



**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
DECEMBER 14, 2010**

**NEW BUSINESS:**

- A. Tax Collector Resolutions
  - 1. #104-10 –Refunds due to overpayments
    - a. Antonio & Rosalba Riso
    - b. Kirit & Jayshree Patel
    - c. Darian & Darcy Hala

**RESOLUTION # 104-10**

WHEREAS, the following parcels are entitled to refunds due to tax overpayments from refinancing.

Block	Lot	Address	Name	Amount
16.02	14	14 Post Oak Ct	Antonio & Rosalba Riso	\$ 1,647.13
17	10.14	19 Exeter Ln	Kirit & Jayshree Patel	\$ 1,920.37
17.02	7	13 Aspen Ct	Darian & Darcy Hala	\$ 1,310.39

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund the above amounts for tax overpayments.

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

- 2. #105-10 –Refunds due to overpayments
  - a. Stephen & Anne Yurchak
  - b. J&B Wheatsworth Assoc.
  - c. Lake Stockholm Club
  - d. Lake Stockholm Club
  - e. Lake Gerard c/o Dolinsky
  - f. Jane & Christopher Morici

**RESOLUTION # 105-10**

WHEREAS, the following parcels are entitled to refunds due to tax overpayments from properties going from regular parcels to Qfarm, and property assessment values being lowered from the Revaluation creating credits more than the annual taxes.

Block	Lot	Qual	Address	Name	Amount
20	26	Q	Hamburg Tnpk Rear	Yurchak, Stephen & Anne	\$ 579.81
62	34.01	Q	201 Wheatsworth Rd	J&B Wheatsworth Assoc	\$ 21.63
49	44		35 Lake Stockholm	Lake Stockholm Club	\$ 164.59
49	45		Lake Stockholm	Lake Stockholm Club	\$ 158.82
60	17.U		50 S Shore Dr	Lake Gerard c/o Dolinsky	\$ 67.72
84	20.04		2 Beach View Ct	Morici, Jane & Christopher	\$ 341.18

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund the above amounts for tax overpayments.

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

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
DECEMBER 14, 2010**

- B. 2010 Direct Install Program & Energy Efficiency and Conservation Block Grant – Application and Contractor Agreement

A motion was made by Ross to approve the 2010 Direct Install Program & Energy Efficiency and Conservation Block Grant Application and Contractor Agreement, seconded by Miller. All in favor. Motion carried.

- C. Resolution #110-10 - Resolution authorizing the execution of the following contracts/ leases/ interlocal agreements/agreements:

1. Animal Control Officer Services – Wantage Township

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

1. Animal Control Officer Services – Wantage Township

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

- D. Resolution #111-10 – Commodity Resale System

A RESOLUTION AUTHORIZING THE TOWNSHIP OF HARDYSTON TO RENEW REGISTRATION FOR A COMMODITY RESALE SYSTEM AND TO ENTER INTO COMMODITY RESALE AGREEMENTS WITH OTHER CONTRACTING UNITS

WHEREAS, N.J.A.C. 5:34-7.15 authorizes contracting units to establish a Commodity Resale System; and

WHEREAS, the Township of Hardyston, County of Sussex, State of New Jersey is desirous of Renewing its Registration for a Commodity Resale System for the resale of gasoline and diesel fuel; and

WHEREAS, the Township of Hardyston has agreed to serve as the Lead Agency for a Commodity Resale System with other Contracting Units.

NOW, THEREFORE BE IT RESOLVED on the 14<sup>th</sup> of December, 2010 by the Township Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

The Township Council hereby authorizes the Renewal of a Commodity Resale System to be known as the Hardyston Commodity Resale System with the Township of Hardyston serving as the Lead Agency.

This resolution shall take effect immediately upon passage.

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

- E. 2010 Director's Ratio Appeal Quotation

The Council was presented with a quotation from Shawn G. Hopkins, CTA for the purpose of assisting in the preparation of the appeal of the 2010 Director's Ratio.

Township Attorney stated that this is a complaint against the Division of Taxation. It relates to the ratio that adjusts all of the values in the township. If successful, it will reduce each resident's tax bill to the County of Sussex.

A motion was made by Ross to enter into an agreement with Shawn G. Hopkins, CTA, for the purpose of assisting the Hardyston Township Tax Assessor and Attorney with the preparation in the appeal of the 2010 Director's Ratio, seconded by Miller. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
DECEMBER 14, 2010**

F. Correspondence

1. Hampton Township
2. County of Sussex
3. Sussex County Municipal Utilities Authority
4. NJ State League of Municipalities
5. NJ State League of Municipalities
6. State of NJ
7. State of NJ
8. Elizabethtown Gas
9. Sills, Cummis & Gross

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

**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 14th day of December, 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):
2.
  - ( ) 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. (Contract negotiations as to Charter School and Sussex Borough and the revaluation).
  - ( ) 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: Hamilton  
Seconded by: Kula

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
DECEMBER 14, 2010**

<b>MOTION</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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 Kula to come out of Executive Session, seconded by Hamilton. All in favor. Motion carried.

A motion was made by Hamilton to direct the Township Attorney to prepare a contract for Hardyston Township to provide the Charter School with snow plowing, lawn maintenance, garbage pick-up and recycling services, and to authorize the Mayor to execute said contract if acceptable to the Council, seconded by Miller. All in favor. Motion carried.

A motion was made by Hamilton to direct the Township Attorney to prepare a contract for Hardyston Township to provide Sussex Borough with water operator services, and to authorize the Mayor to execute said contract if acceptable to the Council, seconded by Miller. All in favor. Motion carried.

**ADJOURNMENT:** A motion was made by Ross to adjourn at approximately 8:00 p.m., seconded by Miller. All in favor. Motion carried.

---

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk