid Program for County Route 560 Streetscape Improvements Phase III.

Section 2. The funds to be utilized for this purpose shall be taken from the Capital Improvement Fund and 2015 Sandyston Township municipal budget appropriation entitled "Engineering Services & Costs: Other Expenses".

Section 3. This ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

The Committee reviewed **Ordinance 2015-07**. This being a public hearing, Mayor Harper made a motion to open Ordinance **2015-07** to the public, seconded by Committeeman MacDonald and unanimously carried.

Glenn Hull, Bevans Road, came forward and questioned the need for the additional money. Mayor Harper explained the grant is in the amount of \$165,000 and the lowest bid was \$189,291 and there is not sufficient money in the original spending ordinance to award the contract. Mr. Hull asked why the original ordinance is not enough to cover the project. Mayor Harper and Deputy Mayor Leppert explained the Township must include engineering and there have been several unforeseen expenditures along the way that have cost more in engineering (acquiring property rather than easements, no response from one of the property owners). Mayor Harper explained the process in appropriating funds necessary to fund a project and that any unexpended funds will be returned to the Capital Improvement Fund.

Mr. Hull questioned the issue with the sidewalk in Phase II and asked if the contractor had been paid and if the County approved the job. Mayor Harper explained the County accepted the engineer's as-built drawing/drainage calculation and approved Phase II and the contractor has been paid. Mayor Harper stated the township did not pay for the extra engineering performed by Harold E. Pellow & Associates, Inc., to correct the issue with the sidewalk.

Ryan Earley, Route 560, came forward as asked about Phase I and Phase II and what was extra outside of the grant. Mayor Harper explained additional work which was necessary with the Phase I and Phase II projects. Mayor Harper and Deputy Mayor Leppert explained the grant from the State of New Jersey is never 100% and the township has expended money in the past for these projects.

Kim Cosgrove, Route 560, came forward and expressed her disappointment with a previous meeting where a member of the public was allowed to address the audience and not the Township Committee and felt this was pre-meditated. Committeeman MacDonald apologized and stated it was not done intentionally.

Glenn Hull, Bevans Road, came forward and commented on the time allotted for public comment. Mayor Harper explained that this portion of the meeting is for public comment for Ordinance 2015-07.

Mayor Harper made a motion to close **Ordinance 2015-07** to the public, seconded by Deputy Mayor Leppert and unanimously carried. Deputy Mayor Leppert made a motion to approve **Ordinance 2015-07**, seconded by Mayor Harper and unanimously carried. **Roll Call Vote followed:** Ayes: MacDonald, Leppert, Harper: Nays 0; Absent: 0; Abstain 0

Resolution:

**SANDYSTON TOWNSHIP RESOLUTION
R-43-2015**

RESOLUTION AWARDING A CONTRACT FOR PROPOSED COUNTY ROUTE 560 STREETScape IMPROVEMENTS – PHASE III

WHEREAS, the Township of Sandyston received bids on Thursday, April 30, 2015 for Proposed County Route 560 Streetscape Improvements – Phase III project, Sandyston Township, Sussex County, New Jersey; and

WHEREAS, the Township Committee utilized bidding procedures as required by N.J.S.A. 40A:11-1 et seq.

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Sandyston, State of New Jersey that a contract be awarded to **Tony's Concrete Construction Co., Inc., 19 Avenue C, Newark, NJ 07114**, as the lowest responsible bidder after public advertising for bids for the Proposed County Route 560 Streetscape Improvements – Phase III project, Sandyston Township, Sussex County, New Jersey for an amount not to exceed **\$189,291.00** (One Hundred Eighty Nine Thousand Two Hundred Ninety One dollars and no/100), pending State of New Jersey, Department of Transportation approval.

BE IT FURTHER RESOLVED the Township Committee of the Township of Sandyston hereby authorizes the Mayor and Municipal Clerk to execute the contract and necessary documents between the Township of Sandyston and **Tony's Concrete Construction Co., Inc., 19 Avenue C, Newark, NJ 07114**.

Mayor Harper also read into the record the New Jersey Department of Transportation Division of Local Aid and Economic Development Recommendation of Award for the State Aid *Project "BE IT RESOLVED, that the Sandyston Township Committee hereby recommends to the New Jersey Department of Transportation that the contract for Proposed County Route 560 Streetscape Improvements – Phase III in the Township of Sandyston, County of Sussex, be awarded to Tony's Concrete Construction Co., Inc., 19 Avenue C, Newark, NJ 07114, whose bid amounted to \$189,291 subject to the approval of the Department.*

The Committee reviewed **R-43-2015**. Mayor Harper made a motion to approve R-43-2015 and the State of New Jersey, Department of Transportation recommendation of award, seconded by Committeeman MacDonald and unanimously carried.

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

Glenn Hull, Bevans Road, came forward and stated at the last meeting he requested the township produce a Block and Lot showing previous ownership of Old Mine Road and asked if the township can produce the information. Mayor Harper stated the township has responded to this request several times and on the advice of counsel there would be no comment on this subject. Mr. Hull offered a statement with regard to a deed that was recorded as a sale of property from Sandyston Township to the United States. Mr. Hull asked the township to produce the evidence for the deed that was recorded as a sale of property from Sandyston Township to the United States and to produce if Sandyston Township paid the real estate transfer tax. The Committee made no comment on this matter.

Hixon Spangenberg, Heater Lane, came forward and asked about the trees on Maple Lane and if there has been an investigation into the removal of the trees. Mr. Spangenberg then made a personal attack against Mayor Harper to which Mayor Harper did not respond.

Ryan Earley, Route 560, came forward and stated he does not believe the sidewalks have done anything to curb the speeding issue and have not done very much to improve the safety of the pedestrians or those utilizing their front yards. Mr. Earley stated he does not feel this is a great use of local taxpayer money. Mr. Earley stated his family made a decision not to stand in the way of the project or go to extraordinary lengths to cost the taxpayer's money to try to stop it. Mr. Earley stated the speeding and safety issue still needs to be addressed. Mayor Harper thanked Mr. Earley and Ms. Cosgrove for their opinions and their civility regarding this project and stated they have been admirable in their opposition and in the way they have dealt with the township. Mayor Harper discussed the history of the project and stated it is not a panacea to fix the problem, but it is the one thing that the township can do within budgetary constraints. Mayor Harper stated this road has been declared a hazardous federal road and the County received a federal grant to apply a surface treatment to the roadway. Committeeman MacDonald explained in

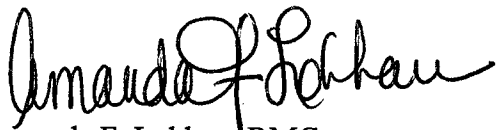
addition to the surface treatment there will be red pavement markings stating "30 MPH" and a solar powered speed limit sign with speed feedback. Mr. Earley stated he feels there is a disconnect between the municipality, county and state regarding measures taken to address the problem and feels speed bumps need to be considered and offered his assistance if the township needs support from residents. Mayor Harper stated the township has discussed speed bumps with the County several times and thanked Mr. Earley for his comments.

Glenn Hull, Bevans Road, came forward and asked about the surface being applied to County Route 560. The Committee discussed other places where this surface has been applied and where this surface would be applied for this project. Mr. Hull asked if it is still the plan to use the sidewalks in the evacuation plan for the Sandyston-Walpack School. Deputy Mayor Leppert answered that is part of the school's emergency management plan and the township garage is the safe haven if the school needed to be evacuated. Mr. Hull questioned if Maple Lane was a private road and the legal ramifications of the children being evacuated from the school to the township garage if it is private property. Mr. Hull also questioned trees planted on Maple Lane and if tax money was spent on private property. Mayor Harper thanked Mr. Hull for his comments.

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

Deputy Mayor Leppert made a motion to adjourn at 7:45 pm, seconded by Mayor Harper and unanimously carried.

Respectfully submitted,

A handwritten signature in black ink that reads "Amanda F. Lobban". The signature is written in a cursive, flowing style.

Amanda F. Lobban, RMC
Municipal Clerk