

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
MAY 27, 2003.

The meeting was called to order by Mayor Hamilton 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: Deputy Mayor Armstrong, Councilman Lasinski, Councilman Ross, Councilman Kievit, 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 – April 2003
2. Finance Officer Report – March 2003
3. Finance Officer Report – April 2003
4. Tax Collector Report – April 2003
5. Construction Official Report – April 2003
6. Zoning Officer Report – as of 4/15/03
7. Zoning Officer Report – as of 5/15/03
8. Joint Franklin/Hardyston EDC – Minutes of 4/10/03
9. Zoning Board of Adjustments – Resolutions & Minutes of 2/6/03
10. Zoning Board of Adjustments – Resolutions & Minutes of 4/3/03
11. HTMUA – Minutes of 3/12/03
12. Sparta Health Dept – Animal Control Report – March 2003
13. Sparta Health Dept – Monthly Report – March 2003
14. Sparta Health Dept – Month Report – April 2003

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

**Minutes:**

1. Workshop Minutes of 4/8/03
2. Executive Session Minutes of 4/8/03
3. Workshop Minutes of 4/22/03
4. Executive Session Minutes of 4/22/03
5. Special Workshop Minutes of 4/26/03
6. Special Workshop Minutes of 4/29/03
7. Special Workshop Minutes of 5/1/03
8. Executive Session Minutes of 5/1/03
9. Special Workshop Minutes of 5/6/03
10. Special Workshop Minutes of 5/9/03
11. Special Workshop Minutes of 5/12/03
12. Special Workshop Minutes of 5/15/03
13. Executive Session Minutes of 5/15/03
14. Special Meeting Minutes of 5/15/03

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

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**Applications:**

1. Fire Department New Member Application – Justin M. Baamonde

A motion was made by Kievit to approve the Hardyston Township Fire Department new member application submitted by Justin M. Baamonde, seconded by Armstrong. All in favor with Ross abstaining. Motion carried.

**OLD BUSINESS:**

**ORDINANCES:**

**1st READING:** NONE

**ORDINANCES:**

**2nd READING:** NONE

**NEW BUSINESS:**

- A. 2003 Municipal Budget Amendment Public Hearing

A motion was made and seconded to open the meeting to the public. No public participation. A motion was made a seconded to close the meeting to the public. No action taken on the 2003 Municipal Budget pending decision on State Aid.

A copy of the Resolution to Amend Budget may be found at the end of the minutes.

- B. Resolution authorizing the Township Manager to execute the following contracts/leases/agreements/interlocal agreements

1. HTMUA – Administrative Services

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. HTMUA – Administrative Services

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

- C. Finance – Resolution canceling outstanding check balances

Whereas, Certain Accounts within the Township of Hardyston, with outstanding check balances from checks not returned or unclaimed; and

Whereas, It is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

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Now, Therefore, be it resolved, by the Mayor and Council of the Township of Hardyston, that the following outstanding check balances within the following checking accounts be canceled:

Check #	Fund Name	Amount
449	Clearing Account	\$ 281.00
1096	Clearing Account	\$ 11.73
2544	Clearing Account	\$ 120.00
19156	Payroll Account	\$ 27.85

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

D. Resolution authorizing the Recycling Coordinator to file the 2002 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 Arden Svedman, Recycling Coordinator for the Township of Hardyston, 260 Rudetown Rd., Hamburg, 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 Kievit. All in favor. Motion carried.

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E. Correspondence

1. Township of Sparta
2. Township of Sparta
3. Borough of Bloomingdale
4. Lafayette Township
5. County of Sussex
6. Township of Vernon
7. Township of Green
8. Township of Wantage
9. Borough of Franklin
10. Township of Vernon
11. Township of Vernon
12. Borough of Franklin
13. Township of Byram
14. Town of Secaucus
15. Township of Washington
16. Borough of Franklin
17. Township of Hampton
18. Lafayette Township
19. Borough of Ogdensburg
20. Township of Lafayette
21. Township of Vernon
22. Township of Vernon
23. Township of West Milford
24. Lafayette Township
25. Township of Jefferson
26. Township of Jefferson
27. Township of Vernon
28. County of Sussex
29. Township of Vernon
30. Borough of Sussex
31. Borough of Sussex
32. Borough of Sussex
33. Township of West Milford
34. Borough of Franklin
35. Township of Green
36. Township of Frankford
37. Township of Frankford
38. Crystal Springs Builders, LLC
39. Crystal Springs Tax Action Committee
40. Roccioloa Engineering, LLC
41. Morris, Downing, Sherred
42. County of Sussex
43. County of Sussex
44. County of Sussex
45. County of Sussex
46. County of Sussex
47. County of Sussex
48. Sussex County Coalition for Healthy & Safe Families
49. The Sussex County Arts & Heritage Council
50. County of Warren
51. NJ State League of Municipalities
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56. NJ State League of Municipalities
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59. NJ State League of Municipalities
60. NJ State League of Municipalities
61. NJ State League of Municipalities
62. New Jersey Conference of Mayors
63. Rutgers – Center for Government Services
64. New Jersey Mayors Association
65. Superior Court of New Jersey
66. State of NJ
67. State of NJ
68. State of NJ
69. State of NJ
70. State of NJ
71. State of NJ
72. State of NJ
73. State of NJ
74. State of NJ
75. State of NJ
76. State of NJ
77. State of NJ
78. NJ Transit
79. U.S. Environmental Protection Agency
80. Council on Affordable Housing
81. Council on Affordable Housing
82. Upper Delaware Watershed Management Project
83. Morris Land Conservancy
84. NJN Public TV & Radio
85. Norwescap
86. JCP&L
87. PSE&G
88. WTC Families for Proper Burial
89. Myasthenia Gravis Foundation, Inc.
90. Ecuadorian Line, Inc.
91. NJ Coalition for the Public Good
92. Conspectus Newsletter
93. NJDEP – Commissioner’s Update Newsletter
94. NJDOT – The Commissioner’s Report Newsletter
95. NJTPA – Communique Newsletter
96. Northeastern Economic Developers Association Newsletter
97. NJ Future Newsletter
98. Spanning the Gap Newsletter

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

**MANAGERS REPORT:** Township Manager Marianne Smith gave a written and verbal presentation of the following:

- Municipal Building Project
- Planning Issues
- Sussex County Chamber of Commerce Franklin/Hardyston Chamber Council
- Economic Development Commission
- Bulky Waste Pick Up Program
- Summer Recreation Day Camp

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**BILLS TO BE PAID:** A motion was made by Kievit to approve the payment of the bills 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. Resident Stacy DiPasquale raised some concerns regarding the retaining wall located in the Bourne Section of Crystal Springs which were addressed by Township Manager Marianne Smith and the Council. 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:        Kievit  
Discussion:        None

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

Motion carried.

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

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Jane Bakalarczyk, RMC  
Municipal Clerk

(All items discussed above may be heard in full on the tapes of the meeting on file in the Clerks Office.