

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012**

The meeting was called to order by Mayor Stan Kula at 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, Clerk Jane Bakalarczyk and Township Attorney Jane Coviello of Dorsey & Semrau

SALUTE THE FLAG:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilwoman Leslie Hamilton and Councilman Kenneth Kievit.

OATH OF OFFICE: Mayor Kula issued the Oath of Office to Councilwoman Hamilton and Municipal Clerk Jane Bakalarczyk issued the Oath of Office to Councilman Kievit

2012 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

MAYOR - A motion was made by Hamilton to appoint Carl Miller, seconded by Kievit. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Kievit to appoint Leslie Hamilton, seconded by Miller. All in favor. Motion carried.

ATTORNEY - A motion was made by Hamilton to appoint Fred Semrau, seconded by Kula. All in favor. Motion carried.

PROSECUTOR - A motion was made by Hamilton to appoint Anthony Den Uyl, seconded by Kievit. All in favor. Motion carried.

PUBLIC DEFENDER - A motion was made by Kievit to appoint James Sloan, seconded by Kula. All in favor. Motion carried.

AUDITOR - A motion was made by Hamilton to appoint Charles Ferraioli, seconded by Kievit. All in favor. Motion carried.

BOND COUNSEL - A motion was made by Hamilton to appoint John Hudak, seconded by Kula. All in favor. Motion carried.

MUNICIPAL JUDGE – A motion was made by Kievit to appoint John Mulhern to a **three-year term**, seconded by Kula. All in favor. Motion carried.

TOWNSHIP ENGINEER – A motion was made by Kula to appoint Robert P. Guerin to a **three-year term**, seconded by Kievit. All in favor. Motion carried.

EMERGENCY MANAGEMENT COORDINATOR – A motion was made by Kievit to appoint William Hickerson to a **three-year term**, seconded by Kula. All in favor. Motion carried.

DEPUTY MUNICIPAL CLERK – A motion was made by Kula to appoint Marianne Smith, seconded by Hamilton. All in favor. Motion carried.

DEPUTY REGISTRAR - A motion was made by Hamilton to appoint Patricia Egan, seconded by Kula. All in favor. Motion carried.

ASSESSMENT SEARCH OFFICER - A motion was made by Kievit to appoint Jane Bakalarczyk, seconded by Hamilton. All in favor. Motion carried.

9-1-1 COORDINATOR – A motion was made by Kula to appoint William Hickerson, seconded by Kievit. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

TOWNSHIP PHYSICIAN - A motion was made by Kievit to appoint Dennis Fielding, seconded by Hamilton. All in favor. Motion carried.

SWCF COMMISSIONER - A motion was made by Hamilton to appoint Marianne Smith, seconded by Kievit. All in favor. Motion carried.

RISK MANAGEMENT CONSULTANT - A motion was made by Kievit to appoint the Morville Agency, seconded by Hamilton. All in favor. Motion carried.

SENIOR CITIZEN COORDINATOR - A motion was made by Hamilton to appoint June Eisenecker, seconded by Kula. All in favor. Motion carried.

PUBLIC AGENCY COMPLIANCE OFFICER - A motion was made by Hamilton to appoint Grant Rome, seconded by Kievit. All in favor. Motion carried.

208 REPRESENTATIVE (PAC) - A motion was made by Kievit to appoint Marianne Smith, seconded by Kula. All in favor. Motion carried.

ALTERNATE 208 REPRESENTATIVE (PAC) –A motion was made by Kievit to appoint Robert F. Schultz, seconded by Kula. All in favor. Motion carried.

SC SOLID WASTE ADVISORY COMMITTEE (SWAC) – A motion was made by Kievit to appoint Robert F. Schultz, seconded by Hamilton. All in favor. Motion carried.

SWCF SAFETY LOSS PREVENTION REPRESENTATIVE - A motion was made by Hamilton to appoint Jane Bakalarczyk, seconded by Kievit. All in favor. Motion carried.

FIRE DEPARTMENT OATH OF OFFICE – Fire Department 2012 Officers were sworn in by Mayor Miller.

POLICE DEPARTMENT OATH OF OFFICE – Mayor Miller issued the Oath of Office to Edward O'Rourke for his promotion to Sergeant.

SENIOR CITIZEN OF THE YEAR AWARD – Mayor Miller presented Jim Wright with the Senior Citizen of the Year Award.

SERVICE AWARD PRESENTATION:

Mayor Miller presented the following service awards:

1. MaryAnn Murphy – Zoning Board – 10 Years
2. Jodi Mix - Recreation – 10 Years
3. Eileen Post – Construction Department – 10 Years
4. Anne-Marie Wilhelm – Land Use – 10 Years
5. Keith Utter – Construction Department – 10 Years
6. Nicholas Calandra – Police Department – 10 Years
7. Wayne Ross – Council – 20 Years
8. Carl Miller – Economic Development Commission – 20 Years
9. Randy Roof – Planning Board – 20 Years
10. John Broderick – Police Department – 20 Years
11. Robert P. Guerin – Township Engineer – 25 Years
12. Richard Stickle – Police Department – Retiree (24 Years)

Resolution #01-12 - Resolution authorizing the award of non-fair and open contracts for professional services: Attorney, Engineer, Prosecutor, Auditor, Bond Counsel, Public Defender and Risk Management Consultant

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

RESOLUTION #01-12

**RESOLUTION AUTHORIZING THE AWARD OF NON-FAIR AND OPEN CONTRACTS FOR
PROFESSIONAL SERVICES**

WHEREAS, Hardyston Township has a need to acquire professional services to be provided under non-fair and open contracts pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Hardyston Township has determined that the anticipated value of each contract will exceed \$17,500.00; and

WHEREAS, the anticipated term of each contract is one (1) year; and

WHEREAS, each of the following individuals and/or business entities has submitted a proposal indicating a willingness to provide professional services as described below and for the price stated; and

WHEREAS, each individual/business entity named herein has completed and submitted a Business Entity Disclosure Certification which certifies that no reportable contributions have been made to a political or candidate committee in the Township of Hardyston in the previous one year, and that the contract will prohibit the individual/business entity from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer of the Township of Hardyston has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston as follows:

1. The Township of Hardyston is authorized to engage Fred Semrau as municipal attorney for the year 2012 at the rate of \$150.00 per hour not to exceed \$100,000.00;
2. The Township of Hardyston is authorized to engage Robert P. Guerin as municipal engineer for the year 2012 at the rate of \$115.00 per hour not to exceed \$200,000.00;
3. The Township of Hardyston is authorized to engage Anthony DenUyl as municipal prosecutor for the year 2012 at the rate of \$17,783.76 not to exceed \$20,000.00;
4. The Township of Hardyston is authorized to engage Charles Ferraioli as municipal auditor for the year 2012 at a rate ranging from \$60.00 to \$160.00 per hour not to exceed \$31,000.00;
5. The Township of Hardyston is authorized to engage the Law Office of John G. Hudak, Esq., LLC as municipal bond counsel for the year 2012 at a rate not to exceed \$50,000.00;
6. The Township of Hardyston is authorized to engage James Sloan as public defender for the year 2012 at the rate of \$200.00 per case not to exceed \$20,000.00;
7. The Township of Hardyston is authorized to engage The Morville Agency as municipal risk management consultant for the year 2012 at the rate specified in the 2012 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement;

BE IT FURTHER RESOLVED that these appointments are awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because these services are rendered by members of recognized professions; and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

BE IT FURTHER RESOLVED that the Business Entity Disclosure Certification and the Determination of Value for each of the individual/business entities named herein shall be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be published in the New Jersey Herald by the Township Clerk as required by law within ten (10) days of its passage. This Resolution and each referenced contract are on file and available for public inspection in the office of the Hardyston Township Clerk.

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

Resolution #02-12 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-12

BE IT RESOLVED by the governing body of the Township of Hardyston that the Municipal Assessor and Municipal Attorney be and they are hereby authorized to defend before the Sussex County Board of Taxation and Tax Court of the State of New Jersey all contested appeals and to initiate municipal appeals to correct the Township of Hardyston tax list including but not limited to rollback complaints, added and omitted assessment complaints and such other appeals as are necessary to correct the assessments for the Township of Hardyston; and

BE IT FURTHER RESOLVED that the Municipal Assessor and Municipal Attorney be and are hereby designated as the agents of the Township of Hardyston for the purpose of signing settlements of the foregoing matters by stipulation, providing that all settlements are approved by the Township Manager.

BE IT FURTHER RESOLVED that governing body authorization shall be required for stipulation resulting in the reduction of annual taxes by \$10,000 or more or for stipulations resulting in a 50% or greater reduction in assessed value.

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

Resolution #03-12 - Resolution authorizing the Tax Collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 or less for the calendar year 2011

**RESOLUTION
#03-12**

BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, County of Sussex and State of New Jersey, to authorize the tax collector to cancel of record any overpayment or underpayment of taxes in the amount of \$10.00 (ten dollars) or less for the calendar year 2011, in accordance with the provisions of N.J.S.A. 54:4-99.

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

Resolution #04-12 - Resolution setting interest rate for non-payment of taxes

**RESOLUTION
#04-12**

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, that the rate of interest to be charged

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

for non-payment of taxes on or before the date that they would become delinquent shall be set at the rate of 8% per annum on the first \$1500 of the delinquency, and 18% per annum on any amount in excess of \$1500, and

BE IT FURTHER RESOLVED, that in accordance with the provisions of N.J.S.A. 54:4-67, a six percent (6%) penalty shall be charged to a taxpayer with a delinquency in excess of Ten Thousand and no/100 Dollars (\$10,000) who fails to pay the delinquency prior to the end of the calendar year. Delinquency in this instance means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or tax years.

BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installation is made within ten days after the date which same became payable.

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

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

Resolution #05-12 designating official depositories:

RESOLUTION #05-12

WHEREAS, Title 40A:5-14 requires that the governing bodies shall designate official depositories for its monies and:

WHEREAS, the Township Council of the Township of Hardyston wishes to designate the following banks for said purposes:

NOW THEREFORE BE IT RESOLVED by the Township Council that the following depositories be designated as official depositories for the Township of Hardyston:

Sussex Bank
Wachovia Bank
Lakeland Bank
NJ Cash Management Fund
Valley National Bank
TD Bank

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

OFFICIAL NEWSPAPERS - A motion was made by Kievit to appoint the New Jersey Herald and New Jersey Sunday Herald as Official Newspapers of the Township of Hardyston and the Star Ledger, Advertiser News and Aim Newspaper as Alternates, seconded by Hamilton. All in favor. Motion carried.

OFFICIAL HOLIDAYS - A motion was made by Hamilton to approve the following holidays:

New Year's Day	Independence Day	Day After Thanksgiving
Martin Luther King Day	Labor Day	Christmas Eve Day
Presidents' Day	Columbus Day	Christmas Day
Good Friday	Veterans' Day	
Memorial Day	Thanksgiving Day	

seconded by Kievit. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

2012 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 10, 2012 (Workshop to follow)
January 17, 2012
February 7, 2012 (Workshop to follow)
February 21, 2012
March 6, 2012 (Workshop to follow)
March 20, 2012
April 3, 2012 (Workshop to follow)
April 24, 2012
May 1, 2012 (Workshop to follow)
May 15, 2012
June 12, 2012 (Workshop to follow)
June 19, 2012
July 3, 2012 (Workshop to follow)
July 17, 2012
August 7, 2012 (Workshop to follow)
August 21, 2012
September 4, 2012 (Workshop to follow)
September 18, 2012
October 2, 2012 (Workshop to follow)
October 16, 2012
November 20, 2012
December 4, 2012 (Workshop to follow)
December 18, 2012

WORKSHOP MEETINGS

January 10, 2012
January 24, 2012
February 7, 2012
February 28, 2012
March 6, 2012
March 27, 2012
April 3, 2012

May 1, 2012
May 22, 2012
June 12, 2012

July 3, 2012
July 24, 2012
August 7, 2012
August 28, 2012
September 4, 2012
September 25, 2012
October 2, 2012
October 23, 2012

December 4, 2012

REORGANIZATION MEETING – TUESDAY - JANUARY 8, 2013 - 7:00 PM

A motion was made by Kievit to approve the 2012 Hardyston Township Council meeting dates as presented, seconded by Hamilton. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

MAYOR - CLASS I - A motion was made by Ross to appoint Carl Miller, seconded by Kievit. All in favor. Motion carried.

CLASS II - A motion was made by Ross to appoint Robert F. Schultz, seconded by Kievit. All in favor. Motion carried.

CLASS III - A motion was made by Ross to appoint Leslie Hamilton, seconded by Kievit. All in favor. Motion carried.

ALTERNATE #2 – A motion was made by Ross to appoint Donald Trien to a **two-year term**, seconded by Kievit. All in favor. Motion carried.

ZONING BOARD - The following appointments were made:

FULL MEMBER - A motion was made by Kievit to appoint MaryAnn Murphy to a **four-year term**, seconded by Hamilton. All in favor. Motion carried.

FULL MEMBER - A motion was made by Kievit to appoint William Walsh to a **four-year term**, seconded by Hamilton. All in favor. Motion carried.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

FULL MEMBER - A motion was made by Kievit to appoint Ellis Marples to a **two-year unexpired term**, seconded by Hamilton. All in favor. Motion carried.

RECREATION COMMITTEE: A motion was made by Hamilton to appoint:

Robert Califano
Wayne Ross
MaryAnn Murphy
Jodi Mix
Jeannette Chardavoyne
Kathleen Judd

seconded by Kievit. All in favor with Ross voting "No" on his appointment. Motion carried.

ECONOMIC DEVELOPMENT COMMISSION: A motion was made by Hamilton to appoint:

Stanley Kula
Carl Miller
Terry Johnson
Kenneth Kievit
Bill Repasy

seconded by Kievit. All in favor. Motion carried.

MUNICIPAL DRUG ALLIANCE COMMITTEE: A motion was made by Kievit to appoint:

Robert Zicarelli
Elaine Tizzano
Jill Helmstetter
Laura Wabeke
Kristen Tamke
Christine Smith

seconded by Kula. All in favor. Motion carried.

EMERGENCY MANAGEMENT COUNCIL - A motion was made by Hamilton to make the following appointments:

Mayor	Carl Miller
Deputy Mayor	Leslie Hamilton
Council	Wayne Ross
Council	Kenneth P. Kievit
Council	Stan Kula
Manager	Marianne Smith
Police Chief	Bret Alemy
Police Liaison	Kenneth Brenzel
Construction Official	Keith Utter
DPW	Bob F. Schultz
DPW	Jeff VanAcker
Fire Chief	Ray Marion
Asst. Fire Chief	Don Emory
First Aid President	Ken Boturla
First Aid Captain	Vin DiPietro
Deputy Coordinator	Kenneth P. Kievit

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

Deputy Coordinator	Ray Marion
Fire Dept. Liaison	Frank Lacatena
Chaplain/Mental Health	Robert Meeker
School Nurse	Elizabeth Burdzy

seconded by Kula. All in favor. Motion carried.

Resolution #06-12 - 2012 TEMPORARY MUNICIPAL BUDGET

RESOLUTION #06-12

TOWNSHIP OF HARDYSTON 2012 TEMPORARY BUDGET

BE IT RESOLVED that the following appropriations shall constitute the temporary budget of the Township of Hardyston for the year 2012:

<u>APPROPRIATION</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	89,100.00	19,100.00
Elections		1,500.00
Financial Administration	21,000.00	6,875.00
Assessor	19,975.00	3,725.00
Collection of Taxes	6,000.00	17,650.00
Legal		14,425.00
Municipal Court	25,325.00	1,450.00
Engineering		8,475.00
Economic Development Commission		1,575.00
Planning Board	25,700.00	8,500.00
Zoning Board of Adjustment		2,150.00
Insurance:		
Group Insurance		214,500.00
Worker's Compensation		14,500.00
Other Insurance Premiums		45,000.00
Unemployment Compensation		3,200.00
Police	497,000.00	11,475.00
Purchase of Police Car		54,000.00
Police Communications	79,375.00	10,600.00
Emergency Management	2,100.00	1,430.00
Aid to Volunteer Fire Company		17,283.00
Aid to First Aid Squads		14,950.00
Fire Prevention	7,600.00	950.00
Prosecutor		4,650.00
Roads Repairs	215,250.00	144,000.00
Recycling		500.00
Public Building & Grds		9,700.00
Dog Regulation		2,800.00
Contrib. to Seniors Center		750.00
Seniors Center Busing		4,250.00
Recreation	9,225.00	10,500.00
Construction Official	90,000.00	3,400.00
Zoning Officer	9,450.00	535.00
Electricity		14,425.00
Street Lighting		6,550.00
Telephone		14,000.00
Fuel Oil		6,000.00
Gasoline		25,500.00
Computer Network	10,000.00	8,250.00
Diesel Fuel		14,425.00

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2012.**

2012 TEMPORARY BUDGET - CONTINUED

Natural Gas		7,875.00
Social Security		74,325.00
Police & Firemen's Retirement		85,720.00
Public Employees Retirement		54,158.00
Hepatitis B Shots		125.00

TOTAL - TOWNSHIP OF HARDYSTON	1,107,100.00	965,751.00
TOWNSHIP CAPITAL BUDGET		100,000.00
DEBT SERVICE		200,000.00

A motion was made by Kievit to approve the 2012 Temporary Municipal Budget, seconded by Hamilton. All in favor. Motion carried.

PUBLIC PARTICIPATION - The Council opened the meeting to the public. No public comment. The Council closed the meeting to the public.

ADJOURN - A motion was made by Hamilton at approximately 7:40 p.m. to adjourn, seconded by Kula. All in favor. Motion carried.

Attest _____
Jane Bakalarczyk, Municipal Clerk