TOWNSHIP MEETING February 27, 2019

The regular meeting of the Township Committee of Oxford Township was cancelled on February 20, 2019 due to inclement weather. The Township Meeting was rescheduled to February 27, 2019 and was held in the Oxford Township Municipal Building, 11 Green Street, Oxford, New Jersey.

In attendance were Gerald Norton, Robert Nyland, Bill Ryan, Michael Lavery, Attorney, and Sheila L. Oberly, Municipal Clerk. Michael Finelli, Engineer was absent.

The flag salute was recited.

Mayor Ryan called the meeting to order at 7:04 PM.

Meeting Minutes:

On motion by Mayor Ryan, seconded by Mr. Nyland and passed unanimously on roll call vote to approve the January 2nd, Reorganization Meeting, January 9th Budget Meeting and January 16th Township Meeting minutes.

Executive Session: To discuss topics at the March 20th meeting.

Ordinances:

ORDINANCE 2019-03

ORDINANCE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY TO AMEND, REVISE AND SUPPLEMENT CHAPTER 91-16 "VEHICLES AND TRAFFIC", INCLUDING SECTION XIII "PARKING PROHIBITED AT ALL TIMES" RELATIVE TO BUSH STREET AND HENDERSON STREET

WHEREAS, Chapter 91 "Vehicles and Traffic" of the Code of the Township of Oxford contains various parking and traffic regulations; and

WHEREAS, there is a need to amend provisions relative to parking prohibitions on named streets.

NOW THEREFORE, BE IT ORDAINED by the Council of the Township of Oxford, County of Warren and State of New Jersey that Chapter 91 "Vehicles and Traffic", Section XIII be amended, revised and supplemented as follows:

Section 1:

No person shall park a vehicle between the hours specified any day (except Sundays and public holidays) upon any of the streets or parts of streets described:

Name of Street	Sides	Hours	Location
			tire Length
	thside e Side		

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder off this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

On motion by Mr. Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to approve **Ordinance 2019-03** on first reading, second reading, public hearing to be held on March 20, 2019 at 7:00 PM.

Resolutions:

RESOLUTION 2019-24

TO DOCUMENT THE APPOINTMENTS OF THE EMERGENCY MANAGEMENT COORDINATOR DEPUTY MANAGEMENT COORDINATOR AND 911 COORDINATOR TO THREE YEAR TERMS

WHEREAS, the Township of Oxford in order to comply with New Jersey Emergency Management Directive #102, directing a minimum three-year appointment, at their Township Meeting held on February 20, 2019 approved the Mayor's appointments to these offices, and

WHEREAS, Mayor Bill Ryan of the Township of Oxford, hereby appointed Charles Lilly to the position of Emergency Management Coordinator for a period of three years from January 1, 2019 through December 31, 2021, and

WHEREAS, Mayor Ryan of the Township of Oxford, hereby appointed Peggy Hissim to the position of 911 Coordinator for a period of three years from January 1, 2019 through December 31, 2021, and

WHEREAS, The Emergency Management Coordinator, Charles Lilly of the Township of Oxford hereby appointed Doug Ort to the position of Deputy Emergency Management Coordinator for a period of three years from January 1, 2019 through December 31, 2021.

NOW, THEREFORE BE IT RESOLVED, the appointment of Charles Lilly Emergency Management Coordinator, shall be subject to approval from the New Jersey Office of Emergency Management and completion of required Basic Training Courses within one year of appointment.

On motion by Mayor Ryan, seconded by Mr. Nyland and passed unanimously on roll call vote to adopt **Resolution 2019-24.**

RESOLUTION 2019-26

REFUND OF OVERPAYMENT

WHEREAS, on January 11, 2019, the Township of Oxford received a payment for subsequent taxes for a lien on Block 38.01 Lot 6 located in Washington Township in the amount of \$146.66 and,

WHEREAS, the tax lien number 2018-005 was redeemed in the Washington Township Tax Collector's office, and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Oxford, County of Warren, State of New Jersey that the Finance Officer is hereby authorized to refund \$146.66 to US Bank cust- ProCap 7 LLC for overpayment of a subsequent tax lien payment.

On motion by Mr. Norton, seconded by Mr. Nyland and passed unanimously on roll call vote to adopt **Resolution 2019-26.**

RESOLUTION 2019-27

A RESOLUTION OF OXFORD TOWNSHIP SANITARY SEWER CONVEYANCE CAPACITY FOR FILING OF AN NJDEP TREATEMENT WORKS APPROVAL APPLICATION FOR SEWER SERVICE TO BLOCK 28, LOTS 5.01 – 5.08 IN WASHINGTON TOWNSHIP, WARREN COUNTY, AND AUTHORIZING THE SIGNATURE OF THE TOWNSHIP FOR SAID APPLICATION

WHEREAS, the Fairway Valley Community Association (FVCA) owns and operates a sanitary sewer conveyance system, including a pump station, that collects sewage from various lands in Washington Township, Warren County as identified on Washington Township Wastewater Management Plan (WMP) and discharges this sewage to the Oxford Township sanitary sewer conveyance system, and;

WHEREAS, the Washington Township WMP is to be amended to include Washington Township tax parcels 5.01 through 5.08, said parcels were the subject of an Amended Preliminary and Final Major Subdivision to create a total of 23 single family units and one Washington Township owned lots, as approved by Resolution 2018-01 of the Washington Township Land Use Board, and that the subdivision is conditioned upon the lots being served by public sewers, and;

WHEREAS, an extension of the FVCA system to serve the newly subdivided lot requires an application for an NJDEP Treatment Works Approval (TWA), and as part of this application, a certification is required from the Township of Oxford that the sewer system has 'Adequate Conveyance Capacity' as per N.J.A.C. 7:14A-1.2, and:

WHEREAS, the Oxford Township Engineer has determined that the Oxford Township sanitary sewer systems does have Adequate Conveyance Capacity to convey the anticipated sewage to the wastewater treatment plant operated by the Pequest River Municipal Utility Authority (PRMUA).

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Oxford, that the Mayor is authorized to endorse the Treatment Works Application (TWA), where required, on behalf of the Township.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forward to the Fairway Valley Community Association, 200 Valley Road, Suite 203, Mount Arlington, NJ, 07856.

RESOLUTION 2019-28

RESOLUTION CONSENTING TO THE PROPOSED AMENDMENT TO THE WASHINGTON TOWNSHIP, WARREN COUNTY WASTEWATER MANAGEMENT PLAN (WMP) FOR WASHINGTON VALLEY ESTATES, BLOCK 28, LOTS 5.01 THROUGH 5.08 AND WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT

WHEREAS, the Township Committee of the Township of Oxford, County of Warren desires to provide for the orderly use of wastewater conveyance facilities within Oxford Township; and

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) requires that proposed wastewater treatment and conveyance facilities and wastewater treatment service areas, as well as related subjects, conform with an approved WQM plan; and

WHEREAS, the NJDEP has established the WQM plan amendment procedure through the WQMP rules at N.J.A.C. 7:15-3.5 as the method of incorporating unplanned facilities into a WQM plan; and

WHEREAS, the proposed WQM plan amendment publicly noticed in the New Jersey Register on December 3, 2018, for a Proposed Amendment to the Upper Delaware Water Quality Management (WQM) Plan and Washington Township, Warren County Wastewater Management Plan (WMP) for Washington Valley Estates, Block 23, Lot(s) 5.01-5.08, Washington Township, Warren County, Program Interest No.

435437 AMD180001 by Finelli Consulting Engineers, Municipal Engineers for Washington Township, Warren County.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Oxford, County of Warren hereby consents to the amendment prepared on the behalf of Washington Township for the purpose of its incorporation into the applicable WQM plan(s).

BE IT FURTHER RESOLVED that this consent shall be submitted to the NJDEP pursuant to N.J.A.C. 7:15-3.5(g)6.

On motion by Mr. Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to adopt **Resolution 2019-27 and Resolution 2019-28.**

New Business:

Mr. Norton stated that Robert Magnuson, Superintendent of Oxford School could not make tonight's meeting but will attend the Workshop meeting on March 5th.

On motion by Mr. Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to appoint Robert Lagonera, as Animal Control Officer for Oxford Township.

On motion by Mayor Ryan, seconded by Mr. Nyland and passed unanimously on roll call vote to sign the Annual Heating and Air Conditioning Preventative Maintenance Contract with TGM Services for 2019.

On motion by Mr. Nyland, seconded by Mayor Ryan and passed unanimously on roll call vote to give Don Niece, Land Use Board Chairman a front door key to the Municipal Building.

On motion by Mr. Nyland, seconded by Mayor Ryan and passed unanimously on roll call vote to authorize Warren United Soccer to use Oxford Township's fields.

Trout Unlimited requested to build and install containers on poles and at the fishing dock at Oxford Furnace Lake for recycled fishing line.

On motion by Mr. Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to allow Trout Unlimited to build and install containers for used fishing line.

Heather Lee has reached out to Mr. Nyland requesting permission to collect goose droppings at Oxford Furnace Lake.

On motion by Mr. Nyland, seconded by Mayor Ryan and passed unanimously on roll call vote to give Ms. Lee permission. Mr. Norton asked that the Township of Oxford be named on her Certificate of Liability Insurance Certificate and send a copy to him for review.

Mayor Ryan announced that on May 6, 2019, The First Annual Warren County Mayor's Golf Outing for Township Officials and Appointed Officials will be held.

On motion by Mayor Nyland, seconded by Mr. Nyland and passed unanimously on roll call vote to schedule Workshop meetings on the first Wednesday of each month at 7:00 PM.

Mayor Ryan said that the Municipal Building roof will have to be rebid with different specifications because there is no fifty-year shingles as the bid specified.

On motion by Mayor Ryan, seconded by Mr. Nyland and passed unanimously on roll call vote to rebid the Municipal Roof Project.

Mayor Ryan read the following Proclamation:

AMERICAN RED CROSS MONTH 2019

A Proclamation

More than 137 years ago, the American Red Cross was established as a humanitarian organization, guided by seven fundamental principles—including humanity, impartiality and independence—to provide services to those in need regardless of race, religion, gender, sexual orientation or citizenship status. Today, the American Red Cross is one of the largest humanitarian organizations in the world and delivers its mission every day to prevent and alleviate human suffering in the face of emergencies.

Every year, the American Red Cross responds to an average of more than 62,000 disasters across the country, from small home fires to devastating massive disasters. Last year's large crises included mudslides in California, a volcano in Hawaii, wildfires in Colorado and California, destructive hurricanes in Florida and the Carolinas, and a devastating typhoon in U.S. territories. Thousands of

American Red Cross volunteers provided around-the-clock shelter for disaster victims, served millions of meals and snacks with partners, and distributed millions of relief items.

In New Jersey, the Red Cross has a long history of helping our neighbors in need. The Red Cross New Jersey Region assisted with 902 local disasters in the past year alone and helped save lives through our Home Fire Campaign. Since the campaign launched in October 2014, the New Jersey Region has worked with community partners to install more than 31,761 smoke alarms. Meanwhile, in our area, the Red Cross handles an average of 5,100 emergency military calls every year and collects an average of 95,000 units of blood from our generous blood donors.

March is Red Cross Month, a special time to recognize and thank the Red Cross volunteers and donors who give of their time and resources to help members of the community. The Red Cross depends on these local heroes to deliver help and hope during a disaster. We applaud our heroes here in New Jersey who give of themselves to assist their neighbors when they need a helping hand.

The American Red Cross shelters, feeds and provides emotional support to victims of disasters; supplies about 40 percent of the nation's blood; teaches skills that save lives; provides international humanitarian aid; and supports military members and their families.

We dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on volunteers and the generosity of the public to perform its mission.

NOW, THEREFORE, the Township Committee of the Township of Oxford Township, by the Constitution and laws of Oxford Township and State of New Jersey, do hereby proclaim March 2019 as Red Cross Month. The Township Committee encourages all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord two thousand nineteen.

I, Sheila L. Oberly, Township Clerk of the Township of Oxford, County of Warren and State of New Jersey, **DO HEREBY CERTIFY** that this is a true and correct

copy of a Proclamation adopted by the Township Committee of the Township of Oxford at their regular meeting held on February 27, 2019.

Township Committee Reports and Correspondences:

Mr. Nyland stated that the request for a new tanker by the Oxford Fire Department will be discussed at the March 5th meeting.

Township Engineer's Report:

Mr. Finelli was absent-no report given.

Township Attorney's Report:

Mr. Lavery stated that he had multiple matters to discuss in Executive Session.

Motion to Pay Bills:

On motion by Mr. Nyland, seconded by Mr. Ryan and passed unanimously on roll call vote to pay all the bills that were approved at the meeting.

Public Comment:

A resident from Lincoln Street commented: "Thank You for taking Lincoln Street out of the Parking Ordinance and allowing parking on each side of the street.

Mr. Nyland stated that the Oxford Fire Department and Oxford Emergency Squad will revisit some of the Township Streets. They will measure the streets to make sure that emergency vehicles can get through the streets easily with vehicles that are parked on each side or both sides of the street.

Mayor Ryan announced that a sizable portion of Oxford's revenue will be lost with Covanta closing. The Committee is looking for alternatives-has spoken to Melody Walters from the State of New Jersey about the Township receiving Transitional Aid-will be meeting with her in Trenton to discuss.

The Committee has reached out to PCFA (Pollution Control Financing Authority) and asked them if they would be able to take Oxford's waste-waiting for a reply.

Mrs. Hissim asked what happened with installing solar panels on Township Property, off of Washington Avenue: the old Coachlite site.

Mayor Ryan answered that he talked to Mr. Finelli and he said that the property is not significant because it is in the Highlands and has wetlands.

Mr. Nyland stated that the Committee is looking at all options to bring revenue into the Township.

Public Session Closed.

The Committee received a letter from Warren County Community College asking if they could come to the Township Meeting on May 15th to give a presentation.

The Committee agreed.

EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meeting Act, Chapter 231, P.L. 1975, 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. The public shall be excluded from the discussion of any action upon the hereinafter-specific subject matter.

The general nature of the subject matter to be discussed is: Two Contractual Matters-Covanta-Police Contract and Personnel Matter- Department of Public Works

It is anticipated at this time that the above stated subject matter will be made public at the conclusion of the litigation.

The motion carried with the following roll call vote.

On motion by Mr. Norton, seconded by Mr. Nyland and passed unanimously on roll call vote to enter Executive Session at 7:30 PM.

On motion by Mr. Norton, seconded by Mr. Nyland and passed unanimously on roll call vote to enter open session at 8:24 PM.

On motion by Mayor Ryan, seconded by Mr. Norton and passed unanimously on roll call vote to authorize Mr. Lavery to send a letter as discussed in Executive Session.

RESOLUTION 2019-25

A RESOLUTION OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES, PURSUANT TO N.J.SA. 40A:12-13 ET SEQ.

WHEREAS, the Local Lands and Buildings Law, <u>N.J.S.A.</u> 40A:12-13(a) authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements;

WHEREAS, the Township of Oxford is the owner of several property (described in Schedule A) of which are not needed for public use and the Township Committee has determined that it is in the best interest of the Township to sell the properties in an effort to put it back on the active tax rolls; and

WHEREAS, there shall be no minimum bid for these properties as described in Schedule A. The Township reserves the right to set a minimum bid before the auction. Regardless of the minimum bid the Township reserves the right to reject all bids; and

WHEREAS, the Township has hired Max Spann Real Estate & Auction Co. to market and auction the property on its behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF OXFORD, COUNTY OF WARREN, STATE OF NEW JERSEY, that the property described on the attached Schedule A within the Township of Oxford shall be offered for sale by open public sale at auction to the highest bidder, pursuant to N.J.S.A. 40A:12-12(a). Said public auction shall be conducted on April 17, 2019 at 10 am at the Washington Township Municipal Building, 211 Route 31 North, Washington, NJ 07882.

BE IT FURTHER RESOLVED that the subject property shall be offered for public bidding as set forth below and shall be sold pursuant to the further expressed conditions enumerated below:

- 1. The Township has hired Max Spann Real Estate & Auction Co. to market and conduct a public auction for the above referenced properties. Buyer will pay Max Spann Real Estate & Auction Co. a Buyer's Premium Commission in the amount of 10% of the bid price. Buyer's premium will be incorporated into the purchase price. The Contract price in the purchase agreement shall be 110% of the high bid.
- 2. The Township reserves the right to cancel the auction or remove a property from the auction list, at any time prior to the auction, for any reason. Bidders may wish to contact Max Spann Real Estate & Auction Co. the day before the auction to ensure a specific property still being offered for auction.

- 3. Each bid is subject to the rejection or acceptance by the Township Committee which shall occur no later than at its second regular meeting following the auction sale. The Township Committee reserves the right to reject all bids. If no action is taken by the Township Committee by the second regular meeting, then the bid shall be deemed to be rejected.
- 4. The successful bidder, as indicated by the highest bid, shall be required to deposit ten (10%) percent of the total contract price (Bid amount plus commission) with the Township at the time of the auction for those bidders bidding in person. Bidders bidding online shall be required to post the deposit with the Township by the end of business the following day after the auction. This deposit shall be made by either certified check, money order or cash in an amount equal to at least ten (10%) percent of the winning bid payable to "Lavery, Selvaggi, Abromitis & Cohen Attorney Trust Account". All monies so received will be credited toward the total sale price. The deposit made by the purchaser is non-refundable. The risk of loss is on the purchaser.
- 5. The successful bidder, as indicated by the highest bid, shall be required to execute a Contract for Sale of Real Estate at the time of the auction. A copy of the contract for each property is on file with the Township Clerk.
- 6. The auction shall be conducted by Max Spann Real Estate & Auction Co. under its published terms and conditions.
- 7. All bidders should be aware that the property is being sold in as-is condition and the Township makes no representation regarding the condition of the property or its suitability for building or other land uses.
- 8. The successful bidder(s) shall be required to pay all recording fees.
- 9. The successful bidder(s) shall bear the cost of recording the deed(s) and agree that the deed(s) shall be recorded on behalf of the purchaser by the Township Attorney. The successful bidder, prior to closing of title, will not be permitted to assign his or her bid nor any right, title or interest in the property on which the bid was made.
- 10. The burden is on all successful bidders to obtain any and all variances and/or approvals from the Land Use and Development Ordinance of the Township of Oxford from the appropriate municipal agency. Closing of title is not contingent upon the issuance of any required land use approval.
- 11. Title is to close within forty-five (45) calendar days of confirmation of the bid by the Township Committee at the Township Attorney's office, unless otherwise extended in the sole discretion of the Township Committee, but if the last day for closing of title falls on a Saturday/Sunday, or legal holiday, then title shall close on the following day. Time is of the essence.
- 12. All conveyances shall be by Bargain and Sale Deed from the Township of Oxford to the successful bidder, to be dated on the date of closing of title.

- 13. The sale price, as may result from this auction sale, may not be used before any County Board of Taxation, State Tax Court of in any other court of this State to challenge the assessment with respect to the subject property nor may same be used as a comparable sale to challenge assessment with regard to other properties.
- 14. All successful bidders are required to conduct all desired title searches at their expense prior to the date of closing. If the title to this property shall prove to be unmarketable, the liability of the Township shall be limited to the repayment to the purchaser of the amount of his or her deposit and any portion of the purchase price paid without any further cost, expense, damage or claim. Notice of any alleged defect in title or claim of unmarketability shall be given to the Township in writing no later than thirty (30) calendar days after the date of confirmation of the sale by the governing body of the Township of Oxford. Failure to give such notice shall be deemed conclusive evidence that the purchaser accepts title in its then present condition.
- 15. All prospective purchasers are put on notice that no employee, agent or officer of the Township of Oxford has authority to waive, modify or amend any of the conditions of sale.
- 16. If the successful bidder was the sole or part owner of the property to be sold at the time the Township acquired title by a tax foreclosure, said bidder may not reacquire the property directly or indirectly without complying with the following condition: The successful bidder of any property at this auction, by making such bid, thereby agrees to pay the Township at closing of title the difference, if any, between the total amount of taxes, plus interest and penalties due at the time of the judgment of foreclosure was entered and the amount of the successful bid.
- 17. It is conclusively presumed that a bidder prior to taking his or her bid has done the following:
 - a. Checked the exact location, including the correct street address and lot size of the property on the Official Tax Maps that are available at the Assessor's Office.
 - b. Responsibility for failure to comply with the above-mentioned conditions and guidelines will be fully assumed by the purchaser.
- 18. A failure by the purchaser to fully comply with the terms, conditions, requirements and regulations of sale as herein contained shall be considered, at the option of the Township of Oxford, as a material breach of the conditions of sale whereupon the Township of Oxford may declare said contract or purchase terminated and at an end. All monies paid on behalf of the purchase price, by way of deposit or otherwise, may be retained by the Township as its liquidated damages and it may thereafter resell the said property and/or pursue such other and further legal and/or equitable remedies as it may have and the defaulting purchaser shall continue to remain liable for all damages and losses sustained by the Township of Oxford by reason of any such default.

- 19. Any descriptions of the properties published by the Township are intended as a general guide only and may not be accurate. No representations of any kind are made by the Township of Oxford as to the conditions of the property, said premises are being sold in their present conditions "as is".
- 20. The sale is made subject to such state of facts as an accurate survey may disclose, existing tenancies, rights of persons in possession, easements, conditions, covenants, restrictions and any other encumbrances of title.
- 21. The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Oxford.
- 22. Successful bidders agree to the following conditions:
 - a. To pay prorated property taxes for the balance of the current year as of the date of closing.
 - b. To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support a challenge of the existing assessment of the subject property, nor shall the purchase price be used as a comparable sale to challenge assessments with regard to other properties.
 - c. That the failure to close title as agreed shall forfeit to the Township of Oxford any and all money deposited with the Township.
- 23. If any section or provision of this Resolution shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Resolution, except so far as the section of the provision so declared invalid shall be inseparable from the remainder or any portion thereof.

On motion by Mayor Ryan, seconded by Mr. Nyland and passed unanimously on roll call vote to adopt **Resolution 2019-25** and to add Church Street to this Resolution, Lot and Block to be provided.

On motion by Mr. Nyland, seconded by Mr. Norton and passed unanimously on roll call vote to adjourn the meeting at 8:25 PM.

Sheila L. Oberly, RMC