

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 13, 2010**

The meeting was called to order by Mayor Kievit at approximately 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 Ross, Councilwoman Hamilton, Councilman Kula, Councilman Miller, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Dominic DiYanni of Dorsey & Semrau.

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.

Monthly Reports:

1. Municipal Clerk Report – March 2010
2. Tax Collector Report – March 2010
3. Construction Certificate Activity Report – March 2010
4. Construction Permit Activity Report – Hardyston – March 2010
5. Construction Permit Activity Report – Hamburg – March 2010
6. Construction Permit Activity Report – Franklin – March 2010
7. HTMUA – Minutes of 3/1/10
8. Sussex County Public Health Nurse Activity – March 2010
9. Construction Department – Annual Report
10. Police Department Report – March 2010

Minutes:

1. Workshop Minutes of 3/23/10
2. Executive Minutes of 3/23/10
3. Regular Minutes of 4/6/10

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

ORDINANCES:

1st READING: None

ORDINANCES:

2nd READING: None

NEW BUSINESS:

- A. Resolution #29-10 – Amended Shared Services Agreement with Sussex Borough for DPW Services

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF AN AMENDED SHARED SERVICES AGREEMENT WITH THE BOROUGH OF SUSSEX FOR THE PROVISION OF DEPARTMENT OF PUBLIC WORKS SERVICES

WHEREAS, the Borough of Sussex and the Township of Hardyston recently authorized the execution of a shared services agreement for the furnishing of department of public works services; and

WHEREAS, since such approval the Agreement has been amended as set forth by the terms and conditions in the attached amended Agreement; and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 13, 2010**

WHEREAS, the parties desire to enter into said Amended Agreement pursuant to the "Uniform Shared Services and Consolidation Act," N.J.S.A. 40A:65-1, et seq., for the furnishing of such services.

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

1. The Manager and Township Clerk are hereby authorized and directed to execute the Amended Shared Services Agreement, a copy of which is attached hereto, with the Borough of Sussex for the provision of Department of Public Works services.
2. The Township Manager and Clerk are hereby authorized to execute any additional non-substantial amendments and/or modifications to the Agreement without the consent of the Township Council.
3. This Resolution shall take effect immediately.

Township Manager outlined the minor changes that were made to the contract. A motion was made by Ross to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

- B. Resolution #30-10 – Inter-local Service Agreement for Street Sweeping with Hamburg Borough

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following shared service agreement is hereby authorized:

1. Street Sweeping Services – Hamburg Borough

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

- C. Correspondence

1. Stillwater Township
2. Stillwater Township
3. Stillwater Township
4. Green Township
5. Fredon Township
6. Lafayette Township
7. Wantage Township
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
16. NJ State League of Municipalities
17. NJ State League of Municipalities
18. NJ State League of Municipalities
19. NJ State League of Municipalities
20. State of NJ
21. State of NJ
22. State of NJ
23. State of NJ
24. State of NJ

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

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
APRIL 13, 2010**

MANAGERS REPORT: Township Manager gave a verbal report on the following:

- Township Manager stated that Hamburg Borough signed the shared services agreement for recycling services and we will begin to provide that service on July 1, 2010. She stated that Hardyston will work with Hamburg to get notices out to the Hamburg residents regarding this service.
- Township Manager stated that the Township is continuing the fight to get watershed aid restored. She stated that she will be meeting with the legislators on Wednesday, April 14, 2010 and other Sussex County municipality representatives on Thursday, April 15, 2010 to try to enlist their support in having the funding restored.

BILLS TO BE PAID: A motion was made by Hamilton to approve the bill list as presented, seconded by Kula. 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:

BE IT RESOLVED by the Township Council of the Township of Hardyston on the 13th day of April, 2010, that:

1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.
 - () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
3. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

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APRIL 13, 2010**

Motion to adopt: Ross_
Seconded by: Miller

<u>MOTION</u>	<u>YES</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Ross	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Kievit	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Kula	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Hamilton	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Miller	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Motion carried.

A motion was made by Ross to come out of Executive Session, seconded by Miller. All in favor.
Motion carried.

ADJOURNMENT: A motion was made by Ross to adjourn at approximately 7:50 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk