

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL SPECIAL MEETING
HELD ON JUNE 12, 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, Councilman Lasiski and Manager Marianne Smith

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.

Raffles/Applications:

1. Fire Department New Member Applications
 - a. James Raperto, Sr.
 - b. Michael Reffi
 - c. Stuart S. Cohen

2. Raffle – The Craig School

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

ORDINANCES:

1st READING: 2007-09

AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF HARDYSTON AMENDING VARIOUS CHAPTERS OF THE CODE OF THE TOWNSHIP OF HARDYSTON INCLUDING, BUT NOT LIMITED TO CHAPTER 185 ENTITLED “ZONING” TO ADD COMMERCIAL RECREATION VILLAGE CENTER PLANNED DEVELOPMENT PROVISIONS AMENDING THE COMMERCIAL RECREATION ZONE STANDARDS AND VARIOUS OTHER PROVISIONS OF THE CODE TO FULFILL AFFORDABLE HOUSING REQUIREMENTS OF COAH AND TO PROMOTE “SMART GROWTH” AND “SMART PLANNING” CONSISTENT WITH THE HARDYSTON TOWNSHIP MASTER PLAN, THE SUSSEX COUNTY STRATEGIC GROWTH PLAN AND THE STATE PLAN.

A motion was made by Ross to approve Ordinance 2007-09 on first reading, seconded by Hamilton. Due to a conflict of interest, both Kievit and Lasinski left the Council chambers before the discussion and vote. Ross – Yes, Hamilton – Yes, Armstrong – Yes. Motion carried. A full copy of Ordinance 2007-09 is available for review in the Clerk’s Office.

2007-10

AN ORDINANCE TO MODIFY CHAPTER 94 OF THE HARDYSTON TOWNSHIP CODE ENTITLED “FIRE PREVENTION”

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Hardyston that Chapter 94 of the Hardyston Township Code, entitled “Fire Prevention” be and is hereby modified as follows:

Section 1. §94-10 is deleted and replaced:

A. All inspection and permit provisions in the Uniform Fire Code (N.J.A.C. 5:70) are adopted by reference and incorporated, without change, as if set forth at length herein.

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B. Each non-residential use that is not classified as a life hazard use under N.J.A.C. 5:70-2.4 shall be registered with the Hardyston Township Fire Prevention Bureau. The owner of the premises and/or operator of the non-life hazard use shall submit a completed registration form and pay the \$25.00 fee prior to commencing operation of the non-life hazard use. A \$100.00 penalty shall accrue, in addition to the registration fee, if a non-life hazard use is not so registered prior to commencing operation. The non-life hazard use shall thereafter be registered annually during the month of January. In addition to the registration fee (\$25.00 annually), a \$50.00 late registration penalty shall accrue on February 1st.

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 this 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 Ross to approve Ordinance 2007-10 on first reading, seconded by Hamilton. All in favor. Motion carried.

NEW BUSINESS:

- A. Resolution Accepting A Letter Of Credit In The Amount Of \$250,000.00 And A Cash Bond In The Amount Of \$183,740.00 From Crystal Springs Builders, LLC For The Grand Cascades At Crystal Springs

WHEREAS, the Hardyston Township Planning Board granted approval to Crystal Springs Builders, LLC for the Grand Cascades site improvements; and

WHEREAS, as a condition of said approval of the Grand Cascades site improvements, Crystal Springs Builders, LLC was required to post a performance guarantee with the Township of Hardyston for the said site in the amount of \$433,740.00 and;

WHEREAS, Crystal Springs Builders, LLC has submitted to the Municipal Clerk an Irrevocable Letter of Credit in the amount of \$250,000.00, and a cash bond in the amount of \$183,740.00; and

WHEREAS, the letter of credit has been reviewed and approved as to form by the Planning Board 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 Grand Cascades site improvements as performance securities required by the Hardyston Township Planning Board.

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

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- B. Resolution Accepting A Letter Of Credit In The Amount Of \$1,200,00.00
From Crystal Springs Builders, LLC As Guarantee Of Performance Of
Affordable Housing (COAH) Obligations For Grand Cascades

WHEREAS, Crystal Springs Builders, LLC has submitted to the Municipal Clerk
an Irrevocable Letter of Credit in the amount of \$1,200,000.00; and

WHEREAS, the letter of credit has been reviewed and approved as to form by
the Planning Board 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 bond from Crystal Springs
Builders, LLC as performance securities required by the Hardyston Township Planning
Board.

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

- C. Appointment – Hardyston Township Economic Development Commission

A motion was made by Ross to appoint Sina Brehmer-Songer to the Economic
Development Commission with a term expiring 12/31/07, seconded by Armstrong. All in
favor. Motion carried.

- D. Letter of Support for Federal Funding – Newton Memorial Hospital

A motion was made by Ross, to approve a letter to our legislators from the Township
Manager on behalf of the Township Council supporting Newton Memorial Hospitals
request for federal funding for their Electronic Medical Record System, that will replace
antiquated paper patient files and enable physicians and the hospital to provide a higher
level of care than ever before, seconded by Hamilton. 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 Ross to adjourn, seconded by Hamilton. All
in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk