

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
DECEMBER 12, 2006**

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Sussex Bank the amount of \$ 3,282.12 for an overpayment.

RESOLUTION # 09-06

WHEREAS, Block 16.19 Lot 30 also known as 32 Bracken Hill Road and owned by Thomas & Marilyn Litter, and

WHEREAS, Mr. Litter has been approved for a Veterans Deduction for the 2006 Tax Year, and

WHEREAS, the real estate taxes were paid in full prior to the approval of the deduction,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Mr.Litter the amount of \$ 250.00 for his Veterans Deduction.

RESOLUTION # 10-06

WHEREAS, Block 16 Lot 14.09 also known as 19-31 Crystal Springs Road and Block 17 Lot 6.01 also known as 4395 Rudetown Road both are owned by Crystal Springs Builders, LLC, and

WHEREAS, both of these parcels have been sub-divided in 2006 and real estate taxes were paid on these parcels, and

WHEREAS, refunds are due for taxes paid for the first half of 2006,

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Crystal Springs Builders, LLC \$ 15,833.13 for 19-31 Crystal Springs Road and \$ 1,480.50 for 4395 Rudetown Road.

A motion was made by Ross to approve the resolutions as presented, seconded by Kievit. All in favor with Lasinski abstaining on Resolution #10-06. Motion carried.

B. Resolution authorizing the Township Manager to execute the following:

1. Contract for Environmental Services – PK Environmental

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. Contract for Environmental Services – PK Environmental

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

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C. Resolution authorizing the Township Manager to execute the following:

1. Interlocal Agreement – HTMUA Secretarial/Billing 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. Interlocal Agreement – HTMUA Secretarial/Billing Services

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

D. 2006 Budget Appropriation Transfers

Now, Therefore be it resolved by the Mayor and Council of the Township of Hardyston, State of New Jersey, That the following 2006 Budget Appropriation transfers be authorized:

Transfer From:		Transfer To:	
Admin Supplies.	2,000.00	Admin S&W	2,000.00
Finance OE.	1,200.00	Admin OE	1,200.00
Tax Collector OE	800.00	Admin OE	800.00
Tax Collector OE	3,000.00	Tax Assessor OE	3,000.00
Legal OE	2,000.00	Admin OE	2000.00
Legal OE	4,000.00	Planning Board OE	4,000.00
Engineering OE	1,000.00	Planning Board OE	1,000.00
Economic Develop OE	1,000.00	Planning Board OE	1,000.00
Zoning Board OE	2,000.00	Planning Board OE	2,000.00
Construction S & W	7,000.00	Planning Board OE	7,000.00
Economic Develop OE	400.00	Unemployment Ins	400.00
Streets & Roads S & W	21,000.00	Police S & W	21,000.00
Tax Appeals	9,000.00	Police S & W	9,000.00
Communication OE	1,500.00	Police OE	1,500.00
Tax Appeals	11,000.00	Communication S & W	11,000.00
Tax Appeals	1,000.00	Fire Dept OE	1,000.00
Tax Appeals	1,500.00	Fuel Oil	1,500.00
Streets & Roads OE	3,000.00	Fire Dept OE	3,000.00
Recreation OE	4,500.00	Animal Cntl OE	4,500.00
Recreation OE	3,000.00	Senior Bus OE	3,000.00
Summer Program S & W	336.77	Social Security	336.77
Summer Program OE	1,163.23	Social Security	1,163.23
Littell Center S & W	1,500.00	Social Security	1,500.00
Littell Center S & W	4,000.00	Accumulated Sick Time	4,000.00
Street Lighting	7,000.00	Accumulated Sick Time	7,000.00
Gasoline	19,000.00	Electricity	19,000.00
Natural Gas	10,000.00	Telephone	10,000.00
Diesel	6,000.00	Telephone	6,000.00
Total	128,900.00	Total	128,900.00

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. Resolution accepting a Letter of Credit in the amount of \$458,342.28 and a Cash Bond in the amount of \$50,926.92 from Crystal Springs Builders, LLC for the Cornwall at Crystal Springs

WHEREAS, the Hardyston Township Planning Board granted approval to Crystal Springs Builders, LLC for the Cornwall at Crystal Springs; and

WHEREAS, as a condition of said approval of the Cornwall at Crystal Springs, Crystal Springs Builders, LLC was required to post a performance guarantee with the Township of Hardyston for the said site in the amount of \$509,269.20 and;

WHEREAS, Crystal Springs Builders, LLC has submitted to the Municipal Clerk an Irrevocable Letter of Credit in the amount of \$458,342.28, and a cash bond in the amount of \$50,926.92; and

WHEREAS, the letter of credit has been reviewed and approved as to form by the Township Attorney and Township Engineer.

NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of Hardyston that it hereby accepts the above stated bonds from Crystal Springs Builders, LLC for the Cornwall at Crystal Springs as performance securities required by the Hardyston Township Planning Board.

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

- F. Resolution authorizing Change Order #1 for Silver Grove Road Improvements and authorizing Township Manager to execute same

BE IT RESOLVED by the Township Council of the Township of Hardyston that Change Order #1 for the Silver Grove Road Improvements project is hereby approved and the Township Manager is authorized to execute same.

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

- G. Resolution regarding Black Bear Population Policies and Regulations

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

- H. Correspondence

1. Township of Vernon
2. Borough of Franklin
3. State of NJ
4. Hampton Township
5. Township of Vernon
6. Township of Lafayette
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. NJ State League of Municipalities
14. NJ State League of Municipalities
15. NJ State League of Municipalities

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16. NJ State League of Municipalities
17. NJ State League of Municipalities
18. NJ State League of Municipalities

A motion was made by Ross to approve the correspondence as presented with the exception of #7, seconded by Lasinski. All in favor. Motion carried.

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

- Highlands Legislation and Adoption of Master Plan
- Shared Services and Consolidation

BILLS TO BE PAID: A motion was made by Ross to approve the bill list as presented, seconded by Kievit. 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: Kievit
Discussion: None

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

Motion carried.

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

Jane Bakalarczyk, RMC/CMC
Municipal Clerk

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Title: MINUTES OF THE HARDYSTON TOWNSHIP
COUNCIL MEETING HELD ON AUGUST 16, 2005
Subject:
Author: Jane Bakalarczyk
Keywords:
Comments:
Creation Date: 12/13/2006 9:21 AM
Change Number: 5
Last Saved On: 1/10/2007 2:20 PM
Last Saved By: Jane Bakalarczyk
Total Editing Time: 118 Minutes
Last Printed On: 1/21/2007 8:24 PM
As of Last Complete Printing
Number of Pages: 6
Number of Words: 1,786 (approx.)
Number of Characters: 10,181 (approx.)