

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JANUARY 15, 2002.

The meeting was called to order by Deputy Mayor Hamilton at 7:00 P.M. with the opening statement that the meeting had been duly advertised and met all the requirements of the Sunshine Law. Also present were: Councilman Lasinski, Councilman Armstrong, Manager John Eskilson, Deputy Clerk Jane Bakalarczyk, and Clerk Louanne Cular.

**SALUTE THE FLAG:**

**CONSENT AGENDA: ALL MATTERS LISTED BELOW ARE CONSIDERED TO BE ROUTINE IN NATURE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF ANY DISCUSSION IS DESIRED, THAT PARTICULAR ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.**

**Monthly Reports:**

1. Municipal Court Report – November 2001
2. Zoning Officer Report – November 2001
3. Police Department Report - November 2001
4. Police Department Report – November 2001
5. Smoke Detector Inspection Report – Fourth Quarter 2001
6. Construction Official Report – December 2001
7. Tax Collectors Report – December 2001
8. NJ Municipal Employee Benefits Fund – Minutes 11/9/01
9. NJ Municipal Employee Benefits Fund – Minutes 10/26/01
10. HTMUA Minutes – 11/14/01
11. Board of Health Minutes – 11/8/01

**Minutes:**

1. Regular Minutes of 12/4/01
2. Workshop Minutes of 12/11/01
3. Regular Minutes of 12/18/01
4. Executive Session Minutes of 12/11/01
5. Regular Minutes of 12/18/01
6. Executive Session Minutes of 12/18/01
7. Reorganization Minutes of 1/1/02
8. Workshop Minutes of 1/8/02
9. Executive Session Minutes of 1/8/02

**Licenses:**

1. ABC Special Permit – Fire Department

**Resolution:**

1. Annual Official Depository Resolution
2. Annual Professionals Resolution

A motion was made by Lasinski to approve the consent agenda, seconded by Armstrong. All in favor. Motion carried.

**ORDINANCES**

**1<sup>st</sup> READING:** 2002-01

**ORDINANCE REPEALING CHAPTER 26 OF THE CODE OF THE TOWNSHIP OF HARDYSTON,  
BOARD OF HEALTH, IN ITS ENTIRETY**

BE IT ORDAINED by the Township Council of the Township of Hardyston that Chapter 26 of the Code of the Township of Hardyston is hereby repealed in its entirety.

A motion was made by Lasinski to approve ordinance 2002-01 on first reading, seconded by Armstrong. All in favor. Motion carried.

**HARDYSTON TOWNSHIP  
ORDINANCE NO. 2002 -02**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON TO ACCEPT  
THE DEDICATION OF CARRIAGE LANE AS A PUBLIC STREET**

**WHEREAS**, the Planning Board of the Township of Hardyston approved a subdivision shown on a map entitled "Final Subdivision Plat" prepared by Milton J. Muss, NJ PE & LS, dated July 7, 1998 [with the latest revision date being September 24, 1998] and filed in the Office of the Sussex County Clerk on December 31, 1998 as Map No. 1213; and

**WHEREAS**, by virtue of the filing of said map any and all of the road right(s)-of-way, drainage easement(s), sight triangle easement(s), water/sewer easement(s), snow removal easement(s), and turnaround(s) were dedicated to public use; and

**WHEREAS**, Robert Guerin, P.E., Township Engineering Consultant, has certified that said street and related improvements were constructed and improved in accordance with Township ordinances; and

**WHEREAS**, the Township Council of the Township of Hardyston deems it advisable and in the best interests of the Township to accept the street(s), easement(s) and/or turnaround(s) so dedicated.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Township Council of the Township of Hardyston as follows: **SECTION 1.** The street and road designated and dedicated on the map entitled "Final Subdivision Plat" prepared by Milton J. Muss, NJ PE & LS, dated July 7, 1998 [with the latest revision date being September 24, 1998] and filed in the Office of the Sussex County Clerk on December 31, 1998 as Map No. 1213 and designated as Carriage Lane is hereby accepted as a public street in the Township of Hardyston.

**SECTION 2.** This ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.

A motion was made by Armstrong to approve ordinance 2002-02, subject to maintenance bond, upon first reading, seconded by Lasinski. All in favor. Motion carried.

**ORDINANCES:**

**2<sup>ND</sup> READING:** 2001-12

**AN ORDINANCE TO AMEND CHAPTER 107 OF THE HARDYSTON  
TOWNSHIP CODE ENTITLED "JUNK DEALERS AND AUTOMOBILE  
AUCTIONS"**

A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public participation. A motion was made and seconded to close the meeting to the public. All in favor, motion carried. A motion was made by Armstrong to approve ordinance 2001-12 on second reading. All in favor, motion carried.

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**NEW BUSINESS:**

A. Tax Collectors Resolutions

TAX COLLECTORS RESOLUTIONS #01-02 THROUGH #12-02 ON FILE IN CLERK'S OFFICE.

A motion was made by Lasinski to approve the resolutions as presented, seconded by Armstrong. All in favor. Motion carried.

B. Tax Assessor Resolution

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$5,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

A motion was made by Lasinski to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

C. Release of Executive Session Minutes:

1. Minutes of 10/28/97
2. Minutes of 10/21/97
3. Minutes of 7/11/00
4. Minutes of 1/23/01
5. Minutes of 3/6/01
6. Minutes of 3/13/01
7. Minutes of 3/20/01
8. Minutes of 4/10/01
9. Minutes of 4/24/01
10. Minutes of 5/1/01
11. Minutes of 5/8/01
12. Minutes of 6/12/01
13. Minutes of 7/10/01
14. Minutes of 9/18/01
15. Minutes of 9/25/01

A motion was made by Lasinski to approve the release of the Executive Session Minutes as presented, seconded by Armstrong, with Armstrong abstaining on the Minutes of 10/28/97, 10/21/97 and 7/11/00. All in favor. Motion carried.

D. Resolution amending the Hardyston Township Personnel Policy and Procedures Manual to include the job description of the Deputy Public Works Director

WHEREAS, on June 18, 1996 the Hardyston Township Council adopted a Personnel Policies and Procedures Manual; and

WHEREAS, there exists a need to establish the position of Deputy Public Works Director.

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that Appendix B, Job Description, is hereby amended to include the above stated job description.

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A motion was made by Armstrong to approve the resolution as presented, seconded by Lasinski. All in favor. Motion carried.

E. Resolution authorizing the Township Manager to execute the following contracts/leases/interlocal agreements/agreements:

1. Agreement with Guerin Engineering for Engineering Services
2. Agreement with Frohling, Hudak & Pellegrino, LLC for Bond Counsel Services
3. Agreement with Sparta township for Animal Control Services
4. Agreement with Pequannock Township for Network Administration Services

A motion was made by Lasinski to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

F. Appointments:

1. **Municipal Clerk (Effective 2/4/02)** – A motion was made by Lasinski to appoint Jane Bakalarczyk, seconded by Armstrong. All in favor. Motion carried.
2. **Deputy Municipal Clerk (Effective 2/4/02)** – A motion was made by Armstrong to appoint John Eskilson, seconded by Lasinski. All in favor. Motion carried.
3. **Registrar (Effective 2/4/02)** – A motion was made by Armstrong to appoint Jane Bakalarczyk, seconded by Lasinski. All in favor. Motion carried.
4. **Deputy Registrar (Effective 2/4/02)** – A motion was made by Lasinski to appoint John Eskilson, seconded by Armstrong. All in favor. Motion carried.
5. **Safety Officer (Effective 2/4/02)** – A motion was made by Armstrong to appoint Jane Bakalarczyk, seconded by Lasinski. All in favor. Motion carried.
6. **Assessment Search Officer (Effective 2/4/02)** – A motion was made by Armstrong to appoint Jane Bakalarczyk, seconded by Lasinski. All in favor. Motion carried.
7. **Planning Board Class II** – A motion was made by Lasinski to appoint Carl Miller, seconded by Armstrong. All in favor. Motion carried.
8. **Zoning Board Alternate II** – A motion was made by Lasinski to appoint James Vecchio, seconded by Armstrong. All in favor. Motion carried.
9. **Municipal Utilities Authority Alternate I** – A motion was made by Armstrong to appoint Stanley Kula, seconded by Lasinski. All in favor. Motion carried.
10. **Economic Development Commission** – A motion was made by Armstrong to appoint James Vecchio, Bentley Braffet and Michael Aratingi, seconded by Lasinski. All in favor. Motion carried.

G. Soil Removal License Renewals

1. North Church Gravel
2. Beaver Run Farms
3. Shotmeyer Bros. Inc.
4. Superior State Sand and Gravel

A motion was made by Armstrong to approve the licenses as presented, seconded by Lasinski. All in favor. Motion carried.

H. Resolution confirming award of bond sale

COPY OF RESOLUTION ON FILE IN CLERK'S OFFICE.

A motion was made by Armstrong to approve the resolution as presented, seconded by Lasinski. All in favor. Motion carried.

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I. Correspondence

1. Vernon Township
2. Borough of Ringwood
3. Wallkill Valley Regional High School
4. Pequannock River Coalition
5. Borough of Branchville
6. State of NJ – Office of the Governor
7. State of NJ – Dept of Labor
8. State of NJ – DEP
9. NJ Transit
10. New Jersey General Assembly
11. State of NJ – DEP
12. State of NJ – DEP
13. NJ Council On Affordable Housing
14. NJ Dept of Labor
15. NJ Dept of Community Affairs
16. State of NJ – DOT
17. State of NJ – DEP
18. State of NJ – DCA
19. State of NJ – DEP
20. State of NJ
21. County of Sussex
22. County of Sussex
23. NJ League of Municipalities
24. NJ League of Municipalities
25. NJ League of Municipalities
26. NJ League of Municipalities
27. NJ League of Municipalities
28. NJ League of Municipalities
29. NJ League of Municipalities
30. NJ League of Municipalities
31. NJ League of Municipalities
32. NJ Conference of Mayors
33. NJ Business & Industry Association
34. CHN – Asia Express International Inc.
35. Passaic River Coalition
36. The National Council for Public-Private Partnerships
37. Battleship New Jersey Foundation
38. North Jersey RC&D
39. General Code Publishers
40. Vernon Township
41. Erosion Control Technologies Inc.
42. NJ-ASCE
43. IBM
44. Passaic River Coalition
45. Israel Export Institute
46. NJ Future
47. Home Front

A motion was made by Lasinski to approve the correspondence list as presented, seconded by Armstrong. All in favor. Motion carried.

**MANAGERS REPORT:** Manager John Eskilson gave a verbal and written report on the following items:

2002 Municipal Budget

2001 Legislation Wrap Up: Senate Bill 940 – Quarry/Mining Bill and Senate Bill 1714 – Dam Repair Bill

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**BILLS TO BE PAID:** A motion was made by Lasinski to pay the bills as presented, seconded by Armstrong. All in favor. Motion carried. The bill list may be found at the end of these minutes.

**PUBLIC PORTION:** A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public comment.

**ADJOURNMENT:** A motion was made by Armstrong to adjourn, seconded by Hamilton. All in favor. Motion carried.

ATTEST \_\_\_\_\_  
Jane Bakalarczyk  
Deputy Municipal Clerk