

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
FEBRUARY 15, 2011**

The meeting was called to order by Mayor Kula 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 Miller, Councilwoman Hamilton, Councilman Kievit, Councilman Ross, Manager Marianne Smith and Clerk Jane Bakalarczyk

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 – January 2011
2. Construction Certificate Activity Report – January 2011
3. Construction Permit Activity Report – Hardyston December – 2010
4. Construction Permit Activity Report – Hamburg – December 2010
5. Construction Permit Activity Report – Franklin – December 2010
6. Construction Permit Activity Report – Newton – December 2010
7. Construction Permit Activity Report – Sussex – December 2010
8. Municipal Court Report – January 2011
9. Sussex County Public Health Nurse Activity Report – January 2011
10. Tax Collector Report – January 2011
11. Police Department Report – January 2011

Minutes:

1. Regular Minutes of 2/3/11

Agreements/Applications/Licenses:

1. Electronic Police Forms, LLC – 2011 Annual Maintenance/Support (Police Dept.)
2. Meridien Assoc. – Access Control & Security Alarm System Service Agreement (Police Dept.)
3. Raffle - Wallkill Valley Booster Club
4. Raffle - Hardyston Township PTA
5. Raffle – YMCA Metropolitan of Oranges
6. Kennel License – The Pet Spa & Resort

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

ORDINANCES:

1st READING: 2011-02

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY TO AMEND CHAPTER 41, POLICE DEPARTMENT, OF THE CODE OF THE TOWNSHIP OF HARDYSTON REGARDING THE COMPOSITION OF THE DEPARTMENT

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

SECTION 1. Chapter 41, Police Department, Section 41-1, Establishment: composition, is hereby amended to read as follows:

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“§ 41-1. The Police Department of the Township of Hardyston is hereby established and shall consist of a Chief of Police, not more than one Captain, not more than two Lieutenants, not more than four Sergeants and not more than fourteen patrolmen. In addition there shall be such full-time or part-time dispatchers as may be appointed by the Township Manager, one secretary to the Chief of Police (or secretary/dispatcher) and one records clerk (or clerk/dispatcher). The term “Patrolmen” shall include Patrol Officers, Detectives, and Probationary Officers. No new office or position shall be created other than by ordinance.”

SECTION 2. All ordinances of the Township of Hardyston, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

A motion was made by Kievit to approve Ordinance 2011-02 on first reading, seconded by Hamilton. All in favor. Motion carried.

**2011-03
AN ORDINANCE TO AMEND CHAPTER 88,
SECTION 2, OF THE CODE OF THE TOWNSHIP OF HARDYSTON,
CONSTRUCTION CODE FEES**

A. Construction permit fees (88.2)

The fee for a construction permit shall be the sum of all subcode applications, plus all administrative and miscellaneous fees listed in 1 through 11 below. All fees will be rounded to the nearest dollar and shall be paid before the permits are issued, unless otherwise stated. The minimum construction permit fee shall be \$55.00.

Building Subcode fees are as follows:

1. For new construction for buildings of Use Groups F and S the fee shall be \$0.025 per cubic foot and \$0.037 per cubic foot for all other Use Groups provided that the minimum fee shall be \$55.00. The fee for new commercial farm structures as per N.J.A.C. 5:23-3.2(d) shall be \$0.0015 per cubic foot. For pre-manufactured construction, in addition to applicable cubic footage, fees shall be computed at a rate of \$35.00 per \$1,000.00 of the estimated cost of onsite construction associated with completion of the structure.

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2. Renovations, alterations, and repairs are based on the estimated cost of the work. The fee shall be \$30.00 per \$1,000 provided that the minimum fee shall be \$55.00.
3. The fee for open decks, porches and raised platforms shall be \$.25 per square foot provided that the minimum fee shall be \$55.00.
4. Fees for combination renovations and additions shall be the sum of the fees computed separately in accordance with (1), (2) and (3) above.
5. The fee for a permit to re-roof or re-side an existing structure of use group R-3, R-4 or R-5 shall be \$55.00.
6. Fees for retaining walls shall be as follows:
 - a. The fee for a retaining wall with a surface area greater than 550 square feet that is associated with a Class 3 residential structure shall be \$150.00.
 - b. The fee for a retaining wall with a surface area of 550 square feet or less that is associated with a Class 3 residential structure shall be \$75.00.
 - c. The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction as per #2 above.
7. The fee for temporary structures and structures for which volume cannot be computed, such as above-ground swimming pools and open structural towers, shall be \$150.00. The fee for an in-ground swimming pool shall be \$200.00. The fee for a storable pool shall be \$55.00. These fees shall include all required pool enclosures.

The fee for inspection of pre-existing pools requiring inspection for compliance with the barrier requirements as defined in the building subcode shall be \$55.00.
8. The fee for fencing exceeding six feet in height shall be \$55.00.
9. The fee for a permit to construct a sign shall be \$1.00 per square foot computed on one side only for single or double-faced signs provided that the minimum fee shall be \$55.00.
10. The fee for a demolition permit issued for the removal of underground storage tanks for flammable and combustible liquids shall be \$55.00 per tank.
11. The fee for a permit to demolish a building or structure shall be as follows: Use Groups R-3 and R-5 shall be \$55.00; buildings and structures incidental to Use Groups R-3 and R-5 shall be \$25.00 and all other Use Groups shall be \$150.00.
12. The fee for mechanical inspection in a Use Group R-3 or R-5 structure by a mechanical inspector shall be \$60.00 for the first device and \$10.00 for each additional device. No separate fee shall be charged for gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

Plumbing Subcode fees are as follows:

1. The fee for each fixture, stack, appliance or residential backflow preventer connected to the plumbing system shall be \$16.00. The fee for oil or gas piping to a single fixture or appliance shall be \$16.00.
2. The fee for each special device including grease traps, oil separators, air conditioning or refrigeration units, water and sewer connections, flammable and combustible liquid storage tanks, commercial backflow preventers, steam or hot water boilers, gas or fuel oil piping (multiple fixtures or appliances), active solar systems, sewer pumps, and interceptors shall be \$55.00.
3. The minimum permit fee for work including the plumbing subcode shall be \$55.00.

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Fire Protection Subcode fees are as follows:

1. Wet or dry sprinkler suppression systems as per the following numbers of heads:

1 - 50	\$100.00
51 - 100	150.00
101 - 400	200.00
401 - 1000	450.00
Over 1000.....	650.00

2. Fee for each standpipe..... \$150.00

3. Fee for each gas or oil fired appliance not connected to the plumbing system..... \$ 55.00

4. Commercial kitchen exhaust system, each..... \$ 50.00

5. Independent pre-engineered suppression systems, each \$100.00

6. Fuel storage tanks (underground or above ground, installation only) each:

1 to 1000 gallons.....	\$ 50.00
1001 to 4000 gallons.....	100.00
Over 4000 gallons.....	150.00

7. Smoke or heat detectors:

1 - 20	\$ 50.00
21 - 100	75.00
101 - 200	100.00
201 - 400	150.00
401 - 1000	250.00
Over 1000.....	350.00

8. Manual or automatic alarm systems..... \$ 75.00

9. Central control system \$ 75.00

The fire protection subcode fee shall be a minimum of \$55.00 for single-family dwellings; and \$75.00 for all other structures.

Electrical Subcode fees are as follows:

1. The fees for electrical receptacles, fixtures and devices are as follows:
 - a. For the first block consisting of one to 50 receptacles, fixtures, or device..... \$ 55.00
 - b. For each additional block consisting of up to 25 receptacles, fixtures, or devices.....\$ 10.00

2. The fees for electrical devices/generators/transformers or solar photovoltaic systems, motors, air conditioner feeders and disconnects are as follows:
 - a. For each electrical device/generator/transformer, solar photovoltaic system or motor rated up to 10 kw or 10 hp;\$ 20.00
 - b. For each electrical device/generator/transformer, or solar photovoltaic system rated over 10 kw to 45 kw;.....\$45.00
For each motor rated over 10 hp to 50 hp; or
 - c. For each electrical device/generator/transformer, or solar photovoltaic system rated over 45 kw to 112.5 kw;.....\$85.00
For each motor rated over 50 hp to 100 hp; or
For each air conditioner feeder and disconnect, Commercial: 51 hp or over, plus unit

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- d. For each electrical device/generator/transformer or solar photovoltaic system rated over 112.5 kw.....\$420.00
- e. For each motor over 100 hp.....\$420.00
- 3. The fees for service panels/service entrances/sub panels are as follows:
 - a. For each service panel/service entrance/sub panel from 0 to 200 amps.... \$ 55.00
 - b. For each service panel/service entrance/sub panel over 200 to 1,000 amps.....\$100.00
 - c. For each service panel/service entrance/sub panel over 1,000 amps..... \$450.00
- 4. The fee charged for electrical work for each permanently installed private swimming pool, spa, hot tub or fountain as defined in the building subcode shall be a flat fee of \$65.00 which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panel boards and under-water lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with 1 through 3 above. The fee for annual inspections for public swimming pools shall be \$55.00.
- 5. The fees for pool permit, with UW lights.....\$ 10.00
- 6. The fees for storable pool/spa/hot tub.....\$ 10.00
- 7. The fees for signs.....\$ 10.00
- 8. The fees for light standards..... \$ 10.00
- 9. The minimum permit fee for work including the Electrical subcode shall be \$55.00.

Administrative and Miscellaneous Fees:

- 1. The fee for plan review shall be twenty percent (20%) of the amount to be charged for the construction permit and shall be paid before the plans are reviewed. This fee shall be credited toward the amount of the construction permit fee.
- 2. The fee to process an application for a variance pursuant to N.J.A.C. 5:23-2.10 shall be as follows:
 - a. Class I Structure..... \$100.00
Resubmission..... \$ 50.00
 - b. Class II Structure..... \$ 50.00
Resubmission..... \$ 25.00
 - c. Class III Structure..... \$ 30.00
Resubmission..... \$ 15.00
- 3. An administrative surcharge fee of fifteen percent (15%) shall be charged on each subcode application issued by any third party agency contracted by the Township of Hardyston.
- 4. The fee for the reinstatement of a lapsed permit shall be twenty percent (20%) of the original fee calculated per subcode application; provided that the minimum fee shall be as per subcode.
- 5. The fee for each construction permit and certificate of occupancy issued for an asbestos hazard abatement project shall be as set forth in N.J.A.C. 5:23-8.10, 1 and 2.
- 6. The fee for a permit for lead hazard abatement work shall be \$125.00. The fee for a lead hazard abatement clearance certificate shall be \$25.00.

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7. The fees for certificates of occupancy are as follows:
 - a. Certificate of occupancy for one and two family dwellings..... \$ 50.00
 - b. Certificate of occupancy for accessory buildings to one and two family dwellings..... \$ 20.00
 - c. Certificate of occupancy for buildings or structures of all other Use Groups..... \$ 75.00
 - d. Certificate of occupancy for accessory buildings of all other Use Groups..... \$ 35.00
 - e. Multiple certificates of occupancy for all Use Groups, per unit..... \$ 50.00
 - f. Certificates of occupancy for Change of Use Group only\$100.00
 - g. Certificates of Continued Use or occupancy..... \$150.00
 - h. The fee for first issuance or renewal of a Temporary Certificate of Occupancy shall be..... \$ 30.00
8. Certificates of Compliance as required by N.J.A.C. 5:23-2.23(1) are as follows:
 - a. High pressure boilers (12 months).....\$ 50.00
 - b. Refrigeration systems (12 months)..... \$ 25.00
 - c. Pressure vessels (12 months)..... \$ 50.00
 - d. Cross connections and backflow preventers (12 months)..... \$ 50.00
9. State of New Jersey permit fee shall be in the amount of \$0.00334 per cubic foot of volume of all new construction and \$1.70 per \$1,000.00 of estimated cost for alterations and repairs or as currently posted in the regulations. These fees are set by and shall be accounted for and forwarded to the Bureau of Regulatory Affairs as per N.J.A.C. 5:23-4.19(C)1.
10. The fee for a change of contractor shall be..... \$ 15.00
11. The fee for a letter stating that no certificate of continued occupancy is required shall be.....\$ 20.00
12. There shall be an hourly fee of \$45.00 for review of any amendment or change to a plan that has already been released. For all other purposes, the hourly cost of operations shall be certified by the Chief Financial Officer using a formula of total expenditures plus 12% for indirect costs divided by employees weekly hours.
13. Unlisted fees: Construction fees not specifically listed in this schedule shall be as listed in N.J.A.C. 5:23-4.20.

A motion was made by Ross to approve Ordinance 2011-03 on first reading, seconded by Kievit. All in favor. Motion carried.

ORDINANCES:
2nd READING:

None

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NEW BUSINESS:

A. Correspondence

1. Township of West Milford
2. Hampton Township
3. Stillwater Township
4. Stillwater Township
5. Wantage Township
6. NJ State League of Municipalities
7. NJ State League of Municipalities
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. State of NJ
20. State of NJ
21. State of NJ
22. State of NJ

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

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

- Township Manager stated that the Hardyston Township Volunteer Fire Department, together with the Township Attorney and our Risk Management Consultant, has been working on the development of rules and regulations to establish a Jr. Firefighter Program within the Fire Department.

BILLS TO BE PAID: A motion was made by Ross to approve the bill list as presented, seconded by Kievit. 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 at approximately 7:30 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk