

Sandyston Township

Minutes

September 8, 2015

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

Also in attendance: Erma Gormley; Tom & Nan Horsfield; Ryan Earley; Joe & Vicki Salokas; Hixon & Sharon Spangenberg; Glenn Hull; Keith Utter; Stan Dutkus; Steve Williamson

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

Minutes: The Committee reviewed the regular meeting minutes of **August 11, 2015**. Deputy Mayor Leppert made a motion to approve the minutes for August 11, 2015, seconded by Mayor Harper, with an abstention from Committeeman MacDonald as he was not present at the August 11, 2015 meeting.

Tax Collector Report: The Tax Collector's report for the month of **August 2015** was presented with total receipts Month-To-Date of \$968,844.08 and a Year-To-Date total of \$4,190,570.25. Mayor Harper made a motion to approve the Tax Collector's Report, seconded by Committeeman MacDonald and unanimously approved.

Treasurer's Report: The Treasurer's Report for the month of **August 2015** was presented with a beginning balance of \$1,007,491.66, total receipts of \$1,056,354.72 and total disbursements of \$729,337.04 leaving an ending balance of \$1,334,509.34. Mayor Harper read the following balances: General Capital Account \$101,598.76, Animal Control Escrow \$6,580.61, Public Assist Escrow \$3,532.79, Unemployment Escrow \$24,274.34, COAH Trust \$33,237.47, Security Asst. Fund \$18,573.45 and the Small Cities Master \$4,772.87. Mayor Harper made a motion to approve the Treasurer's Report, seconded by Deputy Mayor Leppert and unanimously approved.

Payment of Vouchers: The bills list was submitted for approval in the amount of \$537,639.22. Committeeman MacDonald made a motion to approve the bills list, seconded by Deputy Mayor Leppert and unanimously approved.

Departmental Reports: The Committee reviewed the departmental reports. Mayor Harper thanked Wendy and Fred MacDonald for the volunteer time at the Layton Post Office in donating flowers and landscaping clean up and to the Road Department in cleaning up the front of the Post Office and to Mr. Richard Samartin for watering the flowers daily. The Clerk stated the Postmistress of Branchville is in the process of ordering a new sign for the outside of the post office and replacing two light bulbs that shine on the sign. Committeeman MacDonald also stated he is working with the road department on cleaning the globes on the streetlights. The Clerk stated there have been offers from other people wishing to donate flowers or time and thought a posting on the website and on Facebook would open the project up to more people who might be interested in volunteering.

Mayor Harper noted an email received from Kevin Schneberger of Centurylink stating he had been out to look at the trees and after consulting with his engineers has found that the poles near the two trees on Maple

Lane belong to Centurylink and; therefore, are the responsibility of Centurylink. Mr. Schneberger stated Centurylink would remove the trees; however, did not provide a timetable for removal.

The Clerk stated that Bud Jones, Auditor for Nisivoccia, was on vacation and we were unable to discuss the options available for the purchase of a new truck for the road department.

Old Business:

Performance Bond/Block 1105 Lot 14: The Clerk stated the Township Attorney has reviewed the paperwork for the Performance Bond and has approved the paperwork and we are awaiting Mr. Shi's posting of the bond.

Status: In Rem Foreclosure: Discussed during new business.

CR 560 Streetscape:

- **Phase III -** The bases of the light poles have been installed and we have confirmed with the engineer that there are specific light poles that will be shaded. Mayor Harper noted the school did the resealing of their parking lot and it looks very nice. Committeeman MacDonald noted a solar digital speed feedback sign is also to be installed.

New Business:

Discussion on 197 Route 206 South "Tyvek House": Committeeman MacDonald noted a meeting was held with members of Habitat for Humanity on Wednesday, August 26, 2015, along with Robert Huber, Construction Official, Keith Utter, Planning Board Chairman and Michael Garofalo, Township Attorney. Committeeman MacDonald stated after the meeting the members of Habitat for Humanity were to have a meeting with their board to discuss the project. Committeeman MacDonald noted a letter received over the weekend from Habitat for Humanity stating due to the size of the project and the total cost it was determined to be excessive for their organization and declined the donation of the property. Committeeman MacDonald stated at this time the Township needs to decide if they are going to clean up the property and/or auction.

The Committee discussed auctioning the properties from the In Rem Foreclosure and a brief discussion took place on auctioning the property at 197 Route 206 South "as is", and determining a minimum bid. Committeeman MacDonald made a motion to start the process to sell all the In Rem Properties, seconded by Mayor Harper and unanimously carried. Mayor Harper stated if we do not sell this property we could then look into researching the possibility of updating the COAH Spending Plan, determining if we can use the COAH Funds, deed restrict this property for a moderate income home, as well as cleaning up the grounds using the COAH funds. The Clerk stated the Township Attorney was concerned about underground storage tanks and asked if we should hire a company to provide a certification that there are no underground storage tanks for the protection of the municipality. The Clerk noted there are two properties with structures being 197 Route 206 South and 8 Lakeside Avenue in Hiram's Grove (small cabin). Mayor Harper made a motion to authorize up to \$1,200 for the investigation/certification of underground oil tanks on both properties (8 Lakeside Avenue and 197 Route 206 South), seconded by Deputy Mayor Leppert and unanimously carried.

Quote: Mezzanine Repair: The Committee reviewed the quotes submitted for the repairs to the Mezzanine level of the municipal building. Two quotes were submitted: KP Home Remodelers, LLC in the amount of \$1,300 and one by Layton Valley Construction LLC in the amount of \$2,305.00. Mayor Harper made a motion to approve the quote submitted by KP Home Remodelers, LLC, for the installation of four black aluminum roof vents, installation of four white gable vents, and installation of an exit light with battery back-up, removal of debris and consultation with the building inspector prior to work beginning, seconded by Deputy Mayor Leppert and unanimously carried. The Clerk noted there was a concern with the louvers in

the doors and how the air conditioned air would be pushed through the louvers and out through the vents. The Clerk stated she called the architect and discussed this concern with him and he felt that adding passive roof vents and gable vents was a better way to move the air.

Quote: Uniforms/Mats: The Committee reviewed two quotes for the cleaning of uniforms and mats. The Clerk explained that the uniforms are cleaned weekly and the mats are cleaned bi-weekly. Two quotes were submitted by Cintas and Dempsey for three options for the cleaning of uniforms and mats (mats and uniforms on a weekly basis; just uniforms on a weekly basis and uniforms on a weekly basis and mats on a bi-weekly basis). Cintas submitted a quote in the amount of \$38.75 for weekly cleaning of uniforms and \$164.15 for the weekly cleaning of uniforms and the bi-weekly cleaning of mats. Dempsey's quote was \$31.10 for the weekly cleaning of uniforms and \$162.24 for the weekly cleaning of uniforms and the bi-weekly cleaning of mats. Committeeman MacDonald made a motion to approve the quote submitted by Dempsey, seconded by Deputy Mayor Leppert and unanimously carried.

Quote: Railings/Bollards Repainting: The Committee reviewed one quote submitted for the painting of the railing in the front of the municipal building and the 10 bollards near the fire department bays which was submitted by Nelson Painting in the amount of \$1,600 for the railing and \$500 for the bollards. The Committee discussed the quote and requested more quotes to be obtained for the next meeting.

Draft: Amend Chapter 150 "Administrative & Executive: The Clerk explained when the fees were changed for the zoning and sign permits, this Chapter still needed to be changed to reflect the proper fee. Mayor Harper made a motion to prepare the Ordinance for the next meeting, seconded by Deputy Mayor Leppert and unanimously carried.

Draft: Amend Chapter 69 "Fees": The Clerk explained it is a requirement to have an inspection for a Certificate of Continued Occupancy when a home sells or renters change in a residence, and they check to make sure smoke detectors and a carbon monoxide detector is installed and in working order and a fire extinguisher is installed near the kitchen and an overall safety review of the property. The Clerk stated over the past year, we have had trouble with people not showing up for the inspections or the items required not installed when the inspector arrives for the inspection, which results in more than one scheduled appointment. The Housing Officer has recommended raising the fee from \$35 to \$50 and including a Reinspect Fee of \$40 help remedy this situation. Committeeman MacDonald questioned the rental properties and people that do not notify the township when tenants change and have the property inspection and wondered if that made the Township liable. A brief discussion took place regarding this requirement and the Clerk will review the requirement with the Township Attorney. Mayor Harper made a motion to prepare the Ordinance for the next meeting, seconded by Deputy Mayor Leppert and unanimously carried.

Use of Building: Sandyston Township Historical Society, Sunday, September 13, 2015 "Ennes Program" 1:00 pm – 4:00 pm: The Committee reviewed the Use of Building Request for Sandyston Township Historical Society for use of the meeting hall for a program on Sunday, September 13, 2015 from 1:00 pm to 4:00 pm. Committeeman MacDonald made a motion to approve the request for the use of the building for this purpose, seconded by Deputy Mayor Leppert and unanimously carried.

Use of Building: Road Association of Hiram's Grove, Saturday, September 12, 2015, "Community Meeting" 10 am to 12 pm: The Committee reviewed the Use of Building Request for Road Association of Hiram's Grove for use of the meeting hall for a community meeting on Saturday, September 12, 2015 from 10 am to 12 pm. The building is also being used by the Delaware Valley United Methodist Church for their annual chicken barbeque, but the church has no problem with the Road Association of Hiram's Grove using the meeting hall for their meeting. The Clerk noted we are awaiting receipt of a proper Certificate of Insurance naming Sandyston Township additional insured. Deputy Mayor Leppert made a motion to

approve the request for the use of the building for this purpose pending receipt of the proper insurance certificate, seconded by Committeeman MacDonald and unanimously carried.

Resolutions:

**Township of Sandyston
R-60-2015
RESOLUTION FOR APPROVAL TO SUBMIT A GRANT APPLICATION AND
EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF
TRANSPORTATION FOR THE HOTALEN ROAD – SECTION III PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Sandyston Township Committee of the Township of Sandyston, County of Sussex, State of New Jersey formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Hotalen Road – Section III-00036 to the New Jersey Department of Transportation on behalf of Sandyston Township.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of Sandyston Township and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement.

The Committee reviewed R-60-2015. Mayor Harper made a motion to approve R-60-2015, seconded by Deputy Mayor Leppert.

**SANDYSTON TOWNSHIP RESOLUTION
R-61-2015
RESOLUTION TO APPROVE THE TRANSFER OF A LIQUOR LICENSE FROM NIM FOODS, LLC TO 3
CHEERS, L.L.C.**

WHEREAS, an application was received from 3 CHEERS, L.L.C. , for a transfer of a liquor license from NIM FOODS, LLC to 3 CHEERS, L.L.C.; and

WHEREAS, in accordance with New Jersey State Statutes, an investigation of the applicant was conducted by the Division of Alcoholic Beverage Control Enforcement Unit, Division of New Jersey State Police, the result being no information that would impede that Sandyston Township Committee from approving the transfer of said license to 3 CHEERS, 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, BET 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 1917-33-001-007 held by NIM FOODS, LLC to 3 CHEERS, L.L.C.

The Committee reviewed R-61-2015. The Clerk informed the Committee that the background check has not been delivered to the municipality by the State Police; however, the Clerk did talk to the Detective assigned to this matter and the background check has been approved and the report should be delivered this week. Mayor Harper made a motion to approve R-61-2015, seconded by Deputy Mayor Leppert.

Ordinances:

No Ordinances at this time.

Correspondence: The Committee reviewed the correspondence. Mayor Harper noted the letter received from National Casualty Company regarding the County of Sussex v. Township of Sandyston, etal (Yarosz), regarding the Yarosz property where the County is in the process of exercising eminent domain for the small road/cut across near Shaytown Road. Mayor Harper noted Sandyston Township was named in the lawsuit but at this time we are not involved.

Mayor Harper noted a letter received from the State of New Jersey Department of Environmental Protection, Green Acres advising they are interested in the property located on Flatbrook Road. The Clerk explained that there is money available in the Highlands Acquisitions; however, the Ridge and Valley Acquisitions is currently out of funds. The Clerk stated it was suggested to write a letter to the Legislative Office of Oroho, McHouse and Space seeking bills to be put forward to put the funding in Ridge and Valley so this project can go forward. Mayor Harper recommended reaching out to The Nature Conservancy as they may possibly harbor the property. Mayor Harper also suggested writing a letter to our Legislators regarding this matter.

Mayor Harper noted a letter received from the State of New Jersey, Department of Agriculture advising we will be included in the gypsa moth egg mass survey.

Mayor Harper noted the News Release from the Delaware Water Gap National Recreation Area advising the National Park Service is seeking input on Potential Visitor Use Management Strategies.

Mayor Harper stated a letter was recently sent to Sheriff Strada asking for increased police presence on County Route 560, and stated Sandyston-Walpack School would also be sending a letter.

The Clerk noted a Memo received from Joe Salokas regarding a problem he is experiencing with dogs near his residence and the current Zoning/Dog Ordinance.

Mayor Harper also noted a copy of a letter which was sent by Peter Laemers, Esq., attorney for the Sandyston Township Historical Society, Inc., to F. William LaVigne regarding the Nan S. Horsfield Archives.

Open Meeting To Floor:

Mayor Harper made a motion to open the meeting to the public, seconded by Deputy Mayor Leppert.

Joe Salokas, Bevans Road, came forward to discuss the ongoing issue he is experiencing with a neighbor who has several dogs near his home. Mr. Salokas prepared a memo addressed to the Township Committee outlining the situation with a shed being turned into a dog kennel, current zoning specifications and issues with zoning and the definition of a "kennel". Mr. Salokas stated his family experiences difficulty with the excessive barking from this "kennel" which is near the property line close to his home. Mr. Salokas also explained the current dog ordinance and no determination for a "potentially dangerous dog", but procedures are given on how to license such dog. Mr. Salokas played an audio of the dogs barking as heard from his porch and explained his frustration dealing with this matter. Deputy Mayor Leppert asked how far the front porch is from the shed/kennel. Mr. Salokas stated approximately 100 feet and the barking is constant.

Committeeman MacDonald asked if the dogs are licensed. The Clerk stated there are seven dogs that are licensed at this location. Mr. Salokas also added that there was a litter of puppies that could add to the count as well, as he was informed by the ASPCA that there were 11 dogs, but the eleven could include four puppies. Mayor Harper stated we need to be sure we enforce the Ordinances and he will follow up with the Zoning Officer and Code Enforcement. Mayor Harper stated a review of the zoning ordinance to better define "kennel" and work to update the dog ordinance. Deputy Mayor Leppert thanked Mr. Salokas for the memo which helped to point out the problems he has been having to date. Mayor Harper thanked Mr. Salokas for the information and his patience.

Stanley Dutkus, Sandyston Township Office of Emergency Management, came forward to discuss the FEMA grants which were awarded to Sandyston Township. Mr. Dutkus stated he attended a Kick-Off Meeting with FEMA along with the Clerk and Committeeman MacDonald. Mr. Dutkus stated Sandyston Township must perform the work and expend the funds and we will then be reimbursed by FEMA. Mr. Dukus informed the Committee we have three years

to complete each of the grants received, which is generators for the DPW and Station #2, updating the generator at the municipal building to add more circuits and a generator for the Sunrise Communications Tower. Deputy Mayor Leppert asked if there was a limit on the amount. The Clerk answered the generator grant for the DPW Garage and the Station #2 Firehouse is \$21,000 fully funded by FEMA (no municipal share). The rewiring of the generator at the municipal building to add circuits is in the amount of \$9,300 (\$8,370 Federal Share/\$930 municipal) and the generator for the Sunrise Communications Tower is \$6,173 (\$5,556 Federal Share/\$617 municipal).

Mr. Dutkus reminded those present that it is Hurricane Season and also stated that it is very dry and asked the public to be fire conscious.

Keith Utter, a Trustee representing the Board of Trustees for the Sandyston Township Historical Society, read the following statement into the record:

“On behalf of the Sandyston Township Historic Society Board of Trustees (hereinafter the society) I would like to make the following statements as there appears to be some misunderstanding as to the status of the society.

First and foremost the society is a private, independent 501c3 non-profit organization that provides an invaluable service toward to the preservation of our local history thru its collection of documents, accumulated data, historic records and artifacts. Its primary purpose and function is to amass an archival record and link to our past. I need not explain or justify the importance of historic preservation as we in this community as well as Walpack Township have witnessed the largest and most rapid destruction of local history in recent times.

For those who seek or wish to connect with some family or local history of this community our collection is and always has been accessible to the public in the same manner as with many other historic societies.

Secondly, we are not a political subdivision or public extension of any governmental agency including Sandyston Township. We are solely funded by paid memberships and generous donations by those who support the fine work and many projects accomplished by the society. We do not participate in any political fundraising, candidate support or debates nor should we ever be the subject of any such activity.

Lastly we are ever so grateful to the township committee in realizing the importance of the society and recognizing the fact that the society as a private organization serves a vital function of public interest not only to the citizens of Sandyston Township but to any member of the public at large by the preservation and protection of our local history. And in support of this cause the township has provided space for the society to house its archives and collection of materials so that we can provide our services to the public in a public venue as opposed to someone’s private home.

As we are now experiencing some “growing pains” we would also like to thank the committee for their consideration and support of our request to further our mission by allowing us to permit public access to the mezzanine level of the building. We understand this is a work in progress and await some minor building improvements to be completed to accomplish this. We will be considering some reorganization of the space as well as drafting an updated policy for the access of our archives by the public.

*It is also important to note that **only** thru the efforts of this and other local historical societies are local histories preserved.”*

Mayor Harper asked for a copy of the letter to be submitted to the Clerk for the record and reiterated that Mr. Utter was commenting as a Board of Trustee for the historical society.

There being no further public comment, Mayor Harper made a motion to close the meeting to the public, seconded by Committeeman MacDonald.

Coming up:

Township Meeting:	Tuesday, October 13, 2015, 2015 at 7:00 pm
Planning Board:	Monday, September 14, 2015 at 7:00 pm
Planning Board:	Monday, October 5, 2015 at 7:00 pm

Seniors Meeting:	Tuesday, October 6, 2015 at 12:00 pm
DVUMC Chicken BBQ (take-out)	Saturday, September 12, 2015
Recreation Meeting	Tuesday, September 22, 2015 at 6:30 pm
Walpack Wilderness Challenge	Saturday, September 26, 2015 9 am start
Sussex County Firemen's Parade	Saturday, October 3, 2015 @ Hopatcong
Free Rabies Clinic at DPW Garage	Saturday, October 10, 2015 10 am – 12 pm
Tire Day sponsored by Clean Communities	Saturday, October 10, 2015 9 am to 1 pm
Gobble Hobble 5K	Thursday, November 26, 2015

Mayor Harper asked to determine the date of the land auction and to add that to coming events. The Clerk asked if the Committee wished to do the same advertising as with the previous auction (signs marking the properties for sale, Block/Lot poster by Harold Pellow, letters to property owners surrounding the properties, etc). Mayor Harper felt that would be a good way to spread the word about the auction once the date has been selected.

Mayor Harper also noted that Tire Day is Saturday, October 10, 2015 from 9 am to 1 pm, four tires per household and the rims must be off the tires.

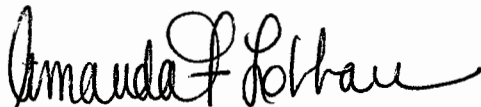
The Clerk stated there was a recent 911 call made to a resident on a private road in Sandyston after the ambulance could not find the road due to the time of day and the type of sign at the end of the road. The Clerk explained that members of the ambulance may not be as familiar with the area as the fire department. The fire department has requested the township send a letter to the residents of the private road and ask them to update their sign. Mayor Harper suggested offering the residents the ability for the township to purchase the sign and the residents on the private road to reimburse the township.

The Clerk stated M. Glenn Sumpman called exploring the possibility of displaying the children's artwork at the municipal building and switching the artwork quarterly. The Committee agreed this would be a nice idea, but questioned how the artwork would be attached to the walls. Mayor Harper stated we should have a plan in place to use safe tape for the protection of the walls.

Committeeman MacDonald asked if the Township could send a letter to Mr. Donahue asking him to review the road signs located in the Park and ask if they could have road signs on all their roads, as there was a call the night before and it came in as Old Mine Road and Flatbrook Road and where it turned out to be was the entrance to Blue Mountain Lakes. After a brief discussion, Committeeman MacDonald stated he would have a discussion with the fire department regarding 911 dispatching and ask the Chief to reach out to Mr. Donahue regarding the roads.

Adjournment: Deputy Mayor Leppert made a motion to adjourn the meeting at 9:52 am, seconded by Committeeman MacDonald.

Respectfully submitted,



Amanda F. Lobban, RMC
Municipal Clerk