

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 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 Armstrong, Councilman Ross, Councilman Lasinski, Manager John Eskilson, and Clerk Jane Bakalarczyk

SALUTE THE FLAG:

READ ACROSS AMERICA PRESENTATION:

Poems and stories that were written by students of the Hardyston Township Elementary School were read at the meeting. Deputy Mayor Leslie Hamilton presented a plaque to the school and each student was presented with a certificate.

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 Clerk Report – February 2002
2. Construction Official Report – February 2002
3. Tax Collector Report – February 2002
4. Municipal Court Report – February 2002
5. Police Department Report – February 2002

Minutes:

1. Regular Minutes of 3/5/02
2. Executive Session Minutes of 3/5/02
3. Workshop Minutes of 3/12/02

Licenses:

1. Tricky Tray – St. Jude the Apostle Church
2. On premise 50/50 – St. Jude the Apostle Church
3. Tricky Tray – Lafayette Township PTO at Wallkill Valley Regional H.S.
4. On premise 50/50 – Lafayette Township PTO at Wallkill Valley Regional H.S.

A motion was made by Ross to approve the consent agenda as presented, seconded by Lasinski. All in favor with Armstrong abstaining on the Workshop Minutes of 3/12/02. Motion carried.

ORDINANCES:

1st READING:

2002-05

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON APPROVING AN AMENDMENT TO THE CONDITIONAL USES OF THE COMMERCIAL RECREATION AND INDUSTRIAL ZONE AND THE CHAPTER 185 ENTITLED “ZONING” THE CODE OF THE TOWNSHIP OF HARDYSTON, SECTION ONE

WHEREAS, the Township of Hardyston by way of this ordinance intends to amend certain provisions of the commercial recreation and industrial zone districts to

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

make golf courses a permitted use with standards in each zone rather than a conditional use in each zone.; and

WHEREAS, the Planning Board has recommended these changes to the zoning ordinances; and

WHEREAS, by way of this ordinance, the Council of the Township of Hardyston hereby makes the changes to the Code as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Township of Hardyston that Chapter 185 entitled "Zoning" of the Code of the Township of Hardyston is hereby amended as follows:

SECTION 1. Section 185-38 entitled "I-1 Light Industrial District" is hereby amended to delete subsection c 6 so that golf courses are hereby deleted as a conditional use.

SECTION 2. Section 185-38 entitled "I-1 Light Industrial District" is hereby amended to add the following new permitted use and standards for golf courses:

- "9. Golf Course subject to the following standards:
 - (a) There shall be no residential use of any golf course property in any industrial zone.
 - (b) Minimum tract size shall be 200 acres.
 - (c) Minimum buffer for greens and fairways shall be 75 feet. Minimum buffer for tee boxes shall be 25 feet.
 - (d) All golf courses within the industrial zones shall include clubhouse facilities located within the township with a building of at least 3,500 square feet.

SECTION 3. Section 185-41 entitled "I-2 Medium Industrial District" is hereby amended to delete subsection C.(5) so that golf courses are hereby deleted as a conditional use.

SECTION 4. Section 185-41 entitled "I-2 Medium Industrial District" is hereby amended to add the following new permitted use and standards for golf courses:

- "15. Golf Course subject to the following standards:
 - (a) There shall be no residential use of any golf course property in any industrial zone.
 - (b) Minimum tract size shall be 200 acres.
 - (c) Minimum buffer for greens and fairways shall be 75 feet. Minimum buffer for tee boxes shall be 25 feet.
 - (d) All golf courses within the industrial zones shall include Clubhouse facilities located within the township with a building of at least 3,500 square feet.

SECTION 5. Section 185-44 entitled "C-R Commercial Recreation District" is amended so as to delete subsection c(3) "Commercially Operated Golf Courses."

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

SECTION 6. Section 185-44B entitled "Permitted accessory uses and structures" is hereby amended to add "Commercially operated golf courses" as subsection (g) of paragraph (3) which shall state as follows:

- (g) Commercially operated golf courses.
 - (1) Minimum tract size: 200 acres.
 - (2) Maximum lot coverage by impervious surfaces: 5%.
 - (3) No tee shall be located closer than 25 feet to an outside property line, and no green or fairway shall be located closer than 75 feet to an outside property line.
 - (4) No clubhouse or other facility where food or beverages are served shall be located within 100 feet of an outside property line.
 - (5) There shall be separate points of ingress and egress to the tract.
 - (6) No public address system or other amplifying system shall be used in such a manner than sounds may be heard off site.
 - (7) Lighting shall be constructed so that all light is directed downward and ambient light shall be contained on the subject tract.
 - (8) One identification sign not exceeding eight feet by 10 feet in area may be constructed at the entrance to the facility; otherwise, only directional signs shall be permitted.
 - (9) Site plan approval shall be obtained.

SECTION 7. Section 185-44C entitled "Conditionally permitted uses" is amended to delete the phrase "[subsection c(3) above.]" from subsection c(5) and to replace it with "[subsection B(3)(f) above.]"

SECTION 8. Section 185-58.X entitled "Golf Courses in Industrial Zones" relating to the conditional use provisions for golf courses in the industrial zones is hereby deleted.

SECTION 26. Severability.

If any section, paragraph, subdivision, clause or provision of this ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision, and the remainder of this ordinance shall be deemed valid and effective.

SECTION 27. Repealer.

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 28. This ordinance shall take effect within twenty (20) days of the date of adoption hereof.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

A motion was made by Ross to approve ordinance 2002-05 on first reading, seconded by Armstrong. All in favor with Lasinski abstaining. Motion carried.

2002-06

**AN ORDINANCE TO AMEND CHAPTER 88, FEES, SECTION 88-8,
MISCELLANEOUS FEES OF THE CODE OF THE TOWNSHIP OF
HARDYSTON**

BE IT ORDAINED by the Township Council of the Township of Hardyston that Chapter 88 – Fees, Section 88-8 – Miscellaneous Fees of the Code of the Township be amended as follows:

Section 88-8 Miscellaneous Fees

M. Summer Recreation day camp registration fee

- (1) First child for one session: \$60
- (2) Each additional child per session: \$50
- (3) First child for two sessions: \$115
- (4) Each additional child for two sessions: \$95

A motion was made by Ross to approve Ordinance 2002-06 on first reading, seconded by Lasinski. All in favor. Motion carried.

**ORDINANCES:
2ND READING:**

2002-04

**ORDINANCE ACCEPTING BID FOR SALE OF MUNICIPAL LAND NOT NEEDED
FOR PUBLIC USE (TAX BLOCK 75, LOT 57)**

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 2002-04 on second reading, seconded by Ross. All in favor. Motion carried.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

NEW BUSINESS:

- A. Resolution Authorizing Release of Performance Bond to Bruce Morse for Carriage Lane Estates

WHEREAS, Bruce Morse received preliminary and final major subdivision approval from the Hardyston Township Planning Board to construct single family residential lots as part of the Carriage Lane Estates; and

WHEREAS, as part of the Planning Board approval, Bruce Morse was required to post a performance bond for public improvements; and

WHEREAS, Bruce Morse has posted a performance bond in the following amount:

<u>Area</u>	<u>Surety Amount</u>	<u>Cash Amount</u>	<u>Total Bond Amount</u>
Carriage Lane Estates	\$44,519.76	\$4,946.64	\$49,466.40

in compliance with the Planning Board approval and upon the recommendation of the Township Engineer; and

WHEREAS, Bruce Morse has requested a release of this bond due to completion of public improvements; and posting of a maintenance bond in the amount of \$33,007.25 as recommended by the Township Engineer; and

WHEREAS, the Township Engineer has reviewed the request of Bruce Morse and has found completion of public improvements in the Carriage Lane Estates subdivision; and

WHEREAS, the Township Engineer has recommended release of this performance bond,

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that the performance bond and cash bond be released in accordance with the recommendation of the Township Engineer.

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

- B. Resolution authorizing the Township Manager to execute the following contracts/ leases/ interlocal agreements/agreements

1. Franklin Borough – Summer Day Camp

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

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

C. 2001 Budget Transfer Resolution

Now, Therefore be it resolved by the Township Council of the Township of Hardyston, State of New Jersey, That the following 2001 Budget Appropriation Reserves transfers be authorized:

Transfer From:		Transfer To:	
Planning Board OE	1,800.00	Administrative OE	1,800.00
Group Insurance	4,200.00	Finance OE	4,200.00
Other Insurance	2,000.00	Finance OE	2,000.00
Construction S & W	3,800.00	Finance OE	3,800.00
Communication OE	1,600.00	Finance OE	1,600.00
Engineering OE	4,000.00	Legal OE	4,000.00
Engineering Retainer	1,400.00	Legal OE	1,400.00
Planning Board OE	3,000.00	Legal OE	3,000.00
Zoning OE	1,600.00	Legal OE	1,600.00
Planning Board OE	300.00	Tax Assessor OE	300.00
Planning Board OE	250.00	Economic Devel OE	250.00
Communication OE	1,000.00	Communication S&W	1,000.00
Utility Gas	3,700.00	Uniform Fire OE	3,700.00
Littel Center OE	1,000.00	Utility Telephone	1,000.00
Uniform Fire S&W	275.00	Uniform Fire OE	275.00
Totals	29,925.00	Totals	29,925.00

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

D. Resolution Waiving the Developer's Agreement Requirement for Playbiz, LLC

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

E. Resolution Authorizing the Township Manager to Execute the New Jersey Department of Environmental Protection Statement of Consent for Treatment Works Approval for the Hardyston Township Middle School

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

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

- F. Tax Collector Resolution - Redemption – Block 47, Lot 18 – Kenneth Kantor

RESOLUTION # 17-02

WHEREAS, Kenneth Kantor redeemed Tax Sale Certificate #990009 on Block 47 Lot 18 on March 15, 2002, and

WHEREAS, FUNB MD SASS has complied with the provisions of N.J.S.A. 54-5-60 et seq: and

WHEREAS, the amount to be reimbursed to the lien purchaser is \$ 7,064.76,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that FUNB MD SASS of 123 South Broad Street – PA1328S Philadelphia, PA 19109 be reimbursed in the amount of \$ 7,064.76 for redemption of Tax Sale Certificate #990009.

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

G. Correspondence

1. Township of Hampton
2. Township of Vernon
3. Township of Fredon
4. Borough of Hamburg
5. Borough of Hamburg
6. Borough of Ogdensburg
7. Borough of Ogdensburg
8. Borough of Ogdensburg
9. Township of Jefferson
10. Stillwater Township
11. Township of Green
12. Township of Byram
13. Town of Newton
14. Wallkill Valley Regional High School
15. United States Senate
16. United States Senate
17. New Jersey General Assembly
18. New Jersey General Assembly
19. State of NJ – DEP
20. State of NJ – DEP – Watershed Focus
21. State of NJ – Dept. of Labor
22. NJ State League of Municipalities
23. NJ State League of Municipalities
24. NJ State League of Municipalities
25. NJ State League of Municipalities
26. NJ State League of Municipalities
27. NJ State League of Municipalities
28. NJ State League of Municipalities
29. NJ State League of Municipalities
30. NJ State League of Municipalities
31. Upper Delaware Watershed Management
32. Borough of Tenafly – NJ Mayors Association
33. Association of NJ Environmental Commission
34. Thompson Publishing Group
35. InterSoft Technologies International, LLC
36. Rutgers
37. Downtown New Jersey Center

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 19, 2002.

38. NJ Alliance for Action
39. Chilton Memorial Hospital
40. Athletic Trainers' Society of New Jersey, Inc.
41. Jersey Central Power & Light
42. Jersey Central Power & Light
43. Environmental & Occupational Health Sciences Institute
44. Passaic River Coalition
45. NJ League of Municipalities

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

MANAGERS REPORT: Township Manager John Eskilson gave a written and verbal presentation on the following:

1. Sussex County Chamber of Commerce Award Nomination
2. Miscellaneous Bids
3. Spring Newsletter

BILLS TO BE PAID: A motion was made by Armstrong to approve the bill list as presented, seconded by Ross. All in favor. Motion carried.

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

ADJOURN: A motion was made by Ross to adjourn, seconded by Armstrong. All in favor. Motion carried.

Jane Bakalarczyk, RMC
Municipal Clerk

(All items discussed above may be heard in full on the tapes of the meeting on file in the Clerk's Office)