

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 21, 2009**

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 Kievit, Councilman Kula, Councilman Armstrong, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau. Councilman Ross was absent from this meeting.

**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 – June 2009
2. Tax Collector Report – June 2009
3. Construction Certificate Activity Report – June 2009
4. Construction Permit Activity Report – Hardyston – June 2009
5. Construction Permit Activity Report – Hamburg – June 2009
6. Construction Permit Activity Report – Franklin – June 2009
7. HTMUA – Minutes of 6/1/09
8. Sussex County Public Health Nurse Activity – 2009
9. Sales Listing – 1/1/09 – 6/30/09
10. Smoke Detector/CO Alarm Inspections – 2<sup>nd</sup> Q 2009
11. Planning Board Report – June 2009
12. Municipal Court Report – June 2009
13. Police Department Report – June 2009
14. Assistant Planner Report – June 2009

**Minutes:**

1. Special Workshop Minutes of 4/28/09
2. Regular Minutes of 5/19/09
3. Executive Minutes of 5/19/09
4. Workshop Minutes of 5/26/09
5. Executive Minutes of 5/26/09
6. Workshop Minutes of 6/9/09
7. Regular Minutes of 6/9/09
8. Regular Minutes of 6/23/09
9. Regular Minutes of 7/7/09
10. Workshop Minutes of 7/7/09

A motion was made by Kievit to approve the consent agenda as presented, seconded by Kula. All in favor. Motion carried with Armstrong abstaining on the minutes of 6/23/09 and 7/7/09.

**ORDINANCES:**

**1<sup>st</sup> READING:** None

**ORDINANCES:**

**2<sup>nd</sup> READING:** 2009-10

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX,  
STATE OF NEW JERSEY AMENDING CHAPTER 88, FEES, OF THE REVISED  
GENERAL ORDINANCES**

**BE IT ORDAINED** by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

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**SECTION 1.** Chapter 88, Fees, Section 88-12, Recreation fees, of the aforesaid Revised General Ordinances is hereby amended to read as follows:

**§ 88-12. Recreation fees.**

A. The following minimum and maximum recreation fees for Township camps, programs, facility rentals and fundraisers are hereby established:

<b>TYPE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Summer recreation day camp registration fee- First child for one session	\$60	\$100
Summer recreation day camp registration fee- Each additional child per session	\$50	\$80
Summer recreation day camp registration fee- First child for two sessions	\$115	\$150
Summer recreation day camp registration fee- Each additional child for two sessions	\$95	\$125
Program fees	\$1	\$15
Facility rental fees	\$25	\$200
Fundraisers (per person)	\$1	\$3

**SECTION 2.** Chapter 88, Fees, Section 88-8, Miscellaneous Fees, of the aforesaid Revised General Ordinances is hereby amended to add the following:

**§ 88-8. Miscellaneous fees.**

C. Bear Resistant/Recycling Cans – Minimum: \$20.00; Maximum: \$60.00

**SECTION 3.** All ordinances of the Township of Hardyston which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 5.** This Ordinance may be renumbered for purposes of codification.

**SECTION 6.** This Ordinance shall take effect immediately upon final passage, approval and publication as required 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 Kievit to adopt Ordinance 2009-10 on second reading, seconded by Armstrong. All in favor. Motion carried.

**NEW BUSINESS:**

- A. Resolution authorizing execution of the following interlocal agreements:
1. Lawn Maintenance – Hardyston Board of Education
  2. Solid Waste and Recycling Removal – Hardyston Board of Education
  3. Commodity Resale Agreement (Gasoline and Diesel Fuel) – Hardyston Board of Education

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4. Commodity Resale Agreement (Gasoline and Diesel Fuel) – Franklin Borough Board of Education

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

1. Lawn Maintenance – Hardyston Board of Education
2. Solid Waste and Recycling Removal – Hardyston Board of Education
3. Commodity Resale Agreement (Gasoline and Diesel Fuel) – Hardyston Board of Education
4. Commodity Resale Agreement (Gasoline and Diesel Fuel) – Franklin Borough Board of Education

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

- B. Resolution requesting permission for the Dedication By Rider for outside employment of off duty police officers

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, the blanket provision allows municipalities to receive amounts for costs incurred for Outside Employment of Off Duty Police Officers, and

WHEREAS, N.J.S.A.40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of moneys by dedication by rider; and

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

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Outside Employment of Off Duty Police Officers as per N.J.S.A. 40A:4-39.
2. The Township Clerk of the Township of Hardyston is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

Township Manager explained that this dedication by rider is required by the State to be able to establish a separate escrow account when the Police Department is requested to do outside details for traffic control or security. A motion was made by Kievit to approve the resolution as presented, seconded by Armstrong. All in favor. Motion carried.

- C. 2009 Budget Adoption

Township Manager stated for the record that the budget hearing was held on June 23, 2009, but we were still awaiting acceptance of the budget from the State and therefore, the budget could not be adopted at that time. She stated that we have since received acceptance from the State and we are now able to adopt the budget without amendment. She stated that the budget for 2009 is \$9,248,899.45. A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. No public was present. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried. A motion was made by Kievit to adopt the 2009 Budget as set forth and presented at the Township Council meeting of June 23<sup>rd</sup>, 2009, seconded by Armstrong. All in favor. Motion carried.

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D. Correspondence

1. Bernd E. Hefe, Esq.
2. Hampton Township
3. Borough of Hamburg
4. Township of Lafayette
5. Township of Lafayette
6. Township of Hampton
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. State of NJ
14. State of NJ
15. State of NJ
16. State of NJ
17. State of NJ
18. State of NJ
19. State of NJ
20. Sandyston Township

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

**BILLS TO BE PAID:** A motion was made by Kievit 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 7:20 p.m., seconded by Kula. All in favor. Motion carried.

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Jane Bakalarczyk, RMC/CMC  
Municipal Clerk