

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 1, 2008**

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: Councilwoman Hamilton, Councilman Lasinski, Councilman Ross, 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.**

**OATH OF OFFICE – Sergeant Promotions: Christian Bonfiglio and Scott Lobban**

Deputy Mayor Kievit administered the Oath of Office to Christian Bonfiglio and Scott Lobban

**NEW BUSINESS:**

- A. Resolution approving amendment to the Emergency Management Plan

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

1. Amendment to the Hardyston Township Emergency Management Plan

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

- B. Tax Collector Resolutions

1. Cancellation of 2007 taxes – Block 1, Lot 1.01 (Exempt Property)

**RESOLUTION #03-08**

**WHEREAS, Block 1 Lot 1.01 also known as 188 Scenic Lake Road was purchased by the United States of America on January 25, 2006, and**

**WHEREAS, this property became exempt as of January 1, 2007**

**NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector cancel the amount of \$ 655.59 for the 2007 taxes.**

2. Cancellation of 2007 taxes – Block 1, Lot 1.01, QFarm (Exempt Property)

**RESOLUTION #04-08**

**WHEREAS, Block 1 Lot 1.01 Qualification Qfarm also known as farmland for 188 Scenic Lake Road has been combined with Lot 1.01 and also owned by the United States of America, and**

**WHEREAS, the 2007 taxes need to be cancelled from record,**

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**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector cancel the amount of \$ 16.22 for the 2007 taxes.

3. Refund for payment error – First American Mortgage, Co.

**RESOLUTION #05-08**

**WHEREAS**, First American Mortgage Co made payment on Block 16 Lot 1.09 also known as 3 Wild Turkey Way for November 1, 2007 tax quarter, and

**WHEREAS**, the payment was to be for Block 16 Lot 1.09 Qualification # C1114 for 3 Wild Turkey Way,

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund to First American Mortgage Co the amount of \$ 13, 307.87 for payment made in error.

4. Authorization to turn over to Treasurer certain payments for premiums held over 5 years

**RESOLUTION #06-08**

**WHEREAS**, payments for premiums from Tax Sales held in the Township of Hardyston's Trust Account have been held for 5 years, and

**WHEREAS**, according to N.J.S.A. 54:5-33 any premium payment if redemption is not made within 5 Years from date of sale the premium payment shall be turned over to the Treasurer of the Municipality and become part of the funds of the Municipality.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to turnover to the Treasurer the following payments for premiums held over 5 Years.

<b>Block</b>	<b>Lot</b>	<b>Qual</b>	<b>Cert#</b>	<b>Date of TSC</b>	<b>Amount</b>
<b>Undetermined</b>					<b>\$ 100.00</b>
<b>48</b>	<b>11.01</b>	<b>C1205</b>	<b>10-02</b>	<b>10/12/02</b>	<b>\$ 100.00</b>
<b>60</b>	<b>17.AJ</b>		<b>12-02</b>	<b>10/12/02</b>	<b>\$ 500.00</b>
<b>91</b>	<b>20</b>		<b>24-02</b>	<b>10/12/02</b>	<b>\$ 700.00</b>

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

- C. Resolution authorizing the execution of the Developer's Agreement between CJS Investments, Inc. and the Township of Hardyston for property known as Emerald Estates

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

1. Developers Agreement:
  - a. Emerald Estates – CJS Investments, Inc.

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

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D. Resolution authorizing the execution of an agreement with Eneractive Solutions

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following contracts/agreements is hereby authorized:

1. Eneractive Solutions – Energy Audit and Feasibility Study

A motion was made by Hamilton to approve the resolution as presented, seconded by Ross. 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:**

BE IT RESOLVED by the Township Council of the Township of Hardyston on the 1st day of July 2008, that:

1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
2.
  - ( ) b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
  - ( ) b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
  - ( ) b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
  - ( ) b. (4) A collective bargaining agreement including negotiations.
  - (X) b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed. (Land next to DPW property, Block 62, Lot 4)
  - ( ) b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
  - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege. (Franklin Borough Construction Department Interlocal Agreement and Police Dispatch Contract)
  - ( ) b. (8) Personnel matters.
  - ( ) b. (9) Deliberations after a public hearing that may result in penalties.
3. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

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

<u>MOTION</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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>      </u>	<u>      </u>	<u>      </u>	<u>  x  </u>

Motion carried.

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A motion was made by Ross to come out of Executive Session, seconded by Lasinski. All in favor. Motion carried.

- E. Resolution authorizing the execution of an interlocal agreement to provide Construction Department Services to Franklin Borough

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following contracts/agreements is hereby authorized:

1. Interlocal Agreement to provide Construction Department Services to Franklin Borough

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

- F. Half-Time Fluctuating Work Week Acknowledgement Form for Police Dispatchers

A motion was made by Ross to authorize the Township Manager to approve the Half-Time Fluctuating Work Week Acknowledgement Form for Dispatchers on behalf of the Township, seconded by Hamilton. All in favor. Motion carried.

- G. Amendment to the Hardyston Township Personnel Policy and Procedure Manual to include new language regarding Dispatchers working 12 hour shifts

A motion was made by Ross to approve the amendment as presented, seconded by Lasinski. All in favor. 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/CMC  
Municipal Clerk