

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 16, 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, and Manager John Eskilson

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 – March 2002
2. Smoke Detector Inspections – First Quarter 2002
3. Municipal Clerk Report – March 2002
4. Tax Collector Report – March 2002
5. Construction Official Report – March 2002
6. Police Department Report – March 2002
7. Wallkill River Watershed - Land Use Minutes of 2/11/02
8. Wallkill River Watershed – Land Use Minutes of 3/11/02
9. Police Department False Alarm Report – March 2002

Minutes:

1. Regular Minutes of 4/2/02
2. Workshop Minutes of 4/9/02

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

ORDINANCES:

1st READING: 2002-07

**AN ORDINANCE AUTHORIZING AN EMERGENCY
APPROPRIATION N.J.S.A. 40A:4-53**

BE IT ORDAINED by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey, that pursuant to N.J.S.A. 40A:4-53 (Ch. 48, P.L. 1956 as amended by Ch. 144, P.L. 1965 and Ch. 38, P.L. 1969) the sum of \$60,000 is hereby appropriated for preparation of a master plan and shall be deemed a special emergency appropriation as defined and provided for in N.J.S.A. 40A:4-55.

The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least 1/5th of the amount authorized pursuant to this act (N.J.S.A. 40A:4-55).

BE IT FURTHER RESOLVED that this ordinance shall take effect upon publication of final passage according to law.

A motion was made by Hamilton to approve Ordinance 2002-07 on first reading, seconded by Ross. All in favor. Motion carried.

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ORDINANCES:
2ND 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

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 Ross to approve Ordinance 2002-05 on second reading, seconded by Lasinski. All in favor. Motion carried.

A second motion was made by Ross, seconded by Lasinski, to correct action taken and not adopt Ordinance 2002-05 on second reading due to a lack of referral from the Planning Board – No Quorum. Final action to be taken after referral from the Planning Board. All in favor. Motion carried.

NEW BUSINESS:

- A. Resolution authorizing the Township Manager to submit an application to the Director of the Division of Local Government Services

BE IT RESOLVED by the Township Council of the Township of Hardyston that the Township Manager is hereby authorized to apply for the following:

- 1. 2002 Extraordinary Aid

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

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

BE IT RESOLVED by the Township Council of the Township of Hardyston that the Township Manager is hereby authorized to execute the following contracts, leases and or agreements:

- 1. Police Logging Recorder

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

- C. Resolution opposing proposed unfunded requirements under N.J.A.C. 8:52 by the State Health Department for Local Boards of Health in New Jersey

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WHEREAS, in the January 7, 2002 issue of the New Jersey Register under N.J.A.C. 8:52 "Public Health Practice Standards of Performance for Local Boards of Health in New Jersey", the State of New Jersey has proposed new rules and regulations; and

WHEREAS, upon review of these new proposed standards the New Jersey Department of Health will be requiring Local Boards of Health to provide County-Wide or Multi County-Wide planning, epidemiology, needs assessment, health improvement plans, communication systems and other regional expertise; and

WHEREAS, these proposed new standards are a very significant expansion of the previous "Minimum Standards of Performance of Local Boards of Health"; and

WHEREAS, although the intent of these new regulations are supported by the Department of Health and Human Services of the County of Sussex, which is an authorized agent for many municipalities in the County and there are no significant or realistic fiscal resources being provided by the State Department of Health to begin phasing in these new requirements and consequently these regulations could be viewed as an unfunded State mandate; and

WHEREAS, the New Jersey State League of Municipalities on February 1, 2002 also took a position against the implementation of these standards without permanent funding from the State.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that notice be given to the State Department of Health that the County of Sussex strongly opposes these unfunded requirements as proposed under N.J.A.C. 8:52-1 et seq.; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Clifford G. Freund, MPH Office of Local Health, NJ Department of Health and Senior Services, P.O. Box 360, Trenton, New Jersey 08625-0360; Phil Morlock, Director, Division of Health; County Administrator; Administrator, Department of Health and Human Services; County Counsel; all municipal Boards of Health; and all our State Legislators.

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

D. Junkyard and Auto Auction License Renewal – Central Auto Liquidators

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

E. Resolution awarding bid for the curbside collection of recyclables for Hardyston Township

WHEREAS, bids for the curbside collection and disposal of co-mingled recyclable materials and corrugated cardboard with alternate bid for the curbside collection and disposal of newsprint were advertised according to law in the New Jersey Herald; and

WHEREAS, bids for said collection were opened at the Hardyston Township Municipal Building at 11:00 a.m. on April 9, 2002; and

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WHEREAS, Waste Management of NJ, Inc. submitted the sole bid in the amount of

Year 1	\$42,562.00
Year 2	\$43,838.00
Year 3	\$45,154.00

TOTAL THREE YEAR BID:\$131,554.00

WHEREAS, bids have been reviewed by the Township Manager and the Township Attorney.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby awards the bid for the curbside collection and disposal of co-mingled recyclable materials and corrugated cardboard with alternate bid for the curbside collection and disposal of newsprint to Waste Management of NJ, Inc.; and

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to execute required bid contract.

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

F. Resolution awarding bid for the Hardyston Township Sports & Recreation Complex Turf Maintenance

WHEREAS, bids for the Hardyston Township Sports & Recreation Complex Turf Maintenance program were advertised according to law in the New Jersey Herald; and

WHEREAS, bids for said purchase were opened at the Hardyston Township Municipal Building at 11:30 a.m. on April 9, 2002; and

WHEREAS, LTI, Inc. of Lyndhurst, NJ submitted the low annual bid for each of the two (2) years as follows:

Base Bid:	\$40,791.00
Alternate A:	\$ 1,000.00
Alternate B:	\$ 2,875.00

TOTAL BID: \$44,666.00

WHEREAS, bids have been reviewed by the Township Engineer and the Township Attorney; and

WHEREAS, the Township Treasurer has certified that adequate funds exist for bid award.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby awards the bid for the Hardyston Township Sports & Recreation Complex Turf Maintenance program to LTI, Inc. of Lyndhurst, NJ in the amount of \$44,666.00; and

BE IT FURTHER RESOLVED that the Township Manager is hereby authorized to execute required bid contract.

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

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G. Correspondence

1. Town of Newton
2. Town of Newton
3. Borough of Hamburg
4. Borough of Hamburg
5. Borough of Haworth
6. Township of Jefferson
7. Frankford Township
8. Township of West Milford
9. County of Sussex
10. County of Sussex
11. County of Sussex
12. Sparta Health Department
13. New Jersey General Assembly
14. New Jersey General Assembly
15. State of New Jersey
16. National Institute of Justice
17. State of New Jersey
18. State of New Jersey
19. State of New Jersey
20. New Jersey Conference of Mayors
21. New Jersey State Safety Council
22. State of New Jersey
23. Office of Robert G. Torricelli and Jon S. Corzine
24. Association of New Jersey Environmental Commissions
25. New Jersey State League of Municipalities
26. New Jersey State League of Municipalities
27. New Jersey State League of Municipalities
28. New Jersey State League of Municipalities
29. New Jersey State League of Municipalities
30. Pequannock River Coalition
31. COAH
32. Upper Delaware Watershed Management Project
33. Jersey Central Power & Light
34. United Jewish Federation
35. Morris Land Conservancy
36. New Jersey Alliance for Action, Inc.
37. The Community Preservation Corporation
38. SCARC
39. Rutgers
40. Jersey Professional Management
41. Public Policy Center of New Jersey
42. Center for the Study of Economics
43. High Ground – Highlands Coalition News from ANJEC
44. The Township of Millburn
45. Myasthenia Gravis Foundation, Inc.
46. Township of Mendham
47. UPDATE – The First Occupational Center of New Jersey, Inc.
48. State of New Jersey – Board of Public Utilities

A motion was made by Armstrong 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 presentation on the following:

Watershed Moratorium Offset Aid Update
Landfill Update
Fire Frequency Channel Guard

Award Recognition – Marianne Smith

A motion was made by Ross, seconded by Armstrong, to have Township Manager John Eskilson prepare a resolution congratulating Marianne Smith on the award she received for best thesis submitted in the entire State, which was presented to her at the National Certified Public Manager's Awards Banquet held on April 16, 2002 in Atlantic City.

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

PUBLIC PORTION: A motion was made a seconded to open the meeting to the public. William Wurst inquired about Municipal Building sites and Watershed Aid. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

ADJOURN: A motion was made by Ross to adjourn, seconded by Hamilton. 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)