

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON DECEMBER 4, 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 Deputy Clerk Jane Bakalarczyk.

SALUTE THE FLAG:

RECOGNITION CEREMONY: The Council presented a plaque to Garry Bresett for bravery in performing his duties as a lifeguard at Lake Tamarack.

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. Township of Jefferson
2. Board of Health Minutes – 10/11/01
3. Municipal Court Report – October 2001
4. Police Department Report - October 20, 2001
5. False Alarm Report - October 20, 2001
6. Statewide Insurance – Minutes 10/19/01

Minutes: None

Licenses: None

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

ORDINANCES

1st READING: ORDINANCE 2001-12

AN ORDINANCE AMENDING CHAPTER 107, JUNK DEALERS AND AUTOMOBILE AUCTIONS, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HARDYSTON
ORDINANCE 97-11

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

B. Resolution authorizing the Township Manager to execute a dam restoration co-borrower agreement with the Lake Tamarack Association and a loan agreement between the State of New Jersey, The Lake Tamarack Association and the Township of Hardyston (as Co-borrower)

WHEREAS, the Lake Tamarack Association is in need of funds to complete State mandated repairs and renovations to the Lake Tamarack dam; and

WHEREAS, funds, in the form of low interest loans, are available from the State of New Jersey to funds dam repairs and renovation in private lake communities; and

WHEREAS, the Lake Tamarack Association has made application to the State of New Jersey for \$175,000 in low interest loan funds to finance repairs and renovations to the Lake Tamarack dam; and

WHEREAS, the State of New Jersey requires the municipal government in the municipality wherein the private lake dam work is to occur, to act as co-borrower of funds in the event of default by the private lake association; and

WHEREAS, the Township Attorney has prepared a “Dam Restoration Loan Co-Borrower Agreement” between the Lake Tamarack Association and the Township of Hardyston specifying the terms and conditions under which the Township will act as co-borrower of funds with the Lake Tamarack Association.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that the Township Manager is hereby authorized to execute the following documents related to the financing of repairs and renovation to the Lake Tamarack Association dam:

1. Dam Restoration Loan Co-Borrower Agreement between the Lake Tamarack Association and the Township of Hardyston.
2. Loan Agreement between the State of New Jersey, Acting through the New Jersey Department of Environmental Protection and the Lake Tamarack Association and the Township of Hardyston.

C. Tax Collectors Resolutions:

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

D. Resolution approving Chapter 159:

- a. Borough of Hamburg interlocal service agreement for housing rehabilitation administration services.
- b. Borough of Franklin interlocal service agreement for housing rehabilitation administration services.

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

E. Resolution adopting Police Rules and Regulations for the Hardyston Township Police Department: BE IT RESOLVED, by the Township Council of the Township of Hardyston that it here by adopts the Hardyston Police Department Rules and Regulations.

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

F. Resolution adopting amended policies and procedures manual for housing rehabilitation: BE IT RESOLVED, by the Township Council of the Township of Hardyston that it hereby adopts the Hardyston Township amended policies and procedures manual for housing rehabilitation.

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

G. Resolution authorizing the Township Manager to execute the following:

- a. Contract for professional services for Sparta housing inspector services.

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

H. Resolution authorizing the sale of Municipal land not needed for public use by public auction – Block 75, Lot 57:

WHEREAS, the Township of Hardyston has title to certain real property described as Block 75, Lot 57 as shown on the Hardyston Township Tax Map which parcel of real property is not needed for public use; and

WHEREAS, the governing body has determined that said parcel be sold at public sale to the highest bidder subject to the terms and conditions hereinafter set forth, pursuant to N.J.S. 40A:12-13(a).

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, Sussex County, New Jersey, as follows:

1. That Block 75, Lot 57 as shown on the Hardyston Township Tax Map be offered for sale at public auction to the highest bidder with a minimum bid required of \$15,000.
2. That the sale shall be conducted at the Municipal Building of the Township of Hardyston, Sussex County New Jersey on January 29, 2002 at 6:00 pm.

3. The governing body hereby appoints and designates the Township Manager and Municipal Clerk or such other person as shall be appointed to conduct the auction sale on behalf of the governing body.
4. The parcel placed for sale in this auction shall be auctioned with reservation. No bid shall be accepted in an amount less than \$15,000. The auctioneer shall commence the bidding at the minimum required bid and may accept the highest bid thereafter made or reject all bids. The Township reserves the right to finally accept or reject any bid made and no bid shall be considered finally accepted until passage of an ordinance of the Township Council as set forth in paragraph 6 hereof.

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5. That a deposit by cash or check not exceeding ten (10%) percent of the highest bid shall be required of the acceptable bidder. The balance of monies due shall be paid in cash or by certified check on the delivery of the deed.
6. The acceptable bid shall be confirmed by an ordinance of the governing body no later than the second regular meeting of the governing body following the date of such sale.
7. The conveyance of the property to the successful bidder will be by Bargain and Sale Deed.
8. That notice of the auction sale of parcel shall be advertised in the New Jersey Herald at least once a week during two consecutive weeks, the last publication being not earlier than seven days prior to the date of such sale.

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

I. Resolution awarding the bid for the Crystal Springs Road Improvements in the amount of \$115,824.15 to Intercounty Paving Assoc.:

WHEREAS, bids for the Crystal Springs Road Improvements 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 Thursday, November 29, 2001; and

WHEREAS, Intercounty Paving Assoc. submitted the low bid as follows: \$115,824.15; and

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

WHEREAS, the Township Treasurer has certified that adequate funds exist in the 2001 Municipal Budget for the award of bid to Intercounty Paving Assoc.; and

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby awards the bid for the Crystal Springs Road Improvement in the amount of \$115,824.15 to Intercounty Paving Assoc.

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

J. Resolution urging acting Governor DiFrancesco to sign Senate Bill 1714:

WHEREAS, Senate Bill 1714 and its companion legislation Assembly Bill 2863 provide for the State of New Jersey to appropriate \$135 million for dam restoration/repair projects and lake dredging projects; and

WHEREAS, funds appropriated through S1714/A2863 will be made available, in the form of low interest loans, to municipalities and private lake communities to bring dams into compliance with New Jersey Department of Environmental Protection safety standards and to restore water quality in both public and private lakes; and

WHEREAS, the Township of Hardyston has seven year round and seasonal lake communities within its borders; and

WHEREAS, improvements made with funds available through S1714 will protect life and property, help maintain and restore water quality and help to sustain the quality of life for thousands of families living in lake communities throughout the State; and

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WHEREAS, Senate Bill 1714 and its companion legislation Assembly Bill 2863 have been approved by both the State Senate and Assembly.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it urges Acting Governor DiFrancesco to immediately sign S1714 into law; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to Acting Governor Donald DiFrancesco, Senator Robert E. Littell – 24th District, Assemblyman E. Scott Garrett-24th District, Assemblyman Guy Gregg – 24th District, the Sussex County Board of Chosen Freeholders and all Sussex County municipalities.

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

K. Correspondence List :

1. NJ State League of Municipalities
2. NJ State League of Municipalities
3. NJ State Council on the Arts
4. State of NJ – DEP
5. State of NJ – DCA
6. NJ Professional Management
7. GIS in Your Community
8. Upper Delaware Watershed
9. NJ Clean Water Council
10. NJDEP
11. County of Sussex
12. Vernon Township
13. Vernon Township
14. Township of West Milford
15. TRICO
16. Regulator's Update
17. United States Senate
18. Joseph Barbieri & Assoc.
19. Dykstra Walker Design Group
20. Applied Water Management Inc.
21. Chilton Memorial Hospital
22. Watershed Management Advisory Committee
23. Saint Clare's Health Services
24. Incentive Taxation
25. Air Filtronix
26. NJ GASP
27. The White House
28. State of NJ - DEP

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

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

FY 2002 State Special Legislative Grant – Landfill
Appointment to Sergeant's Position

A motion was made by Ross to oppose the quarry regulating by the State of NJ, seconded by Kievit. All in favor. Motion carried.

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

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

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.

ATTEST _____
Louanne Cular RMC/CMC
Municipal Clerk