

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 1, 2004.

The meeting was called to order by Mayor Hamilton at 12:00 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 Armstrong, Councilman Ross, Councilman Lasinski, Councilman Kievit, Manager Marianne Smith, Attorney Kevin Kelly, Attorney Megan Ward and Clerk Jane Bakalarczyk.

SALUTE THE FLAG:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman James G. Armstrong.

OATH OF OFFICE: Municipal Clerk Jane Bakalarczyk issued the Oath of Office to Councilman Armstrong.

2004 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

MAYOR - A motion was made by Kievit to appoint James Armstrong, seconded by Ross. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Hamilton to appoint Wayne Ross, seconded by Lasinski. All in favor. Motion carried.

ATTORNEY - A motion was made by Hamilton to appoint Kevin Kelly, seconded by Ross. All in favor. Motion carried.

PROSECUTOR - A motion was made by Kievit to appoint Anthony Den Uyl, seconded by Hamilton. All in favor. Motion carried.

PUBLIC DEFENDER - A motion was made by Hamilton to appoint James Sloan, seconded by Lasinski. All in favor. Motion carried.

AUDITOR - A motion was made by Kievit to appoint Charles Ferraioli, seconded by Hamilton. All in favor. Motion carried.

BOND COUNSEL - A motion was made by Hamilton to appoint Frohling, Hudak & McCarthy, seconded by Kievit. All in favor. Motion carried.

DEPUTY MUNICIPAL CLERK - A motion was made by Hamilton to appoint Marianne Smith, seconded by Kievit. All in favor. Motion carried.

DEPUTY REGISTRAR - A motion was made by Kievit to appoint Marianne Smith, seconded by Hamilton. All in favor. Motion carried.

ASSESSMENT SEARCH OFFICER - A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Kievit. All in favor. Motion carried.

TOWNSHIP PHYSICIAN - A motion was made by Kievit to appoint Dennis Fielding, seconded by Hamilton. All in favor. Motion carried.

SWCF COMMISSIONER - A motion was made by Hamilton to appoint Marianne Smith, seconded by Kievit. All in favor. Motion carried.

RISK MANAGEMENT CONSULTANT - A motion was made by Hamilton to appoint the Woodland Group, seconded by Kievit. All in favor. Motion carried.

SENIOR CITIZEN COORDINATOR - A motion was made by Kievit to appoint William Wurst, seconded by Hamilton. All in favor. Motion carried.

PUBLIC AGENCY COMPLIANCE OFFICER - A motion was made by Hamilton to appoint Marianne Smith, seconded by Kievit. All in favor. Motion carried.

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208 REPRESENTATIVE (PAC). - A motion was made by Kievit to appoint Marianne Smith, seconded by Hamilton. All in favor. Motion carried.

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) – A motion was made by Hamilton to appoint Robert F. Schultz, seconded by Kievit. All in favor. Motion carried.

SWCF SAFETY LOSS PREVENTION REPRESENTATIVE - A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Kievit. All in favor. Motion carried.

RESOLUTION FOR PROFESSIONAL SERVICES: Attorney, Prosecutor, Auditor, Bond Counsel, Public Defender and Risk Management Consultant

WHEREAS, there exists the need for an Attorney, Prosecutor, Auditor, Bond Counsel, Public Defender, and Risk Management Consultant to perform professional services for the Township of Hardyston; and

WHEREAS, funds are available for this purpose and;

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing these "Professional Services" without competitive bids must be publicly advertised;

NOW THEREFORE BE IT RESOLVED this 1st day of January by the Township Council of the Township of Hardyston as follows:

1. The Township of Hardyston is authorized to engage Kevin Kelly as Municipal Attorney.
2. The Township of Hardyston is authorized to engage Anthony Den Uyl as Municipal Prosecutor.
3. The Township of Hardyston is authorized to engage Charles Ferraioli as Municipal Auditor.
4. The Township of Hardyston is authorized to engage Frohling, Hudak & McCarthy as Municipal Bond Council.
5. The Township of Hardyston is authorized to engage James Sloan as Municipal Public Defender.
6. The Township of Hardyston is authorized to engage The Woodland Group as Municipal Risk Management Consultants.
7. These appointments are awarded without competitive bidding as a "Professional Service" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions.
8. A copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage.

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

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 1, 2004.

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. Frohling & Hudak, LLC – Bond Counsel Services
2. Guerin & Vreeland Engineering – Engineering Services
3. Kelly & Ward, LLC – Legal Services
4. Woodland Group – Risk Management Consultant

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

TAX ASSESSOR AND MUNICIPAL ATTORNEY RESOLUTION FOR SUSSEX COUNTY BOARD OF TAXATION AND TAX COURT OF THE STATE OF NEW JERSEY

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$5,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

OFFICIAL DEPOSITORIES - A motion was made by Kievit to appoint: Bank of New York - Sussex County State Bank - Newton Trust Bank - Wachovia Bank – Lakeland Bank - NJ Cash Management Fund, Valley National Bank, seconded by Ross. All in favor. Motion carried.

OFFICIAL NEWSPAPERS - A motion was made by Ross to appoint: New Jersey Herald - New Jersey Sunday Herald - Alternates- Star Ledger, Advertiser News and Aim Newspaper, seconded by Lasinski. All in favor. Motion carried.

OFFICIAL HOLIDAYS - A motion was made by Hamilton to approve the following holidays:

| | | |
|------------------------|------------------|------------------------|
| New Year's Day | Independence Day | Day After Thanksgiving |
| Martin Luther King Day | Labor Day | Christmas Eve Day |
| Presidents' Day | Columbus Day | Christmas Day |
| Good Friday | Veterans' Day | |
| Memorial Day | Thanksgiving Day | |

seconded by Kievit. All in favor. Motion carried.

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2004 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 13, 2004 (6:30 p.m.)
January 27, 2004
February 17, 2004
March 16, 2004
April 20, 2004
May 18, 2004
June 15, 2004
July 20, 2004
August 17, 2004
September 21, 2004
October 19, 2004
November 23, 2004
December 21, 2004

WORKSHOP MEETINGS

January 13, 2004 (7:00 p.m.)
February 10, 2004
February 24, 2004
March 9, 2004
March 23, 2004
April 13, 2004
April 27, 2004
May 11, 2004
May 25, 2004
June 8, 2004
June 22, 2004
July 13, 2004
July 27, 2004
August 10, 2004
August 24, 2004
September 14, 2004
September 28, 2004
October 12, 2004
October 26, 2004
November 9, 2004
December 14, 2004
December 28, 2004

REORGANIZATION MEETING – SATURDAY - JANUARY 1, 2005 - 12:00 PM

A motion was made by Hamilton to approve the 2004 Hardyston Township Council meeting dates as presented, seconded by Kievit. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Hamilton to appoint James Armstrong, seconded by Ross. All in favor. Motion carried.

CLASS II - A motion was made by Kievit to appoint Carl Miller, seconded by Ross. All in favor. Motion carried.

CLASS III - A motion was made by Kievit to appoint Leslie Hamilton, seconded by Ross. All in favor. Motion carried.

CLASS IV – A motion was made by Hamilton to appoint Ed Zinck to a **three-year term**, seconded by Kievit. All in favor. Motion carried.

CLASS IV – A motion was made by Hamilton to appoint James Vecchio to a **three-year term**, seconded by Kievit. All in favor. Motion carried.

CLASS IV – A motion was made by Hamilton to appoint Randy Roof to a **three-year term**, seconded by Kievit. All in favor. Motion carried.

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ZONING BOARD - The following appointments were made:

FULL MEMBER - A motion was made by Hamilton to appoint David Toye to a **four-year term**, seconded by Lasinski. All in favor. Motion carried.

FULL MEMBER - A motion was made by Hamilton to appoint William Walsh to a **four-year term**, seconded by Lasinski. All in favor. Motion carried.

ALTERNATE II - A motion was made by Kievit to appoint Roger Kabbash to a **two-year term**, seconded by Ross. All in favor. Motion carried.

MUNICIPAL UTILITIES AUTHORITY:

FULL MEMBER – A motion was made by Kievit to appoint Wayne Ricker to a **five-year term**, seconded by Hamilton. All in favor. Motion carried.

Unexpired Alternate II (1/31/06) - A motion was made by Ross to hold this appointment, seconded by Lasinski. All in favor. Motion carried.

RECREATION COMMITTEE: A motion was made by Hamilton to appoint:

Terry Johnson
Robert Califano
Wayne Ross
Loren Klotz
MaryAnn Murphy
Jodi Mix

seconded by Kievit. All in favor with Ross voting “No” on his appointment. Motion carried.

ECONOMIC DEVELOPMENT COMMISSION: A motion was made by Hamilton to appoint:

Stanley Kula Michael Aratingi
Carl Miller Gregg Eisenecker
James Vecchio

seconded by Kievit. All in favor. Motion carried.

MUNICIPAL DRUG ALLIANCE COMMITTEE: A motion was made by Hamilton to appoint:

Jim Armstrong Betty Richards Nancy O’Brien
Katherine LaDuke Elizabeth Burdzy Pam Styer

seconded by Kievit. All in favor. Motion carried.

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EMERGENCY MANAGEMENT COUNCIL - A motion was made by Ross to make the following appointments:

| | |
|---|-------------------------------------|
| Mayor – James Armstrong | Chief of Police – Keith Armstrong |
| Councilman – William Lasinski | Fire Chief – William Hickerson |
| Councilman – Kenneth Kievit | First Aid Captain – Jeff Hamler |
| Councilwoman – Leslie Hamilton | Building Inspector – Keith Utter |
| Deputy Mayor – Wayne Ross | DPW – Robert F. Schultz |
| Township Manager – Marianne Smith | DPW – Jeff Van Acker |
| Communications Officer – James Condon | Dep. Comm. Officer – Ruth Condon |
| Public Information Officer – Frank Lacatena | Dep. Comm. Officer – Dennis Goller |
| Senior Citizens Liaison – William Wurst | Chaplain – Edward Casey |
| Health Officer – Ralph D’Aries | Fire Dept., Asst. Chief – Joe Ionta |
| Red Cross Liaison – Rose McAteer | Dam Safety Officer – Bob Mertrud |

seconded by Kievit. All in favor. Motion carried.

2004 TEMPORARY MUNICIPAL BUDGET

BE IT RESOLVED that the following appropriations shall constitute the temporary budget of the Township of Hardyston for the year 2004:

| <u>APPROPRIATION</u> | <u>SALARIES & WAGES</u> | <u>OTHER EXPENSES</u> |
|------------------------------------|-----------------------------|-----------------------|
| Administrative & Executive | 45,000.00 | 11,250.00 |
| Elections | | 875.00 |
| Financial Administration | | 22,000.00 |
| Assessor | 13,000.00 | 3,750.00 |
| Collection of Taxes | | 15,875.00 |
| Legal | | 14,250.00 |
| Municipal Court | 17,000.00 | 1,625.00 |
| Engineering | | 5,080.00 |
| Economic Development Commission | | 1,625.00 |
| Planning Board | | 5,250.00 |
| Zoning Board of Adjustment | | 1,750.00 |
| Joint Planning & Community Develop | 23,000.00 | 625.00 |
| Insurance: | | |
| Group Insurance | | 123,250.00 |
| Worker’s Compensation | | 14,000.00 |
| Surety Bond Premiums | | 275.00 |
| Other Insurance Premiums | | 18,750.00 |
| Unemployment Compensation | | 1,250.00 |
| Police | 292,000.00 | 43,875.00 |
| Police Communications | 55,000.00 | 7,750.00 |
| Emergency Management | 1,595.00 | 625.00 |
| Aid to Volunteer Fire Company | | 18,000.00 |
| Aid to First Aid Squads | | 10,750.00 |
| Fire Prevention | 1,975.00 | 500.00 |
| Prosecutor | | 4,525.00 |
| Roads Repairs | 93,125.00 | 119,000.00 |
| Garbage & Trash Removal | | 2,250.00 |
| Recycling | | 11,540.00 |
| Public Building & Grds | | 24,500.00 |
| Board of Health | | 21,050.00 |
| Dog Regulation | | 3,000.00 |
| Contrib. to Seniors Center | | 750.00 |

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| | | |
|-------------------------------|------------|------------|
| Seniors Center Busing | | 4,250.00 |
| Recreation | 22,750.00 | 12,312.00 |
| Celebration of Pub. Event | | 125.00 |
| Construction Official | 43,500.00 | 2,000.00 |
| Zoning Officer | 5,595.00 | 500.00 |
| Electricity | | 5,000.00 |
| Street Lighting | | 6,000.00 |
| Telephone | | 8,000.00 |
| Fuel Oil | | 1,250.00 |
| Gasoline | | 12,500.00 |
| Social Security | | 47,850.00 |
| Police & Firemen's Retirement | | 3,000.00 |
| Public Defender | | 1,000.00 |
| Hepatitis B Shots | | 250.00 |
| ----- | | |
| TOTAL - TOWNSHIP OF HARDYSTON | 613,540.00 | 613,632.00 |
| TOWNSHIP CAPITAL BUDGET | | 225,000.00 |
| DEBT SERVICE | | 200,000.00 |

A motion was made by Kievit to approve the 2004 Temporary Municipal Budget, seconded by Hamilton. All in favor. Motion carried.

ORDINANCE 2004-01: An Ordinance to authorize acquisition of real property (Block 62, Lot 3, 246 North Church Road) and Capital Improvements.

WHEREAS, the owners of real property (“owners”) designated as Lot 3 in Block 62 (“the property”) on the Hardyston Township Tax Map, and known as 246 North Church Road, are willing to convey the same to the Township of Hardyston (“Township”); and

WHEREAS, the Township desires to acquire the property located adjacent to other Township real property; and

WHEREAS, the Township Council has determined that it should acquire the property for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED by the Hardyston Township Council that the Township shall acquire Block 62, Lot 3 by purchase from its owners in consideration of One Hundred Eighty Six Thousand Dollars (\$186,000.00).

Severability

If any part of this Ordinance is for any reason held to be invalid, such decision shall not effect the validity of the remaining portion of the Ordinance.

Effective date

This Ordinance shall take effect in the time and manner prescribed by law.

A motion was made by Ross to approve Ordinance 2004-01 on first reading, seconded by Kievit. All in favor. Motion carried.

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RESOLUTION TO AUTHORIZE EXECUTION OF DOCUMENTS TO PURCHASE BLOCK 62, LOT 3, 246 NORTH CHURCH ROAD

WHEREAS, the Township Council has determined that it should acquire for municipal purposes real property designated and known as Block 62, Lot 3, 246 North Church Road (“the property”), and

WHEREAS, the Township Council has introduced an ordinance to authorize the acquisition in accordance with the “Local Land & Buildings Law”.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston that the Township Attorney is hereby authorized and directed to prepare documents and accept delivery of the Deed and Affidavit of Title regarding said property and to record same at the Sussex County Clerk’s Office, and to perform any such other acts as are usual and necessary for the purpose of carrying out, completing, and effectuating the transfer of title and ownership of said property to the Township of Hardyston.

IT IS FURTHER RESOLVED that the Mayor and/or Township Manager is hereby authorized to execute any and all documents and to perform any such other acts as are usual and necessary for the purpose of carrying out, completing, and effectuating the transfer of title and ownership of said property to the Township of Hardyston.

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

PUBLIC PARTICIPATION - The Council opened the meeting to the public. No public participation. The Council closed the meeting to the public.

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

Attest _____
Jane Bakalarczyk, RMC
Municipal Clerk