

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL SPECIAL MEETING
HELD ON MARCH 27, 2007.

The meeting was called to order by 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: Deputy Mayor Hamilton, Councilman Ross, Councilman Armstrong, Manager Marianne Smith, and Clerk Jane Bakalarczyk. Councilman Lasinski arrived at approximately 7:40 p.m.

SALUTE THE FLAG:

ORDINANCES:

1st READING:

**2007-05
(Amended 3/27/07)
CALENDAR YEAR 2007
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2007 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$59,387.23 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2007 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 207,855.31 and that the CY 2007 municipal budget for the Township of Hardyston be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was made by Ross to approve Ordinance 2007-05 on first reading, seconded by Armstrong. All in favor. Motion carried.

2007-06

**AN ORDINANCE TO REVISE §41-7 OF THE HARDYSTON
TOWNSHIP CODE REGARDING THE CHIEF OF POLICE**

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston that Chapter 41 of the Hardyston Township Code, entitled "Police Department", be and is hereby revised as follows:

Section 1. Sub-section A in §41-7 "Chief of Police" is replaced with the following:

- A. The Chief of Police shall be the executive head of the Police Department and shall be responsible to the Township Manager.
 1. In the temporary absence or disability of the Chief of Police, he or she shall appoint, with the consent of the Township Manager, on a temporary basis, a member of the Department to act in his or her place, conferring on him or her the title of "Acting Chief," that title to be used only for the duration of the temporary appointment. Should the Chief of Police be unable to appoint an Acting Chief, due to disability, unavailability or other reason, the temporary appointment shall be made by the Township Manager.
 2. Upon a vacancy in the position due to the retirement, resignation, termination or death of the Chief of Police, the Township Manager may appoint, on a temporary basis, a member of the Department to serve as "Acting Chief," that title to be used only for the duration of the temporary appointment. The temporary appointment shall be for such duration as the Township Manager shall determine to be necessary to evaluate the needs of the Township and the Police Department and to identify and appoint a Chief of Police.

Section 2. Severability and repealer. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance. Any ordinance previously adopted or portion thereof that may be inconsistent with the ordinance is hereby repealed to the extent of the inconsistency.

Section 3. Effective date. This Ordinance shall take effect in the time and manner prescribed by law.

A motion was made by Armstrong to approve Ordinance 2007-06 on first reading, seconded by Ross. All in favor. Motion carried.

NEW BUSINESS:

- A. 2007 Budget Introduction

With Councilman Lasinski now in attendance, Township Manager Marianne Smith gave a written and verbal presentation on the 2007 Municipal Budget. A motion was made by Ross to approve the 2007 Municipal Budget as introduced, seconded by Lasinski. All in favor. Motion carried.

- B. Resolution authorizing the execution of the following contract/agreement:
 1. County of Sussex – Transit Services

