

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 17, 2001.

The meeting was called to order by Mayor Lasinski 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 Kievit, Councilman Ross, Councilman Armstrong, Councilwoman Hamilton, Manager John Eskilson 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 - May 2001
2. Statewide Insurance Fund Minutes - 5/17/01
3. Municipal Clerk - May 2001
4. Emergency Management
5. HTMUAS Minutes - 5/9/01
6. Board of Health Minutes - 5/10/01
7. Tax Collection - June 2001
8. Construction Department - June 2001
9. Animal Control - Quarterly Report
10. Municipal Court - June 2001

Minutes:

1. Workshop Minutes of 6/12/01
2. Executive Minutes of 6/12/01
3. Regular Minutes of 6/19/01

Licenses: None

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

ORDINANCES

1st READING: ORDINANCE 2001-09

AN ORDINANCE ESTABLISHING A LENGTH OF SERVICE AWARDS PROGRAM FOR MEMBERS OF THE HARDYSTON TOWNSHIP VOLUNTEER FIRE DEPARTMENT AND THE HARDYSTON TOWNSHIP FIRST AID SQUAD

WHEREAS, the Township of Hardyston deems it appropriate and necessary to ensure retention of existing members and provide incentives for recruiting new volunteer fire fighters and first aid squad members; and

WHEREAS, the Township of Hardyston has determined that the creation of a Length of Service Awards Program will enhance the ability of the Township to retain and recruit volunteer fire fighters and first aid squad members.

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Hardyston as follows:

1. A Length of Service Awards Program (LOSAP) is hereby created in accordance with Chapter 388 of the Laws of 1997, to reward members of the Hardyston Township Volunteer Fire Department and the Hardyston Township First Aid Squad for their loyal, diligent and devoted services to the residents of the Township of Hardyston.
2. The LOSAP shall provide for fixed annual contributions to a deferred income account for each volunteer member that meets the criteria set forth below; that such contributions shall be made in accordance with a plan that shall be established by the Township of Hardyston pursuant to P.L. 1997,

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- c. 388; and that such plan shall be administered in accordance with the laws of the State of New Jersey, the United States Internal Revenue Code and this Ordinance.
1. The LOSAP shall provide for annual contributions to each member that meets the following criteria:
 - a. A minimum of 528 annual service points are required for a member of the Hardyston Township First Aid Squad to be eligible for an annual contribution to the LOSAP program, calculated in accordance with the Hardyston Township First Aid Squad LOSAP Service Point System, annexed as Schedule 1 of this Ordinance.
 - b. A minimum of 100 annual service points are required for a member of the Hardyston Township Volunteer Fire Department to be eligible for an annual contribution to the LOSAP program , calculated in accordance with the Hardyston Township Volunteer Fire Department LOSAP Service Point System, annexed as Schedule 2 of this Ordinance.
4. In accordance with N.J.S.A. 40A:12-191, the Fire Chief and First Aid Squad President shall furnish to the Township Council, by no later than January 10, of the new year annual certification list, under oath, of all volunteer members who have qualified for credit under the award program for the prior year.
5. The Township Council shall review the annual certification list furnished by the Fire Chief and First Aid Squad President and approve the the final annual certification by no later than February 7 of the current year.
6. Five (5) years of service from the effective date of this Ordinance, not necessarily consecutive, shall be required for vesting.
7. The Township's annual contribution shall be \$500 per eligible member.
8. The estimated cost of this program has been calculated at \$50,000 per year.

This Ordinance shall take effect upon presentation as a public question at the next general election, and ratification by the voters, in accordance with N.J.S.A. 40A:13-183 et seq.

A motion was made by Kievit to approve Ordinance 2001-09 on first reading, seconded by Hamilton. All in favor with Ross and Armstrong abstaining.

ORDINANCES: None

2ND READING:

NEW BUSINESS:

A. Tax Collectors Resolutions:

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

B. RESOLUTION STATING THE TOWNSHIP COUNCIL'S SUPPORT OF THE SUSSEX COUNTY STRATEGIC GROWTH INITIATIVE AND THEIR COMMITMENT TO PARTICIPATION IN THE DETAILED BUILD-OUT ANALYSIS

WHEREAS, the Sussex County Strategic Growth Committee has corresponded with all Sussex County municipalities to solicit proposals for participation in the "Detailed Municipal Build-Out Analysis" component of the County's strategic growth initiative; and

WHEREAS, the Hardyston Township Planning Board has reviewed correspondence from the Sussex County Strategic Growth Committee related to the criteria for municipal selection and has adopted a resolution acknowledging their support and commitment to Hardyston's participation; and

WHEREAS, the Hardyston Township Planning Board is currently reviewing master planning issues and could expeditiously implement information gleaned from the process into the Township's Master Plan; and

WHEREAS, funds are available in the Township's 2001 Municipal Budget for additional professional services which may be needed to assist the County in compiling data and to review the County's build out analysis; and

WHEREAS, Hardyston Township has available staff to assist in the coordination of regional planning meetings and interact with the County's strategic growth consultants.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby states their support of Sussex County's Strategic Growth Initiative and their commitment to dedicate staff and professional resources needed to facilitate the "Detailed Municipal Build-Out Analysis" in partnership with the Sussex County Strategic Growth Committee.

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

C. RESOLUTION URGING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TO CONSIDER LOWERING THE SPEED LIMIT ALONG STATE HIGHWAY 94 IN THE TOWNSHIP OF HARDYSTON BETWEEN MILE MARKER 36 AND MILE MARKER 37

WHEREAS, the posted speed limit along State Highway 94 in the Township of Hardyston between mile marker 36 and mile marker 37 is 45 mph; and

WHEREAS, the posted speed limit along State Highway 94 south of mile marker 36 in the Borough of Hamburg is 35 mph; and

WHEREAS the posted speed limit along State Highway 94 north of mile marker 37 in the Township of Vernon is 35 mph; and

WHEREAS, the Crystal Springs resort development in Hardyston Township will be constructing an access to State Highway 94 between mile marker 36 and mile marker 37 in the next several months; and

WHEREAS, the Hardyston Township Council is concerned that the current 45 mph posting between mile marker 36 and mile marker 37 in the Township is potentially hazardous given the volume of future traffic exiting the Crystal Springs resort development and given the lower speed limits to the north and south.

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that it urges the New Jersey Department of Transportation to investigate lowering the speed limit along State Highway 94 between mile marker 36 and mile marker 37 in the Township of Hardyston; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to the New Jersey Department of Transportation, the Honorable Robert E. Littell, the Honorable E. Scott Garrett, the Honorable Guy Gregg, the Hamburg Borough Council and the Vernon Township Council.

A motion was made by Kievit to approve the resolution as presented, seconded by Ross. All in favor. Motion carried.
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D. Soil Removal License Renewal - Blue Circle Raia - A motion was made by Ross to approve the renewal, seconded by Armstrong. All in favor. Motion carried.

E. RESOLUTION REFUND OF ESCROW MONIES FOR VAN DECKER BROS. INC.

WHEREAS, the Hardyston Township Council received escrow moneys from Van Decker Bros. Inc. for a soil removal license on Block 16, Lot 8:

WHEREAS, said balance of escrow fund is \$553.75 and a Certificate of Deposit for \$15,000.00 and certification from the Municipal Engineer has been received to release said escrow and bond;

NOW THEREFORE BE IT RSOLVED by the Hardyston Township Council that Van Decker Bros. Inc. be refunded \$553.75 in escrow funds and release the CD in the amount of \$15,000.

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

F. RESOLUTION ACCEPTING A LETTER OF CREDIT IN THE AMOUNT OF \$422,830.80.00 FOR BOURNE CONDOMINIUM SECTION OF CRYSTAL SPRINGS AND A CASH BOND IN THE AMOUNT OF \$46,981.20.

WHEREAS, on the Hardyston Township Planning Board granted approval to Bourne Condominium Section of Crystal Springs; and

WHEREAS, as a condition of said approval Bourne Condominium Section of Crystal Springs was required to post a performance guarantee with the Township of Hardyston for the said site in the amount of \$\$469,812.00 and;

WHEREAS,. Bourne Condominium Section of Crystal Springs has submitted to the Municipal Clerk a Letter of Credit in the amount of \$422,830.80.00 from Boiling Springs Savings Bank, Irrevocable Letter of Credit and a cash bond in the amount of \$46,981.20 and

WHEREAS, the letter of credit has been reviewed and approved as to form by the Township Attorney and Township Engineer.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby accepts the above stated bonds from Bourne Condominium Section of Crystal Springs as performance securities required by the Hardyston Township Planning Board.

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

G. RESOLUTION REJECTING BIDS FOR CONSTRUCTION OF DOE RUN EMERGENCY ACCESS

WHEREAS, bids for construction of the Doe Run Emergency Access 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 11:00 a.m. on Wednesday May 16, 2001; and

WHEREAS, a single bid in the amount of \$44,730.00 was submitted by Aspen Environmental Companies; and

WHEREAS, bid was rejected by the Township Council for lack of sufficient funds; and

WHEREAS, the Township Council authorized re-bid of the Doe Run Emergency Access project; and

WHEREAS, the re-bid project was advertised according to law in the New Jersey Herald; and
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WHEREAS, bids were opened at the Hardyston Township Municipal Building at 11:00 a.m. on July 13, 2001; and

WHEREAS as single bid in the amount of \$63,900 was submitted by M.J. Hoag Contracting, Inc.; and

WHEREAS, there are not sufficient funds to award bid in the amount of \$63,900.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby rejects bid for the construction of the Doe Run Emergency Access.

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

H. RESOLUTION AUTHORIZING CHANGE ORDER FOR WHEATSWORTH ROAD SPORTS FIELD PROJECT

BE IT RESOLVED by the Township Council of the Township of Hardyston that Change Order #1 for the Wheatsworth Road Park Improvements, Parking Lots and Nature Trail, Project #1066 is hereby approved.

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

I. RESOLUTION AUTHORIZING THE PURCHASE OF RESCUE EQUIPMENT THROUGH STATE CONTRACT FOR THE HARDYSTON TOWNSHIP FIRE DEPARTMENT.

WHEREAS, the New Jersey Local Public Contracts Law (N.J.S.A.40A:11-12) enables units of local government to purchase without competitive bid, materials, supplies or equipment under any contract entered into on behalf of the State Division of Purchase and Property in the Department of Treasury; and

WHEREAS, Community Fire Equipment has been awarded State Contract #A44134 by the Division of Purchase and Property in the Department of Treasury for the purchase of, and

WHEREAS, The Township of Hardyston is in need of rescue equipment and

WHEREAS, Funds are available through the 2001 Municipal Township Budget and;

NOW, THEREFORE BE IT RESOLVED that fire equipment for the Hardyston Fire Department may be purchased without competitive bid as through State Contract #A44134.

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

J. Correspondence List :

1. Resolution - Stillwater Township
2. Borough of Hamburg
3. Ordinances - Township of Vernon
4. Resolution - Upper Township
5. Resolution - Borough of Franklin
6. Resolution - Borough of Franklin
7. Resolution - Hampton Township
8. Resolution - Town of Newton
9. Resolution - Town of Newton
10. Resolution - Frankford Township
11. Ordinance - Township of Jefferson
12. Township of Jefferson
13. Resolution - Stillwater Township
14. Resolution - Stillwater Township
15. Resolution - Stillwater Township
16. Ordinance - Township of Vernon
17. Resolution - City of Brigantine
18. Resolution - Borough of Ringwood
19. Resolution - Sandyston Township
20. NJ State League of Municipalities
21. NJ State League of Municipalities
22. NJ State League of Municipalities
23. NJ State League of Municipalities
24. NJ State League of Municipalities
25. State of NJ - Dept. of Labor
26. State of NJ - COAH
27. State of NJ - Dept. of State
28. State of NJ - Dept. of Labor

29. State of NJ - DEP
30. State of NJ - DEP
31. State of NJ - DCA
32. State of NJ - DCA
33. County of Sussex
34. County of Sussex
35. County of Sussex
36. County of Sussex
37. County of Sussex
38. County of Sussex
39. County of Sussex
40. County of Sussex
41. County of Sussex
42. County of Sussex
43. Spectrum for Living
44. Wild Turkey Golf Club
45. NJ Municipal Engineers
46. Township of Hardyston
47. Eleanore Nissley
48. The Gap
49. US Congress
50. Visions
51. USGA
52. County of Sussex
53. Future
54. Verizon
55. COAH
56. Patrick Torpey
57. US Dept. of Commerce
58. T & M Assoc.
59. ANJEC
60. Federal Emergency Management
61. Upper Delaware Watershed
62. County of sussex
63. NJ Apartment Assoc.
64. Home Front
65. State Planning Notes
66. NJ State League of Municipalities

A motion was made by Ross 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:

NJ Regional Efficiency Aid Program
Wheatworth Road Park Update
Dog Census
Bulky Waste Program

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BILLS TO BE PAID: A motion was made by Kievit 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 PARTICIPATION: A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. The public commented on the Recreation field, Post Office, Crystal Springs Road Resurfacing, VanDecker Bros, and Leasing of Watershed property.

A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

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

ATTEST _____
Louanne Cular RMC/CMC
Municipal Clerk