

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 24, 2007**

The meeting was called to order by Mayor Kievit at 8:00 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 Hamilton, Councilman Armstrong, Councilman Ross, Councilman Lasinski,, Manager Marianne Smith, and Clerk Jane Bakalarczyk

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 Clerk Report – March 2007
2. Construction Official Report – March 2007
3. Tax Collector Report – March 2007
4. Finance Officer Report – February 2007
5. Finance Officer Report – March 2007
6. Police Department Report – March 2007
7. Smoke Detector & CO Alarm Inspections – 1st Q 2007
8. Planning Board Attendance Report – March 2007
9. Planning Board – Reorganization Minutes of 1/18/07
10. Planning Board – Special Meeting Minutes of 1/18/07
11. Planning Board – Minutes of 1/25/07
12. Planning Board – Executive Minutes of 1/25/07
13. Zoning Board – Minutes of 3/1/07

Minutes:

1. Regular Minutes of 2/20/07
2. Workshop Minutes of 3/13/07
3. Executive Session Minutes of 3/13/07
4. Regular Minutes of 3/20/07
5. Special Meeting Minutes of 3/27/07
6. Executive Session Minutes of 3/27/07

Agreements/Licenses:

1. Raffle License – NJ State Organization of Cystic Fibrosis
2. Raffle License – Knights of Columbus
3. Raffle License – Wallkill Valley Booster Club
4. Raffle License – Hilltop Country Day School
5. Raffle License – DePaul Catholic High School Parents Association
6. Raffle License – The Morris Museum
7. Leonard Powers, Inc. – Maintenance Contract for Boilers
8. Harris Computer Systems – Software & Maintenance Agreement
9. Da-Lor Service Co. Inc. – HVAC Maintenance (Heating/Cooling)

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

OLD BUSINESS:

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ORDINANCES:

1st READING: 2007-07

AN ORDINANCE TO AMEND THE ESTABLISHED MINIMUM AND MAXIMUM SALARIES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HARDYSTON TO PROVIDE THE METHOD FOR THE PAYMENT OF ANNUAL SALARY INCREMENTS IN THE DISCRETION OF THE TOWNSHIP COUNCIL

BE IT ORDAINED by the Township Council of the Township of Hardyston that Section 2 be amended to include the following:

Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

POSITION	MINIMUM HOURLY	MAXIMUM HOURLY
Planning Intern	\$14.00	\$18.00

A motion was made by Ross to approve Ordinance 2007-07 on first reading, seconded by Hamilton. All in favor. Motion carried.

2007-08

AN ORDINANCE TO AMEND CHAPTER 88 "FEES" OF THE HARDYSTON TOWNSHIP CODE REGARDING FEES FOR THE PERFORMANCE OF MARRIAGE AND CIVIL UNION CEREMONIES

WHEREAS, the Mayor, and Deputy Mayor when authorized by the Mayor, may perform ceremonies to solemnize marriages and civil unions in accordance with N.J.S.A. 37:1-13; and

WHEREAS, the Township of Hardyston desires to fix appropriate fees for the service of performing marriage and civil union ceremonies in accordance with N.J.S.A. 40:48-1; and

Whereas, the Hardyston Township Council further intends to establish policies and procedures for the collection and distribution of said fees.

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

Section 1. Chapter 88 "Fees" of the Hardyston Township Code is hereby amended to include:

§88-10. Performance of marriage and civil union ceremonies.

- A. Resident of the Township of Hardyston: \$50.00
- B. Non-residents of the Township: \$200.00
- C. Receipt of fees: The applicable fee shall be paid to the Township Clerk in cash or by check payable to the Township of Hardyston and deposited into the Township's current fund.
- D. Disbursement of fees: Fees for the service of performing marriage and civil union ceremonies may be disbursed to the Mayor or Deputy Mayor through the appropriate budget line item with proper authorization.

Section 2.

All ordinances or parts of ordinances inconsistent with this amending ordinance shall be and are hereby repealed to the extent of such inconsistency only.

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Section 3.

If any section or provision of this ordinance shall be held to be unconstitutional or invalid by any court, the remaining sections and provisions shall remain and be in full force and effect, despite such holding.

Section 4.

The ordinance shall take effect in the time and manner prescribed by law.

A motion was made by Ross to approve Ordinance 2007-08 on first reading, seconded by Hamilton. All in favor with Armstrong voting "No".

ORDINANCES:

2nd READING:

**ORDINANCE No. 2007-05 (Amended 3/27/07)
CALENDAR YEAR 2007
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$59,387.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 207,855.31 and that the CY 2007 municipal budget for the Township of Hardyston be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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. A motion was made by Lasinski to approve Ordinance 2007-05 on second reading, seconded by Ross. All in favor. Motion carried.

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2007-06

**AN ORDINANCE TO REVISE §41-7 OF THE HARDYSTON
TOWNSHIP CODE REGARDING THE CHIEF OF POLICE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston that Chapter 41 of the Hardyston Township Code, entitled “Police Department”, be and is hereby revised as follows:

Section 1. Sub-section A in §41-7 “Chief of Police” is replaced with the following:

A. The Chief of Police shall be the executive head of the Police Department and shall be responsible to the Township Manager.

1. In the temporary absence or disability of the Chief of Police, he or she shall appoint, with the consent of the Township Manager, on a temporary basis, a member of the Department to act in his or her place, conferring on him or her the title of “Acting Chief,” that title to be used only for the duration of the temporary appointment. Should the Chief of Police be unable to appoint an Acting Chief, due to disability, unavailability or other reason, the temporary appointment shall be made by the Township Manager.
2. Upon a vacancy in the position due to the retirement, resignation, termination or death of the Chief of Police, the Township Manager may appoint, on a temporary basis, a member of the Department to serve as “Acting Chief,” that title to be used only for the duration of the temporary appointment. The temporary appointment shall be for such duration as the Township Manager shall determine to be necessary to evaluate the needs of the Township and the Police Department and to identify and appoint a Chief of Police.

Section 2. Severability and repealer. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance.

Any ordinance previously adopted or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 3. Effective date. This Ordinance shall take effect in the time and manner prescribed by law.

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. A motion was made by Ross to approve Ordinance 2007-06 on second reading, seconded by Lasinski. All in favor. Motion carried.

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NEW BUSINESS:

A. Tax Collector Resolution

1. Refund – Disabled Person Deduction – William Kelly

RESOLUTION #04-07

WHEREAS, William Kelly of 64 South Shore Drive, Hardyston also known as Block 60 Lot 17.AE has applied for a Disabled Person Deduction, and

WHEREAS, the Department of Veteran Affairs has established that Mr. Kelly is 100% disabled and this property will become exempt from taxes as per Scott Holzhauer, Tax Assessor, and

WHEREAS, this determination by the Department of Veteran Affairs is effective as of 7/8/04,

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund William Kelly the amount of \$ 1,467.80 for payment on taxes on his property for the following years.

2004	\$ 245.49
2005	483.63
2006	492.45
2007	246.23

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

B. 2007 Salary Resolution Amendment

BE IT RESOLVED by the Hardyston Township Council that the annual salaries and wages effective April 1, 2007 shall be paid as follows:

Position	Hourly Salary
Secretary/Administration Hired after 4/1/07	\$15.00

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

C. Proclamation – National Safe Kids Week

PROCLAMATION

WHEREAS, unintentional injury is the number one killer of children 14 and under; and

WHEREAS, each year, more than 5,000 children 14 and under die from unintentional injuries; and

WHEREAS, emergency rooms experience nearly 2.4 million visits from children 14 and under each summer; and

WHEREAS, 90 percent of these injuries and deaths are preventable; and

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WHEREAS, 41 percent of these deaths occur during “trauma season,” the months of May, June, July and August; and

WHEREAS, the risk areas that show the greatest seasonal surge in deaths and injuries between May and August compared to the rest of the year are biking, drowning, pedestrian, motor vehicle occupants and falls; and

WHEREAS, Safe Kids Worldwide and Safe Kids New Jersey, led by the New Jersey State Safety Council promote childhood injury prevention by uniting diverse groups into local and state coalitions, developing innovative educational tools and strategies, initiating public policy changes, promoting new technology and raising awareness through the media; and

WHEREAS, Safe Kids Worldwide, with the support of founding sponsor Johnson & Johnson, launches Safe Kids Week 2007, “Make it a Safe Kids Summer,” which focuses on five of the deadliest warm-weather risk areas of motor vehicles, drownings, pedestrian, biking and falls; and

WHEREAS, Safe Kids New Jersey has planned special childhood injury prevention activities and community-based events for Safe Kids Week 2007 in an effort to educate families about summer safety.

NOW, THEREFORE, I, Kenneth P. Kievit, Mayor of the Township of Hardyston do hereby proclaim April 28 – May 6, 2007, NATIONAL SAFE KIDS WEEK in New Jersey and call upon all the residents of the Township of Hardyston to join with me in supporting the efforts and activities of Safe Kids New Jersey to prevent childhood injury.

PROCLAMATION

WHEREAS, all children deserve to be nurtured, protected and free of physical or emotional harm; and

WHEREAS, child abuse and neglect is a significant social problem that damages the lives of children physically, mentally and emotionally and inflicts immeasurable harm to our society as a whole; and

WHEREAS, the Township of Hardyston is committed to building a continuum of child abuse prevention and intervention programs that are culturally competent, strength-based and family-centered, with a strong emphasis on primary child abuse prevention; and

WHEREAS, the Township of Hardyston promotes and supports community-based programs designed to prevent injury, abuse or neglect of children, achieve positive outcomes for parenting behavior and family functioning and relationships, and empower and increase safety for domestic violence victims and their children; and

WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts, the media and private and public agencies have joined forces to promote public awareness and community involvement in prevention during the month of April and throughout the year;

NOW, THEREFORE, I, Kenneth P. Kievit, Mayor of the Township of Hardyston, do hereby proclaim

APRIL 2007
AS
CHILD ABUSE PREVENTION MONTH

In the Township of Hardyston, and urge all my fellow residents to become involved in efforts aimed at preventing our children from being abused and neglected.

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

D. Resolution authorizing the execution and submission of the following:

1. 2007 Domestic Violence Training Reimbursement Grant Application

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution and submission of the following is hereby authorized:

1. 2007 Domestic Violence Training Reimbursement Grant Application

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

E. Co-borrower's Resolution and Loan Agreement – Lake Stockholm Restoration Loan

A motion was made by Ross to approve the resolution and loan agreement, seconded by Hamilton. All in favor. Motion carried.

F. Resolution of the Mayor and Council of the Township of Hardyston authorizing the Township Manager to sign the attached final release and assignment on behalf of the Township of Hardyston in favor of Selective Insurance Company of America

WHEREAS, The Township of Hardyston has filed a claim with Selective Insurance Company of America (Selective) regarding subdivision bond B1700889 (the "Bond") issued on behalf of Timberline Manor of 501 Hancock Court, Edgewater, NJ 07020; and

WHEREAS, The Township and Selective Insurance Company of America have agreed to amicably settle the claim by way of a final release and assignment in exchange for the payment to the Township of Hardyston the penal sum of One Hundred Eighty One Thousand One Hundred Seventy Five and 94/100 dollars (\$181,175.94) by Selective; and

NOW, THEREFORE, be it resolved by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey that the Council approves the final release and assignment and hereby directs the Township Manager to sign the release and assignment and deliver to Selective in exchange for the payment of One Hundred Eighty One Thousand One Hundred Seventy Five and 94/100 dollars (\$181,175.94).

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

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- G. Resolution authorizing bond reductions for Pottersville Properties, Ridgefield Commons Phase 1, Phase 2, Phase 3 and Phase 4

WHEREAS, as part of the Planning Board approval Pottersville Properties Development, LLC was required to post performance bonds for public improvements; and

WHEREAS, Pottersville Properties Development, LLC has posted performance bonds in the following amounts:

<u>Area</u>	<u>Surety Amount</u>	<u>Cash Amount</u>	<u>Total Bond Amount</u>
Ridgefield Commons			
Phase I	\$131,457.60	\$14,606.40	\$146,064.00
Phase II	\$155,628.00	\$10,488.00	\$166,116.00
Phase III	\$279,504.00	\$31,056.00	\$310,560.00
Phase IV	\$229,230.00	\$25,470.00	\$254,700.00

in compliance with the Planning Board approval and upon the recommendation of the Township Engineer; and

WHEREAS, Pottersville Properties Development, LLC has requested a reduction in the bonding amount due to substantial completion of public improvements; and

WHEREAS, the Township Engineer has reviewed the request of Pottersville Properties Development, LLC and has found substantial completion of public improvements; and

WHEREAS, the Township Engineer has recommended reductions maintaining the following amounts:

<u>Area</u>	<u>Surety Amount</u>	<u>Cash Amount</u>	<u>Total Bond Amount</u>
Ridgefield Commons			
Phase I	\$52,583.04	\$5,842.56	\$58,425.60
Phase II	\$44,851.32	\$4,983.48	\$49,834.80
Phase III	\$83,851.20	\$9,316.80	\$93,168.00
Phase IV	\$68,769.00	\$7,641.00	\$76,410.00

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that the performance bonds and cash bonds be reduced in accordance with the recommendation of the Township Engineer.

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

- H. Resolution certifying the General Fund Tax Levy for the Hardyston Township School District

WHEREAS, the voters approved a base budget general fund tax levy of \$7,450,449.00 in a certain election held in Hardyston Township on April 17, 2007; and

WHEREAS, the voters rejected a proposed general fund tax levy for an additional \$117,240.00; and

WHEREAS, the Hardyston Township Council has reviewed the matter and determined that only the general tax fund levy of \$7,450,449.00 is required to support a thorough and efficient education and that it will not restore the additional spending proposal to the general fund tax levy.

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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Hardyston that the general fund tax levy for the Hardyston Township School District, in the amount of \$7,450,449.00, be and is hereby certified.

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

I. Self-Examination of Budget Resolution and Certification

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Hardyston has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2007 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Hardyston that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

J. 2007 Budget Hearing/Adoption

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. A motion was made by Ross to approve the 2007 Municipal Budget, seconded by Lasinski. All in favor. Motion carried.

K. Resolution authorizing the recycling coordinator to file the 2006 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 Lasinski. All in favor. Motion carried.

L. Resolution urging Governor Corzine and the New Jersey Legislature to establish a dedicated source of revenue to fund the acquisition of properties within the Highlands Region

WHEREAS, the Highlands Water Protection and Planning Act (the "Act") was signed into law on August 10, 2004; and

WHEREAS, the Act segregated the Highlands Region into a Preservation Area and a Planning Area; and

WHEREAS, the New Jersey Department of Environmental Protection has established stringent regulations affecting the development and property rights of property owners within the Highlands Preservation Area; and

WHEREAS, the Act anticipated that stringent regulations in the Highlands would have a negative impact on property values and therefore provided mechanisms by which property owners could convey

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ownership or development rights of their properties to the State of New Jersey at the fair market value prior to August 10, 2004; and

WHEREAS, currently the State of New Jersey must rely on funds available through the Garden State Preservation Trust Fund to purchase property within the Highlands Region; and

WHEREAS, the Garden State Preservation Trust is virtually depleted, with funds to be completely exhausted in 2007 despite the continued need for the programs it makes possible; and

WHEREAS, since the Garden State Preservation Trust is utilized for the acquisition of open space and farmland development rights Statewide, and it is inadequate and unsustainable as a revenue source for the acquisition of properties within the Highlands Regions; and

WHEREAS, it is imperative that the State of New Jersey provide an adequate and sustainable source of revenue for the purchase of properties from any willing sellers in the Highlands Region that seeks to convey their property to the State.

NOW THEREFORE, BE IT RESOLVED that the Township Council of the Township of Hardyston urges the Governor and the New Jersey State Legislature to immediately identify and establish a dedicated, sustainable source of revenue to provide for the purchase, from willing sellers, of properties within the Highlands Region at the fair market value established prior to August 10, 2004; and

BE IT FURTHER RESOLVED that copies of this Resolution be forwarded to The Honorable Jon S. Corzine, Office of the Governor, PO Box 001, Trenton, NJ 08625; State Senator Robert E. Littell, Box 328, Franklin, NJ 07416; State Assemblypersons Guy R. Gregg, 230 Route 206, Building 2, Flanders, NJ 07836 and Alison Littell McHose, 13 Main Street., Suite 8, Sparta, NJ 07871; the 24 municipalities of Sussex County; the New Jersey Association of Counties; the New Jersey League of Municipalities; and the Members of the Six County Coalition.

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

M. Resolution opposing Senate Bill S-2463 requiring the licensing of retail businesses by municipalities

WHEREAS, Senate Bill S-2463 requires municipalities retail businesses to be licensed by the municipality in which they are located; and

WHEREAS, such licensing is duplicative of requirements already in existence for retail businesses and, in the opinion of the Township Council, is an unnecessary burden on local businesses.

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

1. The Township Council opposes the adoption of Senate Bill S-2463.
2. The Township Clerk is directed to provide a copy of this Resolution to all Sussex County Municipalities, Sussex County Legislators and the Sussex County Freeholder Board.
3. This Resolution shall take effect immediately upon adoption according to law.

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

N. Correspondence

1. City of Passaic
2. Lafayette Township
3. Township of Green
4. Township of Vernon

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5. Township of Vernon
6. Township of Green
7. Lafayette Township
8. Lafayette Township
9. Lafayette Township
10. Township of Montague
11. County of Sussex
12. County of Sussex
13. NJ State League of Municipalities
14. NJ State League of Municipalities
15. NJ State League of Municipalities
16. NJ State League of Municipalities
17. NJ State League of Municipalities
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27. NJ State League of Municipalities
28. NJ State League of Municipalities
29. NJ State League of Municipalities
30. NJ State League of Municipalities
31. State of NJ
32. State of NJ
33. State of NJ
34. State of NJ
35. State of NJ
36. State of NJ
37. State of NJ
38. High Ridge Properties, LLC
39. Garden State Chapter of the Myasthenia Gravis Foundation, Inc.
40. Conspectus Newsletter

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

MANAGERS REPORT: Township Manager Marianne Smith gave a verbal update on the following:

- Hardyston Day
- In-House Lawn Maintenance
- Summer Day Camp
- Heliport
- Fire Department Building Upgrade
- Old Municipal Building
- School Security Grant
- Strategic Plan

At this time, Acting Police Chief Bret Aley requested that the Council authorize him to hire two new officers. A motion was made by Ross to approve the request, seconded by Lasinski. All in favor. Motion carried.

A motion was made by Ross to approve the PBA contract, seconded by Hamilton. All in favor. Motion carried.

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BILLS TO BE PAID: A motion was made by Ross to approve the bill list as presented, seconded by Lasinski. 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.

EXECUTIVE SESSION: WHEREAS, NJSA 10:4-12 allows for a Public body to go into closed session during a Public meeting, and

WHEREAS, the Township Council of the Township of Hardyston has deemed it necessary to go into closed session to discuss certain matters which are exempted from the Public.

WHEREAS the regular meeting of this council will reconvene.

NOW THEREFORE BE IT RESOLVED, that the Township Council of Hardyston Township will go into closed session for the following reason as outlined in NJSA 10:4-12:

X Any pending or anticipated litigation or contract negotiation in which the public body is or may become a party. Any matters falling within the attorney client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

 Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose right could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

Motion to adopt: Ross
 Seconded by: Lasinski
 Discussion: None

MOTION	YES	NO	ABSTAIN	ABSENT
Ross	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Kievit	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Lasinski	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Hamilton	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Armstrong	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Motion carried.

ADJOURNMENT: A motion was made by Hamilton to adjourn, seconded by Ross. All in favor. Motion carried.

 Jane Bakalarczyk, RMC/CMC
 Municipal Clerk