

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 14, 2009**

The meeting was called to order by Deputy 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:, Councilman Armstrong, Councilman Kula, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau. Mayor Hamilton and Councilman Ross were absent from this meeting.

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 Clerk Report – March 2009
2. Tax Collector Report – March 2009
3. Finance Officer Report – February 2009
4. Construction Certificate Activity Report – March 2009
5. Construction Permit Activity Report – Hardyston – February 2009
6. Construction Permit Activity Report – Hamburg – February 2009
7. Construction Permit Activity Report – Franklin – February 2009
8. Planning Board Report – March 2009
9. HTMUA – Minutes of 2/2/09
10. Sales Listing – March 2009
11. Smoke Detector & CO Alarm Compliance Inspections – 1st Q 2009

Agreements/Applications/Licenses:

1. Raffle License – Wallkill Valley Booster Club
2. Raffle License – Paradise Knoll PTA
3. Raffle License – Hardyston Township PTA
4. Raffle License – Touch The World Ministries

Minutes:

1. Workshop Minutes of 1/13/09
2. Regular Minutes of 1/13/09
3. Regular Minutes of 1/20/09
4. Workshop Minutes of 3/10/09
5. Regular Minutes of 3/10/09
6. Regular Minutes of 3/17/09
7. Workshop Minutes of 3/24/09

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

ORDINANCES:

1st READING: **None**

ORDINANCES:

2nd READING: **None**

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NEW BUSINESS:

- A. A resolution of the Township Council of the Township of Hardyston, County of Sussex and State of New Jersey to authorize cancellation of certain tax sale certificates

WHEREAS, the Township of Hardyston has previously issued Tax Sale Certificates in connection with the non-payment of taxes and various spring rights with de minimis values; and

WHEREAS, it has been determined that these rights have de minimis value and the going concern and administrative cost to maintain these Certificates of Tax Sale exceeds the value of the Tax Sale Certificates; and

WHEREAS, as opposed to maintaining these Certificates which will not provide any value on a long-term basis, the Tax Assessor, Municipal Attorney and the Township Manager recommend that these liens be cancelled of record to avoid any further administrative or financial obligations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey that the Tax Assessor is hereby authorized to cancel the attached list of Tax Sale Certificates pertaining to assessments as to spring rights which is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that this action shall result in a one-time cost of \$379.56 that shall be paid to the holders of Tax Sale Certificates and cancellation of \$1,842.92 in municipally held Tax Sale Certificates.

Township Attorney explained that it is in the best interest of the town to cancel these liens to avoid any further administrative or financial obligations. The liens have no underlying value. A motion was made by Armstrong to approve the resolution as presented, seconded by Kula. All in favor. Motion carried.

- B. A resolution of the Hardyston Township Board of Health authorizing the issuance of a complaint upon the owner of the property known as Block 84, Lot 33 commonly known as "30 Lake Shore Road N", Stockholm, Hardyston Township as said property is unfit for human habitation

WHEREAS, the Hardyston Construction Official, as well as the Health Official, have inspected the premises known as Block 84, Lot 33 commonly known as 30 Lake Shore Road N, Stockholm, in Hardyston Township; and

WHEREAS, as a result of said inspection, the Construction Official issued a report dated April 2, 2009 where both the Construction and Health Official concluded that a public emergency be declared with respect to this property to address the various health and safety concerns identified in the inspection report of the premises; and

WHEREAS, a copy of the report is on file in the Clerk's Office and has been provided to the Mayor and Township Council for their review and consideration; and

WHEREAS, §104-7 of the Hardyston Township Code provides that whenever it appears to the Board of Health on its own motion that any dwelling is unfit for human habitation it shall, if its preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling a complaint stating the charges and containing a notice that a hearing shall be held before the Board of Health; and

WHEREAS, the Board of Health has reviewed the report in question and has had an opportunity to discuss the concerns raised therein; and

WHEREAS, pursuant to §104-8 of the Township Code, the Board of Health hereby recommends that a notice and hearing should be provided to the resident and all interested parties that at the conclusion of such proceeding, an Order for abatement or demolition may be issued by the Board of Health.

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Health of the Township of Hardyston, in the County of Sussex, and State of New Jersey that upon the review of the inspection report of the Construction and Health Officials dated April 2, 2009 that the Board of Health hereby authorizes the issuance of a complaint referencing the report that has been presented to the Township and that a hearing shall be held by the Board of Health at the Municipal Offices of the Township of Hardyston on May 5, 2009 or thereafter as appropriately scheduled by the Board of Health to determine whether an Order for abatement or demolition should issue against the subject property.

BE IT FURTHER RESOLVED, that the complaint may be signed by the Township Manager and shall be served in accordance with the Code of the Township of Hardyston.

Township Attorney explained that this resolution would initiate the process outlined in the resolution based on the preliminary information submitted to the Board of Health at the meeting of April 7, 2009. Interested parties will be notified of the tentative hearing date of May 5, 2009. A motion was made by Kula to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

C. Correspondence

1. Matrix New World Engineering, Inc.
2. Council on Affordable Housing
3. Township of Wantage
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. State of NJ
10. State of NJ
11. State of NJ
12. State of NJ

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

Councilman Armstrong referred to correspondence from the New Jersey League of Municipalities not included in the correspondence list regarding COPS Hiring Recovery Program (CHRP). Councilman Armstrong requested that a resolution in support of cap relief with regard to the COPS Hiring Recovery Program (CHRP) be approved. A motion was made by Kievit to approve the resolution, seconded by Kula. All in favor. Motion carried.

Councilman Armstrong referred to correspondence from the New Jersey League of Municipalities not included in the correspondence list regarding Binding Arbitration Reform. Councilman Armstrong stated that there was testimony before the Senate Budget and Appropriations Committee and before the Assembly Budget Committee to remove binding arbitration as the final say in contract matters, and requested that a resolution be approved to support that. A motion was made by Kievit to approve the resolution, seconded by Kula. All in favor. Motion carried.

Township Manager stated that the bid documents for the solar energy project have been drafted and will be reviewed by the Township Attorney. A motion to proceed with the advertising for bids for this project was made by Kula, seconded by Armstrong. All in favor. Motion carried.

MANAGERS REPORT: Township Manager gave a written and verbal report on the following:

- Budget – The budget is prepared in draft and has been distributed to the Council for review. Final budget workshop meeting is scheduled for April 28, 2009, with an anticipated introduction date of May 5, 2009.

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- Waste Water Management Planning – The Township continues to work diligently through the HTMUA to work with developers to prepare TWA permits to preserve existing sewer service areas and with SCMUA to secure authorization to submit the applications to the DEP. The existing plan has received an extension of approval through November of this year.
- South Side DPW Facility Project – The Public Works Director is working to finalize the development of specifications for the project.
- Revaluation – Final comments have been received from the State regarding our maps. The limited corrections are being made by Remington and Vernick and it is expected that approval will be received in a timely manner so that the revaluation company can proceed according to schedule.
- COPS Grant – An application has been completed and submitted to the Department of Justice for two officers.
- Secure Our Schools Grant – The Township, through the Police Department, is working with Wallkill High School to prepare a grant application for equipment to lock and secure exterior doors at the High School.
- Route 23 Improvements – Correspondence has been received from the project manager as to the status of the Route 23 improvement projects to be initiated by the NJDOT. He stated that to date, the design consultant has begun re-surveying the project to update the previous plans and once that is completed, preliminary design work will follow.
- Recreation – Hardyston Day has been scheduled for June 13, 2009. The Recreation Department has also negotiated an arrangement with the YMCA to provide summer day camp opportunities to our residents at a discounted rate as an alternative to our former program.
- COAH Status – Hardyston’s plan is currently under its final review by the staff at the Council on Affordable Housing.
- Plan Endorsement – A meeting has been scheduled to meet with officials from the Office of Smart Growth in Trenton on April 28, 2009 in order to conduct a pre-petition meeting, prior to moving forward with the formal development of the plan.

BILLS TO BE PAID: A motion was made by Armstrong to approve the bill list as presented, seconded by Kula. 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 7:35 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk