

## **MINUTES OF THE HARDYSTON TOWNSHIP PLANNING BOARD REORGANIZATION MEETING HELD JANUARY 28, 2010**

**CALL THE MEETING TO ORDER:** Vice Chairman Brian Kaminski called the meeting to order at 7:30 p.m. and read the following Statement of Compliance.

**STATEMENT OF COMPLIANCE:** Pursuant to the Open Public Meetings Act, Chapter 23 1, P.L. 1975, adequate notice as defined in section 3D of Chapter 21 P.L. 1975, has been made to the New Jersey Herald and is also posted on the bulletin board at the Hardyston Township Municipal Building.

### **ROLL CALL:**

Leslie Hamilton – Present  
Robert Neubig – Present  
William Hickerson – Present  
Robert F. Schultz – Excused  
James Homa – Present  
Brian Kaminski – Present  
Randy Roof (Alternate No. 1) – Present  
Carl Miller – Present

**OTHERS PRESENT:** Robert P. Guerin, P.E., P.P., Thomas F. Collins, Jr., Esq., P.P., Carrine Piccolo-Kaufer, Assistant Planner, and Anne-Marie Wilhelm, Land Use Administrator

### **ELECTION AND APPOINTMENTS:**

**Oath of Allegiance:** Thomas F. Collins, Jr., Esq., administered the Oath of Allegiance to the following Board members: Leslie Hamilton, James Homa, and Carl Miller.

Robert P. Guerin, P.E., P.P., was sworn for the year by Thomas F. Collins, Esq.

**Election of Chairman:** A motion to nominate and appoint Brian Kaminski to the position of Chairman was made by Robert Neubig and seconded by Leslie Hamilton. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Carl Miller – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Brian Kaminski – yes. The motion carried.

**Election of Vice Chairman:** A motion to nominate and appoint Robert Neubig to the position of Vice Chairman was made by Carl Miller and seconded by Leslie Hamilton. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Election of Secretary:** A motion to nominate and appoint Anne-Marie Wilhelm to the position of Board Secretary was made by Robert Neubig and seconded by Carl Miller. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Appointment of Attorney:** A motion to nominate and appoint Thomas F. Collins, Jr., Esq., to the position of Board Attorney was made by Leslie Hamilton and seconded by Robert Neubig. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Appointment of Engineer:** A motion to nominate and appoint Robert P. Guerin, P.E., P.P., to the position of Board Engineer was made by Leslie Hamilton and seconded by Robert Neubig. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Appointment of Interim Planner:** A motion to nominate and temporarily appoint

Robert P. Guerin, P.E., P.P., to the position of Interim Planner, pending Carrine Piccolo-Kaufer, Assistant Planner's receipt of a planning license, was made by Leslie Hamilton and seconded by Carl Miller. There was no other nomination or further discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Appointment of Planner (*Special Planning Projects*):** A motion to appoint Susan Gruel, P.P., and Fred Heyer, P.P., of Heyer, Gruel & Associates, to the position of Planner for special planning projects was made by Carl Miller and seconded by Robert Neubig. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Bill Review Committee:** A motion to nominate and appoint James Homa and Randy Roof to the Bill Review Committee was made by Carl Miller and seconded by Leslie Hamilton. There was no other nomination or discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**Designation of Meeting Dates and Times:** A motion to adopt the following resolution was made by Leslie Hamilton and seconded by Carl Miller. There was no discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**RESOLUTION OF THE HARDYSTON TOWNSHIP PLANNING BOARD  
DECIDED: JANUARY 28, 2010  
ADOPTED: JANUARY 28, 2010**

**WHEREAS**, the Open Public Meetings Act, Chapter 231, P.L. 1975 requires certain public bodies to comply with the provisions of Section 13 of said Act:

**NOW, THEREFORE, BE IT RESOLVED**, by the Hardyston Township Planning Board, County of Sussex, and State of New Jersey, that the schedule of meeting dates is as follows:

**HARDYSTON TOWNSHIP  
2010 PLANNING BOARD  
MEETING DATES**

In compliance with the Open Public Meetings Act, the following is a list of the monthly meetings of the Hardyston Township Planning Board. The Board will meet at 7:30 p.m. on the fourth Thursday of every month excluding the months of November and December due to the Thanksgiving and Christmas Holidays. The meetings will be held at the Hardyston Township Municipal Building and Police Station Complex, 149 Wheatsworth Road, Suite A, Hardyston, New Jersey 07419.

February 25, 2010  
March 25, 2010  
April 22, 2010  
May 27, 2010  
June 24, 2010  
July 22, 2010  
August 26, 2010  
September 23, 2010  
October 28, 2010  
November 18, 2010  
December 16, 2010

The agenda for all meetings, more or less shall be: 1. Call to Order; 2. Open Public Meetings Statement; 3. Roll Call; 4. Approval of Minutes; 5. Resolutions; 6. Applications; 7. Public Participation; 8. Discussion; 9. Bills; 10. Correspondence; 11. Adjournment.

Additionally, the Hardyston Township Planning Board will conduct workshop meetings on the following dates between 7:30 p.m. – 9:00 p.m., at the Hardyston Township Municipal Building and Police Station Complex, 149 Wheatsworth Road, Suite A, Hardyston, New Jersey.

February 18, 2010  
March 18, 2010  
April 15, 2010  
May 20, 2010  
June 17, 2010  
July 15, 2010  
August 19, 2010  
September 16, 2010  
October 21, 2010

The reorganization meeting for 2011 will be held on January 27, 2011 at 7:30 p.m. The regular meeting of the Hardyston Township Planning Board for the month of January will be held on January 27, 2011 at 7:45 p.m., following the reorganization meeting.

Any physically or mentally challenged resident that may need special accommodations to attend any of the following meetings shall contact the Clerk's office seven (7) days prior to any advertised meeting.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be posted on the Municipal Building bulletin board reserved for that purpose.

**BE IT FURTHER RESOLVED**, copies of this resolution shall be forwarded to the New Jersey Herald and the Sunday New Jersey Herald.

**BE IT FURTHER RESOLVED**, a copy of this resolution shall also be filed with the Township Clerk and mailed to any person who requests it and who has paid the fee established by the public body to cover the cost of providing that notice.

*/s/Anne-Marie Wilhelm*  
Hardyston Township Planning Board  
Anne-Marie Wilhelm  
Land Use Administrator

**Designation of Official Newspaper:** A motion to adopt the following resolution was made by Robert Neubig and seconded by Leslie Hamilton. There was no discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

#### **RESOLUTION OF THE HARDYSTON TOWNSHIP PLANNING BOARD**

**DECIDED: JANUARY 28, 2010**

**ADOPTED: JANUARY 28, 2010**

**WHEREAS**, Section 3D of the Open Public Meetings Act, Chapter 231, P.L. 1975 requires that certain notice of meetings be submitted to two (2) newspapers, one of which shall be the Official Newspaper, and:

**WHEREAS**, the second newspaper designated by this body must be one of which, has the greatest likelihood of informing the public within the jurisdictional boundaries of this body of such meeting:

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

1. The New Jersey Herald and the New Jersey Sunday Herald are hereby designated as the official newspapers to receive all notices of meetings as required under the Open Public Meetings Act.

2. It is the opinion of this Board that the New Jersey Herald and the New Jersey Sunday Herald have the greatest likelihood of informing the public within the jurisdictional area of this body of such meetings.
3. This resolution shall take effect immediately.

/s/Anne-Marie Wilhelm  
Hardyston Township Planning Board  
Anne-Marie Wilhelm  
Land Use Administrator

**Adoption of Professional Resolution:** A motion to adopt the following resolution was made by Carl Miller and seconded by Leslie Hamilton. There was no discussion. Roll Call: Leslie Hamilton – yes; Robert Neubig – yes; Bill Hickerson – yes; James Homa – yes; Randy Roof – yes; Carl Miller – yes; Brian Kaminski – yes. The motion carried.

**RESOLUTION OF THE PLANNING BOARD OF THE TOWNSHIP OF HARDYSTON  
RATIFYING AND AUTHORIZING THE AWARD OF CONTRACTS FOR  
PROFESSIONAL SERVICES**

**WHEREAS**, the Planning Board of the Township of Hardyston will require professional services for legal, engineering, and planning services; and

**WHEREAS**, the above-mentioned services can be performed adequately and effectively by Thomas F. Collins, Esq., of the law firm of Vogel, Chait, Collins, & Schneider; Robert P. Guerin, P.E., P.P., of the firm of Guerin & Vreeland Engineering, Inc., and Heyer, Gruel & Associates, Inc., respectively; and

**WHEREAS**, the Township Treasurer attests to the availability of funds for these services from the general revenues of the Township of Hardyston; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5 permits a contract for professional services to be awarded without the need for competitive bids; and

**WHEREAS**, N.J.S.A. 40:11-5 requires that the award for professional services be publicly advertised;

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

1. The Chairman and Secretary of the Planning Board are hereby authorized and directed to enter into Contracts with 1. Thomas F. Collins, Esq., of the law firm of Vogel, Chait, Collins, & Schneider, P.C., for legal services; 2. Robert P. Guerin, P.E., P.P., of the firm of Guerin Engineering, Inc., for engineering and planning services; 3. Fred Heyer, P.P., and Heyer Gruel & Associates, Inc., for planning services for the period of January 1, 2010, through December 31, 2010, in accordance with the contracts made a part hereof.
2. These contracts are entered into without competitive bidding as a “Professional Service” pursuant to the non-fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.
3. A copy of the resolution will be published in the official newspaper of the Township within 10 days of passage.

/s/Anne-Marie Wilhelm  
Anne-Marie Wilhelm,  
Land Use Administrator

I hereby certify that adequate funds are available in the 2010 Municipal Budget for the payment of professional services in accordance with the contracts noted above.

/s/Grant W. Rome, CFO  
Grant W. Rome, CFO  
Municipal Treasurer

**Adjournment:** A motion to adjourn was made by Bill Hickerson and seconded by Leslie Hamilton. All were in favor. The meeting adjourned at 7:37 p.m.

Minutes respectfully submitted by:

/s/ Anne-Marie Wilhelm  
Anne-Marie Wilhelm  
Land Use Administrator