

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 2, 2002.

The meeting was called to order by Mayor Kievit 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: Deputy Mayor Hamilton, Councilman Armstrong, Councilman Ross, Councilman Lasinski, Manager John Eskilson, and Clerk Jane Bakalarczyk

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. Police Department False Alarm Report – February 2002
2. Zoning Officer Report – February 2002
3. HTMUA – Minutes of February 13, 2002
4. NJ State Planning Commission – Minutes of December 5, 2001
5. Statewide Insurance Fund – Minutes of Reorganization Meeting February 1, 2002
6. North Jersey Municipal Employee Benefits Fund – Minutes of January 25, 2002
7. Township of Sparta Health Department Report – February 2002

Minutes:

1. Regular Minutes of 3/19/02

Applications:

1. Hardyston Twp. Volunteer Fire Dept. New Member Application – Kevin J. Fryer

A motion was made by Hamilton to approve the consent agenda as presented, seconded by Lasinski. All in favor with Kievit abstaining on the Minutes of 3/19/02. Motion carried.

ORDINANCES:

1st READING: None.

ORDINANCES:

2ND READING: **2002-06**

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

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 Hamilton to approve Ordinance 2002-06 on second reading, seconded by Lasinski. All in favor. Motion carried.

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NEW BUSINESS:

A. Tax Collector Resolution

1. Redemption - Clyde Smith (Block 68, Lot 5.02)

RESOLUTION # 16-02

WHEREAS, Clyde Smith redeemed Tax Sale Certificate #01-24 on Block 68 Lot 5.02 on March 4, 2002, and

WHEREAS, DENNIS MOELLER 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 \$ 5,263.53,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that DENNIS MOELLER of 285 High Crest Drive, West Milford New Jersey 07480 be reimbursed in the amount of \$ 5,263.53 for redemption of Tax Sale Certificate #01-24.

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

B. Person to Person Liquor License Transfer – NBSC Holdings, Inc. to Hamburg Golf Course Beverage, Inc. (Pocket License)

WHEREAS, an application has been filed for a person to person, transfer of Plenary Retail Consumption License 1911-33-002-007, heretofore issued to NBSC Holdings, Inc. for premises located in the Township of Hardyston.

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid;

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33;

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the license business;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Township of Hardyston does hereby approve, effective April 2, 2002 the transfer of the aforesaid Plenary Retail Consumption License to Hamburg Golf Course Beverage, Inc. and does hereby direct the Township Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Hamburg Golf Course Beverage, Inc. effective April 2, 2002”.

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

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C. Resolution Authorizing Extension of Temporary Budget

WHEREAS, municipalities are required to adopt a temporary budget for the first quarter of the calendar year or until such time as the final budget is adopted;

WHEREAS, a temporary budget was adopted by the Hardyston Township Council at their meeting of January 1, 2002 for the period January 1, 2002 running through March 31, 2002, and

WHEREAS, said temporary budget was set at 25% of the 2001 Operations, and

WHEREAS, less than a week before the Township's scheduled public budget hearing, the Governor of the State of New Jersey eliminated nearly \$300,000 in municipal aid from the Township; and

WHEREAS, the Township intends to challenge said reduction in aid.

NOW THEREFORE BE IT RESOLVED, by the Hardyston Township that the Temporary Budget is extended by another 25% of the 2001 Operations for the period April 1, 2002 through June 30, 2002 or until such time as the final budget is adopted.

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

D. Resolution urging Governor McGreevey to restore full funding for Watershed Moratorium Offset Aid

WHEREAS, New Jersey's rural communities play a vital role in protecting watershed lands and the drinking water supply for many of the State's urban and suburban residents; and

WHEREAS, N.J.S.A. 58:29-8 was adopted by the New Jersey legislature and signed into as Chapter 225 of the Public Laws of 1999; and

WHEREAS, N.J.S.A. 58:29-8 establishes Watershed Moratorium Offset Aid to recognize the important role of rural communities in protecting the State's water supply and to assist those communities in recouping tax revenue losses resulting from the 1988 State imposed moratorium on conveyance of watershed lands; and

WHEREAS, Watershed Moratorium Offset Aid not only provides essential financial assistance to eligible municipalities but also helps to relieve pressure on municipalities to develop watershed lands in an effort to maintain tax revenue streams, and

WHEREAS, Governor McGreevey's recently announced FY 2003 budget proposes to eliminate all \$3.4 million in Watershed Moratorium Offset Aid; and

WHEREAS, the \$3.4 million in Watershed Moratorium Offset Aid represents only five one hundredths (.05) of 1% of the State Budget; and

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WHEREAS, the elimination of this aid will cause affected municipalities to either increase property taxes, cut essential programs or to look to additional development to offset aid losses.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it urges Governor McGreevey and the New Jersey Legislature to restore, at full funding, the Watershed Moratorium Offset Aid Program; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Honorable James McGreevey – Governor, the Honorable Robert E. Littell – Senator 24th District, the Honorable E. Scott Garrett – Assemblyman 24th District, the Honorable Guy Gregg – Assemblyman 24th District, the New Jersey League of Municipalities, the Sussex County Board of Chosen Freeholders, the Morris County Board of Chosen Freeholders, the Passaic County Board of Chosen Freeholders, the Mayors and Clerks of all 56 municipalities receiving Watershed Moratorium Offset Aid.

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

- E. Resolution urging Governor McGreevey and the New Jersey State Legislature to restore Regional Efficiency Aid Program (REAP) funding to FY 2002 levels

WHEREAS, the Regional Efficiency Aid Program (REAP) was enacted by the New Jersey Legislature and signed into law to recognize the importance of municipal shared services in reducing property taxes across the State; and

WHEREAS, REAP provides direct tax credits to taxpayers residing in municipalities that enter into shared services agreements to enhance services while holding the line on local property taxes; and

WHEREAS, in 2001, residents of Hardyston Township received an average REAP credit of \$65 or the equivalent of more than four local tax points; and

WHEREAS, Governor McGreevey's recently announced FY 2003 budget proposes to reduce funding for REAP from \$20 million to \$9 million; and

WHEREAS, the State of New Jersey should continue to encourage and financially support municipalities that enter into shared services agreements.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it urges Governor McGreevey and the New Jersey Legislature to restore funding for the REAP program to the \$20 million level and to continue to encourage municipalities to enter into creative shared services agreements; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the Honorable James McGreevey-Governor of the State of New Jersey, the Honorable Robert E. Littell – Senator 24th District, the Honorable E. Scott Garret – Assemblyman 24th District, the Honorable Guy Gregg – Assemblyman 24th District, the New Jersey League of Municipalities, the Sussex County Board of Chosen Freeholders and all Sussex County municipalities.

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

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F. 2002 Municipal Budget Hearing

A presentation of the 2002 Municipal Budget was given by Township Manager John Eskilson. A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. The public asked general questions regarding the budget which were answered by Township Manager John Eskilson and the Council. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

No action taken on the 2002 Municipal Budget pending decision on State Aid.

G. Correspondence

1. Peter J. Czachorowski
2. Borough of Ogdensburg
3. Township of Green
4. Township of Green
5. Township of Green
6. Township of Frankford
7. Township of Frankford
8. Township of Frankford
9. Township of Hampton
10. Borough of Franklin
11. County of Sussex
12. Dolan and Dolan
13. Cerenzio & Panaro, P.C.
14. North Jersey District Water Supply Commission
15. Watershed Management Area 3 Public Advisory Committee
16. State of NJ – DCA
17. State of NJ – DEP
18. State of NJ – Department of Corrections
19. Rutgers – Center for Government Services
20. NJ State League of Municipalities
21. NJ State League of Municipalities
22. Service Electric Cable TV of NJ, Inc.
23. Metropolitan Waterfront Alliance
24. Maser Consulting, P.A.
25. Timothy Cullen
26. State of NJ – DEP
27. Association of Trial Lawyers of America
28. Schoor DePalma
29. Hope House
30. General Code Publishers -The Decoder
31. NJ Department of Community Affairs – Local Finance Notice
32. Battleship New Jersey Foundation

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

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

1. Sussex County Strategic Growth Advisory Committee
2. FEMA Firefighter Assistance Grants
3. Tax Appeals
4. Appointment of Stanley Kula to the Economic Development Commission – A motion was made by Hamilton to appoint Stanley Kula to the Economic Development Commission to a term expiring 12/31/02 seconded by Ross. All in favor. Motion carried.

BILLS TO BE PAID: A motion was made by Hamilton to approve the bill list as presented, seconded by Armstrong. All in favor. Motion carried. (The bill list may be found at the end of the minutes).

PUBLIC PORTION: A motion was made and seconded to open the meeting to the public. Inquiries were made regarding upcoming road paving, the Crystal Springs water situation, air conditioning at Littell Community Center, and the possibilities of a Senior Center in town. 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 Lasinski. 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)