

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 17, 2009**

NEW BUSINESS:

- A. Resolution Authorizing The Recycling Coordinator To File The 2008 Recycling Tonnage Grant Application For The Township Of Hardyston

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made available to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Council of the Township of Hardyston to the efforts undertaken by the municipality and requirements contained in the Recycling Act and Recycling Regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that Hardyston Township hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Robert F. Schultz, Recycling Coordinator for the Township of Hardyston, 149 Wheatsworth Road, Hardyston, NJ 07419 to assure that the said Application is properly filed.

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

- B. 2008 Budget Appropriation Reserves Transfer Resolution

Now, Therefore be it resolved by the Township Council of the Township of Hardyston, State of New Jersey, That the following 2008 Budget Appropriation Reserves transfers be authorized:

Transfer From:		Transfer To:	
Admin S&W	2,500.00	Finance OE	2,500.00
Election	495.00	General Admin. OE	495.00
Police S&W	23,000.00	Streets & Roads S&W	23,000.00
Police S&W	2,000.00	Group Insurance	2,000.00
Police S&W	10,000.00	Streets & Roads OE	10,000.00
Comm. S&W	2,113.00	Comm. OE	2,113.00
Gasoline	1,000.00	Fuel Oil	1,000.00
Gasoline	1,000.00	Diesel	1,000.00
Gasoline	10,000.00	Streets & Roads OE	10,000.00
Social Security	2,000.00	Streets & Roads OE	2,000.00
Totals	54,108.00	Totals	54,108.00

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

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- C. A Resolution Of The Township Of Hardyston, County Of Sussex And State Of New Jersey Authorizing The Award Of A Professional Services Contract Without Competitive Bidding To Eneractive Solutions For Professional Work Associated With The Photovoltaic Power Plant Project

WHEREAS, with the Township's consideration of moving forward with the photovoltaic power plant project, there is a need to retain the professional services of a consultant who can assist in the project management, oversight and commissioning of the project; and

WHEREAS, the Mayor and Township Council of the Township of Hardyston wishes to retain Eneractive Solutions for the purpose of assisting the Township of Hardyston with regard to the development, project management, oversight and commissioning of the photovoltaic power plant project; and

WHEREAS, the total amount of the contract shall not exceed \$80,000.00; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Eneractive Solutions has completed and submitted both a Political Contribution Disclosure Form and a Business Entity Disclosure Certification which certifies that the firm has not made any reportable contributions to a political or candidate committee in the Township of Hardyston with the elected officials in the previous one year, and that the contract will prohibit Eneractive Solutions from making any reportable contributions through the term of the contract, and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bid and the contract itself must be made available for public inspection.

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

1. The Township of Hardyston hereby awards and authorizes the Mayor and Township Clerk to execute an agreement with Eneractive Solutions with offices located at 700 Mattison Avenue, Suite A, Asbury Park, NJ, to assist the Township with the development, project management, oversight and commissioning of the photovoltaic power plant project in an amount not to exceed \$80,000.00, and in accordance with its proposal dated December 16, 2008 attached hereto.
2. This contract is awarded without competitive bidding as the work being performed is considered a professional service as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.
3. The total fee authorized for this contract shall not exceed \$80,000.00 without the prior written approval of the Township Council.
4. The Political Contribution Disclosure Form, Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this resolution.
5. Notice of this action shall be published once in the Township's official newspaper as required by law.
6. A copy of this resolution shall be provided to the Township Treasurer, and Eneractive Solutions, 700 Mattison Avenue, Suite A, Asbury Park, NJ 07712, for their information and guidance.

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

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D. Correspondence

1. Township of Vernon
2. NJ State League of Municipalities
3. NJ State League of Municipalities
4. NJ State League of Municipalities
5. NJ State League of Municipalities
6. NJ State League of Municipalities
7. NJ State League of Municipalities
8. NJ State League of Municipalities
9. NJ State League of Municipalities
10. NJ State League of Municipalities
11. NJ State League of Municipalities
12. NJ State League of Municipalities
13. NJ State League of Municipalities
14. State of NJ
15. State of NJ
16. State of NJ

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

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

PUBLIC PORTION: 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.

ADJOURNMENT: A motion was made by Armstrong to adjourn at approximately 7:20 p.m., seconded by Ross. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk