

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL WORKSHOP MEETING HELD ON MAY 4, 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.

DISCUSSION ITEMS:

A. First Aid Squad Status Update on Operations

Township Manager stated that two of the First Aid Squad officers are out of town and unable to attend tonight's Council meeting, but they did provide a written summary of their activity. The Council reviewed the report. Mayor Kievit commended the First Aid Squad for a job well done.

B. Communications Infrastructure Upgrade Update – Bill Hickerson, OEM Coordinator

Bill Hickerson stated that the professional recommendations would be to add three auxiliary satellite receivers (receives signals and sends them to the repeater for amplification using a RF link), add a second Motorola 2000 repeater at the 515 old municipal building site (transmits amplified signal to and from headquarters), add a "voter comparator" (compares incoming signals and activates most effective repeater for response, and add RF link (high frequency link between two repeaters and three satellite receivers, same as current link between repeater and headquarters base station). Mr. Hickerson provided the Council with revised quotes for their review. Mr. Hickerson stated that FCC licensing and other various approvals would need to be obtained before moving forward. Mr. Hickerson stated that he is currently working to get the required approvals. He also stated that he is looking into available grants for this project.

C. Vicious Dog Ordinance and Proposed Accompanying Fee

Township Manager stated that this ordinance was already approved by the Council upon first reading, but that the Council wanted some clarification on a few minor issues. Township Manager stated that a dog that has been declared by the court to be a potentially dangerous dog resides in the Township. Township Attorney stated that there is currently no township ordinance addressing this issue. Township Attorney stated that this ordinance is consistent with the State statute that pertains to potentially dangerous dogs. Second reading of the ordinance and the accompanying fee ordinance is scheduled for May 18, 2010.

D. Request of Crystal Springs to Replace Letters of Credit with Formal Bonding

Township Manager stated that Crystal Springs Builders has requested replacing their current letters of credit with performance bonds. She stated that the bonds have been reviewed by the Township Engineer and the Planning Board Attorney. Some minor revisions will need to be made to these bonds by Crystal Springs Builders, as stated in the letter from the Township Engineer dated April 16, 2010 and the letter from the Planning Board Attorney dated April 14, 2010.

E. DOT Grant Regarding Guide Rail on Big Springs Road – Status Update

Township Manager stated that the township will be going out to bid for the guide rail on Big Springs Road. She stated that the township received a \$200,000 grant from the DOT.

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F. Park Drive Maintenance Bond

Township Manager stated that Riverdale Quarry has requested a release of their maintenance bond for Park Drive. She stated that the Township Engineer recommended that the bond be released only after the required repairs have been completed as stated in his letter dated April 26, 2010. The Council agreed with his recommendation.

G. Assembly Bill 1619 – Payoff Calculations for Lienholders

Township Manager stated that with regard to tax liens, the lienholder may, on more than one occasion, request interest calculations. This law allows municipalities to charge a fee for this service. The Council agreed to place this ordinance on the May 18, 2010 agenda.

H. Update on Financial Condition

Township Manager stated that the battle continues with regard to the watershed moratorium aid.

I. Status Report on Capital Projects

1. Solar Energy Generating Facility – Township Manager stated that the project is complete and we are awaiting the installation of the gas and electric pulse meters.
2. Redevelopment of Former Municipal Building Site – Township Manager stated that the project is complete. She stated that the DPW will work through the summer to complete the interior and the landscaping.
3. Tanker Truck Replacement – Township Manager stated that the truck is still under construction.
4. Improvements to North Church Road DPW Facility – Township Manager stated that this project is on hold.
5. Status of Municipal Property Revaluation – Township Manager stated that the revaluation has been completed.

J. County 911 Consolidation Study

Township Manager stated that based on a letter received from the County today, if the “Cap” that the Governor is proposing becomes a reality, taking on the operational cost of a County dispatch would not be possible for Sussex County.

PUBLIC COMMENT (in accordance with P.L. 2002, c.80): A motion was made and seconded to open the meeting to the public. All in favor. Motion carried. 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 4th day of May, 2010, that:

1. Prior to the conclusion of this **Workshop 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):
2. () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.

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- () 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).

Motion to adopt: Ross_
Seconded by: Hamilton

<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.

COUNCIL COMMENTS: No further comments.

ADJOURNMENT: At approximately 8:40 p.m., a motion was made by Ross to adjourn seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk