

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING HELD ON JANUARY 1, 2007.

The meeting was called to order by Mayor Leslie Hamilton at 12:00 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 Kievit, Councilman Lasinski, Councilman Ross, Manager Marianne Smith, Attorney Megan Ward and Clerk Jane Bakalarczyk.

**SALUTE THE FLAG:**

**STATEMENT OF DETERMINATION:** Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman James G. Armstrong

**OATH OF OFFICE:** Deputy Municipal Clerk Marianne Smith issued the Oath of Office to Councilman James G. Armstrong

**2007 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:**

**MAYOR** - A motion was made by Hamilton to appoint Kenneth P. Kievit, seconded by Armstrong. All in favor. Motion carried.

**DEPUTY MAYOR** - A motion was made by Ross to appoint Leslie G. Hamilton, seconded by Lasinski. All in favor. Motion carried.

**ATTORNEY** - A motion was made by Hamilton to appoint Kevin Kelly, seconded by Lasinski. All in favor. Motion carried.

**PROSECUTOR** - A motion was made by Ross to appoint Anthony Den Uyl, seconded by Lasinski. All in favor. Motion carried.

**PUBLIC DEFENDER** - A motion was made by Hamilton to appoint James Sloan, seconded by Lasinski. All in favor. Motion carried.

**AUDITOR** - A motion was made by Lasinski to appoint Charles Ferraioli, seconded by Ross. All in favor. Motion carried.

**BOND COUNSEL** - A motion was made by Hamilton to appoint Frohling & Hudak, seconded by Lasinski. All in favor. Motion carried.

**DEPUTY MUNICIPAL CLERK** - A motion was made by Hamilton to appoint Marianne Smith, seconded by Ross. All in favor. Motion carried.

**ASSESSMENT SEARCH OFFICER** - A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Ross. All in favor. Motion carried.

**TOWNSHIP PHYSICIAN** - A motion was made by Hamilton to appoint Dennis Fielding, seconded by Ross. All in favor. Motion carried.

**SWCF COMMISSIONER** - A motion was made by Hamilton to appoint Marianne Smith, seconded by Lasinski. All in favor. Motion carried.

**RISK MANAGEMENT CONSULTANT** - A motion was made by Lasinski to appoint the Morville Agency, seconded by Ross. All in favor. Motion carried.

**SENIOR CITIZEN COORDINATOR** - A motion was made by Hamilton to appoint Edward Melchior, seconded by Lasinski. All in favor. Motion carried.

**PUBLIC AGENCY COMPLIANCE OFFICER** - A motion was made by Hamilton to appoint Marianne Smith, seconded by Ross. All in favor. Motion carried.

**208 REPRESENTATIVE (PAC)** - A motion was made by Hamilton to appoint Marianne Smith, seconded by Lasinski. All in favor. Motion carried.

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**ALTERNATE 208 REPRESENTATIVE (PAC)** –A motion was made by Hamilton to appoint Robert F. Schultz, seconded by Lasinski. All in favor. Motion carried.

**SC SOLID WASTE ADVISORY COMMITTEE (SWAC)** – A motion was made by Hamilton to appoint Robert F. Schultz, seconded by Ross. All in favor. Motion carried.

**SWCF SAFETY LOSS PREVENTION REPRESENTATIVE** - A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Ross. All in favor. Motion carried.

**OATH OF OFFICE** – Fire Department 2007 Officers

**RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR PROFESSIONAL SERVICES:**

**WHEREAS**, Hardyston Township has a need to acquire professional services to be provided under non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, Hardyston Township has determined that the anticipated value of each contract will exceed \$17,500.00; and

**WHEREAS**, the anticipated term of each contract is one (1) year; and

**WHEREAS**, each of the following individuals and/or business entities has submitted a proposal indicating a willingness to provide professional services as described below and for the price stated; and

**WHEREAS**, each individual/business entity named herein has completed and submitted a Business Entity Disclosure Certification which certifies that no reportable contributions have been made to a political or candidate committee in the Township of Hardyston in the previous one year, and that the contract will prohibit the individual/business entity from making any reportable contributions during the time of the contract; and

**WHEREAS**, the Chief Financial Officer of the Township of Hardyston has certified that funds are available for this purpose; and

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

1. The Township of Hardyston is authorized to engage Kevin D. Kelly as municipal attorney for the year 2007 at the rate of \$125.00 per hour;
2. The Township of Hardyston is authorized to engage Robert P. Guerin as municipal engineer for the year 2007 at the rate of \$95.00 per hour;
3. The Township of Hardyston is authorized to engage Anthony DenUyl as municipal prosecutor for the year 2007 at the rate of \$17,783.76;
4. The Township of Hardyston is authorized to engage Charles Ferraioli as municipal auditor for the year 2007 at a rate ranging from \$50.00 to \$135.00 per hour ;
5. The Township of Hardyston is authorized to engage the firm of Frohling and Hudak as municipal bond counsel for the year 2007 at a rate not to exceed \$50,000.00;
6. The Township of Hardyston is authorized to engage James Sloan as public defender for the year 2007 at the rate of \$100.00 per case;

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7. The Township of Hardyston is authorized to engage The Morville Agency as municipal risk management consultant for the year 2007 at the rate specified in the 2007 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement;

**BE IT FURTHER RESOLVED** that these appointments are awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions; and

**BE IT FURTHER RESOLVED** that the Business Entity Disclosure Certification and the Determination of Value for each of the individual/business entities named herein shall be placed on file with this Resolution; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage. This Resolution and each referenced contract are on file and available for public inspection in the office of the Hardyston Township Clerk.

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

**TAX ASSESSOR AND MUNICIPAL ATTORNEY RESOLUTION FOR SUSSEX COUNTY BOARD OF TAXATION AND TAX COURT OF THE STATE OF NEW JERSEY:**

**BE IT RESOLVED** by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

**BE IT FURTHER RESOLVED** that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation.

**BE IT FURTHER RESOLVED** that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$5,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

**RESOLUTION INCREASING THE BID THRESHOLD AND APPOINTING A QUALIFIED PURCHASING AGENT, PURSUANT TO N.J.S.A. 40A:11-3A AND N.J.A.C. 5:34-5 ET SEQ.**

**WHEREAS**, the recent changes to the Local Public Contracts Law gave local contracting units the ability to increase their bid threshold up to \$29,000; and

**WHEREAS**, N.J.S.A. 40A:11-3a, permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

**WHEREAS**, N.J.A.C. 5:34-5 et seq. established the criteria for qualifying as a Qualified purchasing agent; and

**WHEREAS**, Grant W. Rome possess the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et seq.; and

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**WHEREAS**, Township of Hardyston desires to take advantage of the increased bid threshold;

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Township of Hardyston, in the County of Sussex, in the State of New Jersey hereby increases its bid threshold to \$29,000.00; and

**BE IT FURTHER RESOLVED**, that the governing body hereby appoints Grant W. Rome as the Qualified Purchasing Agent to exercise the duties of a purchasing agent pursuant to N.J.S.A 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and

**BE IT FURTHER RESOLVED**, that in accordance with N.J.A.C. 5:34-5.2 the local unit clerk is hereby authorize and directed to forward a certified copy of this resolution and a copy of Grant W. Rome's certification to the Director of the Division of Local Government Services.

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

**OFFICIAL DEPOSITORIES** - A motion was made by Hamilton to appoint: Bank of New York, JP Morgan Chase, Sussex Bank, Wachovia Bank, Lakeland Bank, NJ Cash Management Fund, Valley National Bank, Commerce Bank, seconded by Lasinski. All in favor. Motion carried.

**OFFICIAL NEWSPAPERS** - A motion was made by Hamilton to appoint the New Jersey Herald and New Jersey Sunday Herald as Official Newspapers of the Township of Hardyston and the Star Ledger, Advertiser News and Aim Newspaper as Alternates, seconded by Armstrong. All in favor. Motion carried.

**OFFICIAL HOLIDAYS** - A motion was made by Ross to approve the following holidays:

New Year's Day	Independence Day	Day After Thanksgiving
Martin Luther King Day	Labor Day	Christmas Eve Day
Presidents' Day	Columbus Day	Christmas Day
Good Friday	Veterans' Day	
Memorial Day	Thanksgiving Day	

seconded by Lasinski. All in favor. Motion carried. A motion was also made to include as a holiday for 2007 only, January 2, 2007 as a "National Day of Mourning" due to the death of former President Gerald Ford, seconded by Lasinski. All in favor. Motion carried.

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**2007 HARDYSTON TOWNSHIP COUNCIL MEETING DATES**

REGULAR MEETINGS

January 16, 2007  
February 20, 2007  
March 20, 2007  
April 17, 2007  
May 15, 2007  
June 19, 2007  
July 17, 2007  
August 21, 2007  
September 18, 2007  
October 16, 2007  
November 20, 2007  
December 11, 2007

WORKSHOP MEETINGS

January 9, 2007  
January 23, 2007  
February 13, 2007  
February 27, 2007  
March 13, 2007  
March 27, 2007  
April 10, 2007  
April 24, 2007  
May 8, 2007  
May 22, 2007  
June 12, 2007  
June 26, 2007  
July 10, 2007  
July 24, 2007  
August 14, 2007  
August 28, 2007  
September 11, 2007  
September 25, 2007  
October 9, 2007  
October 23, 2007  
November 27, 2007  
December 4, 2007

**REORGANIZATION MEETING – TUESDAY - JANUARY 1, 2008 - 12:00 PM**

A motion was made by Hamilton to approve the 2007 Hardyston Township Council meeting dates as presented, seconded by Lasinski. All in favor. Motion carried.

**PLANNING BOARD** - The following appointments were made:

**MAYOR - CLASS I** - A motion was made by Ross to appoint Leslie Hamilton, seconded by Armstrong. All in favor. Motion carried.

**CLASS II** - A motion was made by Hamilton to appoint Robert F. Schultz, seconded by Ross. All in favor. Motion carried.

**CLASS III** - A motion was made by Hamilton to appoint James Armstrong, seconded by Ross. All in favor. Motion carried.

**CLASS IV** – A motion was made by :Hamilton to appoint William Hickerson to a **four-year term**, seconded by Ross. All in favor. Motion carried.

**CLASS IV** – A motion was made by :Hamilton to appoint John Monell to a **four-year term**, seconded by Ross. All in favor. Motion carried.

**CLASS IV** – A motion was made by :Hamilton to appoint Brian Kaminski to a **four-year term**, seconded by Ross. All in favor. Motion carried.

**ALTERNATE I** – A motion was made by Hamilton to appoint Randy Roof to a **two-year term**, seconded by Ross. All in favor. Motion carried.

**ALTERNATE II** – A motion was made by Hamilton to appoint Stanley Kula to a **two-year term**, seconded by Ross. All in favor. Motion carried.

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**ZONING BOARD** - The following appointments were made:

**FULL MEMBER** - A motion was made by Hamilton to appoint Gerald Laughlin to a **four-year term**, seconded by Ross. All in favor. Motion carried.

**ALTERNATE I** - A motion was made by Hamilton to appoint Roger Kabbash to a **two-year term**, seconded by Ross. All in favor. Motion carried.

**MUNICIPAL UTILITIES AUTHORITY:**

**FULL MEMBER** – A motion was made by Hamilton to appoint Candace Leatham to a **five-year term**, seconded by Lasinski. All in favor. Motion carried.

**RECREATION COMMITTEE:** A motion was made by Hamilton to appoint:

Robert Califano  
Wayne Ross  
MaryAnn Murphy  
Jodi Mix  
Kathleen Judd  
Jeanette Chardavoyne

seconded by Lasinski. All in favor with Ross voting “No” on his appointment. Motion carried.

**ECONOMIC DEVELOPMENT COMMISSION:** A motion was made by Hamilton to appoint:

Stanley Kula	Michael Aratingi
Carl Miller	Nick Elyash
Donna Holden	Michael Hallacker

seconded by Ross. All in favor. Motion carried.

**MUNICIPAL DRUG ALLIANCE COMMITTEE:** A motion was made by Hamilton to appoint:

Nancy O’Brien	Pam Styer
Katherine LaDuke	Elizabeth Burdzy

seconded by Ross. All in favor. Motion carried.

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**EMERGENCY MANAGEMENT COUNCIL** - A motion was made by Hamilton to make the following appointments:

Mayor	Kenneth Kievit
Deputy Mayor	Leslie Hamilton
Police Captain	Bret Alemy
Construction Official	Keith Utter
DPW	Bob F. Schultz
DPW	Jeff VanAcker
Fire Chief	Ray Marion
Asst. Fire Chief	Karl Miller
Manager	Marianne Smith
Senior Citizen Rep.	Edward Melchior
Councilman	William Lasinski
Councilman	Wayne Ross
Councilman	James Armstrong
Communications	James Condon
Deputy Communications	Ruth Condon
First Aid Captain	Mark Rossman
EMS Rescue Lt/Dep Coord.	Jeff Hamler
Deputy Coordinator	Joe Ionta
Fire Dept. Liaison	Frank Lacatena
Health Officer	Ralph D'Aries
Dam Safety Officer	Bob Mertrud
Dep. Comm. Officer	Dennis Goller
Chaplain/Mental Health	Rev. Edward Casey
School Nurse	Elizabeth Burdzy

seconded by Ross. All in favor. Motion carried.

**2007 TEMPORARY MUNICIPAL BUDGET**

BE IT RESOLVED that the following appropriations shall constitute the temporary budget of the Township of Hardyston for the year 2007:

<u>APPROPRIATION</u>	<u>SALARIES &amp; WAGES</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	60,625.00	15,625.00
Elections		1,125.00
Financial Administration		27,450.00
Assessor	16,500.00	5,200.00
Collection of Taxes		17,925.00
Legal		11,000.00
Municipal Court	19,000.00	1,300.00
Engineering		6,000.00
Economic Development Commission		1,275.00
Planning Board	11,275.00	11,000.00
Zoning Board of Adjustment		2,000.00
Insurance:		
Group Insurance		172,000.00
Worker's Compensation		13,600.00
Other Insurance Premiums		27,000.00
Unemployment Compensation		2,000.00
Police	390,000.00	15,000.00
Purchase of Police Car		85,000.00
Police Communications	65,000.00	10,000.00

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**2007 TEMPORARY BUDGET - CONTINUED**

Emergency Management	1,740.00	1,000.00
Aid to Volunteer Fire Company		17,000.00
Aid to First Aid Squads		12,000.00
Fire Prevention	4,500.00	900.00
Prosecutor		4,450.00
Roads Repairs	118,000.00	90,000.00
Recycling		500.00
Public Building & Grds		17,600.00
Board of Health		24,000.00
Dog Regulation		5,375.00
Contrib. to Seniors Center		750.00
Seniors Center Busing		4,750.00
Recreation	25,000.00	15,000.00
Construction Official	62,000.00	2,500.00
Zoning Officer	6,325.00	500.00
Electricity		14,500.00
Street Lighting		6,000.00
Telephone		15,500.00
Fuel Oil		3,100.00
Gasoline		14,750.00
Computer Network		19,000.00
Diesel Fuel		5,250.00
Natural Gas		7,500.00
Social Security		59,500.00
Police & Firemen's Retirement		18,000.00
Public Employees Retirement		10,000.00
Hepatitis B Shots		125.00
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TOTAL - TOWNSHIP OF HARDYSTON	779,965.00	794,050.00
TOWNSHIP CAPITAL BUDGET		100,000.00
DEBT SERVICE		200,000.00

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

**PUBLIC PARTICIPATION** - The Council opened the meeting to the public. Frank Lacatena congratulated the Township Council for all of their accomplishments over the past year. The Council closed the meeting to the public.

**ADJOURN** - A motion was made by Ross to adjourn, seconded by Hamilton. All in favor. Motion carried.

Attest \_\_\_\_\_  
Jane Bakalarczyk, RMC/CMC  
Municipal Clerk

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