

## **MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MARCH 6, 2012**

The meeting was called to order by Mayor Miller 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 Hamilton, Councilman Kula, 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.**

### **Minutes:**

1. Regular Minutes of 12/20/11
2. Executive Minutes of 12/20/11
3. Reorganization Minutes of 1/3/12
4. Workshop Minutes of 1/10/12
5. Regular Minutes of 1/10/12
6. Regular Minutes of 1/17/12
7. Workshop Minutes of 2/7/12
8. Regular Minutes of 2/7/12
9. Executive Minutes of 2/7/12
10. Regular Minutes of 2/21/12

### **Agreements/Applications/Licenses:**

1. Raffles – Wallkill Valley Booster Club
2. Raffle – Hardyston Township Volunteer Fire Dept.
3. Raffles – Hardyston Township PTA
4. Automated Logic – ALC Automation System Service Contract Renewal – Municipal Building Heating/Cooling

A motion was made by Kievit to approve the consent agenda as presented, seconded by Hamilton. All in favor with Ross abstaining on the raffle application submitted by the Hardyston Township PTA. Motion carried.

### **ORDINANCES:**

#### **1<sup>st</sup> READING:**

**2012-04**

#### **CALENDAR YEAR 2012**

#### **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year=s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Council of the Township of Hardyston in the County of Sussex finds it advisable and necessary to increase its CY 2012 budget by up to 3.5% over the previous year=s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MARCH 6, 2012**

**WHEREAS**, the Township Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$69,003.62 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Council of the Township of Hardyston, in the County of Sussex, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2012 budget year, the final appropriations of the Township of Hardyston shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.50%, amounting to \$241,512.67, and that the CY 2012 municipal budget for the Township of Hardyston be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was made by Kievit to approve Ordinance 2012-04 on first reading, seconded by Hamilton. All in favor. Motion carried.

**2012-05**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON,  
COUNTY OF SUSSEX AND STATE OF NEW JERSEY  
AUTHORIZING THE CHIEF OF POLICE TO EXECUTE  
AN APPLICATION FOR THE HARDYSTON FIRE DEPARTMENT  
AND AN APPLICATION FOR THE HARDYSTON FIRST AID SQUAD  
FOR A CHARITABLE SOLICITATION WITHIN THE  
TOWNSHIP OF HARDYSTON**

**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.** The Township of Hardyston hereby approves Hardyston Township Fire Department's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 94 and County Route 631. The dates and times approved for said solicitation are as follows: May 26, 27, 2012; June 30 and July 1, 2012; September 1, 2, 2012; October 22, 23, 2012 and October 27, 28, 2012 between the hours of 8:30 a.m. and 2:30, p.m.

**SECTION 2.** The Township of Hardyston hereby approves Hardyston Township First Aid Squad's request to hold a charitable solicitation at the intersection of New Jersey State Highway Route 23 and County Route 515. The dates and times approved for said solicitation are as follows: May 26, 27, 28, 2012 and September 1, 2, 2012 between the hours of 8:00 a.m. and 6:00, p.m.

**SECTION 3.** The approvals authorized herein are subject to and expressly conditioned upon the following:

- a. The Hardyston Township Fire Department's and Hardyston Township First Aid Squad's compliance with all rules, regulations and guidelines promulgated by the NJDOT for charitable solicitations, including, but not limited to, the posting of any and all necessary warning signs; and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MARCH 6, 2012**

b. The approval of the Sussex County Board of Chosen Freeholders and the NJDOT.

**SECTION 4.** The Chief of Police is hereby authorized and directed to execute the application for a Charitable Solicitation Permit for the Hardyston Township Fire Department and the Hardyston Township First Aid Squad provided the above-stated conditions are met. The Hardyston Township Police Department shall be responsible for supervising the solicitation and enforcing the terms of the Charitable Solicitation Permit issued by the NJDOT.

**SECTION 5.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 6.** This Ordinance may be renumbered for purposes of codification.

**SECTION 7.** 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 2012-05 on first reading, seconded by Kula. All in favor with Ross abstaining. Motion carried.

**ORDINANCES:**

**2nd READING: 2012-03**

**AN ORDINANCE TO AMEND THE ESTABLISHED MINIMUM AND MAXIMUM SALARIES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HARDYSTON TO PROVIDE THE METHOD FOR THE PAYMENT OF ANNUAL SALARY INCREMENTS IN THE DISCRETION OF THE TOWNSHIP COUNCIL**

BE IT ORDAINED by the Township Council of the Township of Hardyston as follows:

Section 1. The minimum and maximum salary range for officers or employees of the Township of Hardyston who are employed on an annual salary basis shall be and is hereby fixed as follows:

POSITION	MINIMUM	MAXIMUM
Township Council	\$ 3,000.00	\$ 4,500.00
Mayor/Deputy Mayor: Marriage/Civil Union Ceremony Stipend (per ceremony)	\$ 50.00	\$ 200.00
Township Manager	\$ 100,000.00	\$ 165,000.00
Deputy Manager	\$ 8,000.00	\$ 15,000.00
Director of Public Works	\$ 75,000.00	\$ 115,000.00
Fleet Manager	\$ 1,500.00	\$ 4,000.00
Police Chief	\$ 90,000.00	\$ 148,000.00
Acting Police Chief	\$ 40,000.00	\$ 105,000.00
Township Clerk/Registrar/Search Officer	\$ 40,000.00	\$ 78,000.00
Deputy Clerk/Deputy Registrar	\$ -	\$ 35,000.00
Chief Financial Officer/Treasurer	\$ 25,000.00	\$ 40,000.00
Tax Collector/Search Officer	\$ 45,000.00	\$ 78,000.00
Tax Assessor	\$ 25,000.00	\$ 63,000.00
Municipal Planner	\$ 50,000.00	\$ 80,000.00
Computer Technician	\$ 30,000.00	\$ 60,000.00
Radio Dispatcher	\$ 33,000.00	\$ 58,000.00
Land Use Administrator	\$ 35,000.00	\$ 62,000.00
Planning/Zoning Board/EDC/Council Meeting Meeting Stipend Land Use Admin/Twp Clerk (per session)	\$ 82.00	\$ 97.00
Construction Code Official	\$ 55,000.00	\$ 115,000.00
Building Subcode Official	\$ 35,000.00	\$ 90,000.00
Water & Sewer Operator	\$ 55,000.00	\$ 82,000.00
Administrative Assistant – Public Works	\$ 2,000.00	\$ 4,000.00
Municipal Court Administrator	\$ 35,000.00	\$ 58,000.00
Municipal Court Administrator (Night Court per session)	\$ 75.00	\$ 100.00

Deputy Court Clerk (per session)	\$ 50.00	\$ 100.00
Municipal Court Magistrate	\$ 20,000.00	\$ 42,000.00
Temporary Municipal Court Magistrate (per session)	\$ 900.00	\$ 1,100.00
Zoning Officer	\$ 5,000.00	\$ 40,000.00
Recycling Coordinator	\$ 1.00	\$ 3,000.00
Fire Official	\$ 8,500.00	\$ 20,000.00
Fire Prevention Inspector	\$ 5,000.00	\$ 11,500.00
Emergency Management Coordinator	\$ 2,000.00	\$ 11,000.00
Summer Recreation Director	\$ 1,500.00	\$ 4,000.00
Summer Recreation Assistant Director	\$ 1,000.00	\$ 3,500.00
Recreation Program Director	\$ 10,000.00	\$ 50,000.00
Summer Recreation Art Director	\$ 500.00	\$ 3,500.00
Summer Recreation Nurse	\$ 1,000.00	\$ 2,100.00

Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

POSITION	MINIMUM HOURLY	MAXIMUM HOURLY
Planning Intern	\$ 14.00	\$ 18.00
Road Supervisor	\$ 24.25	\$ 33.00
Assistant Road Supervisor	\$ 24.00	\$ 33.00
Laborer/Driver	\$ 16.72	\$ 31.00
Seasonal Laborer/Driver	\$ 10.00	\$ 20.00
Laborer	\$ 14.00	\$ 20.00
Laborer with CDL	\$ 16.00	\$ 22.00
Custodian	\$ 12.00	\$ 19.50
Senior Clerk/Radio Dispatcher	\$ 8.00	\$ 27.50
Plumbing Subcode Official	\$ 15.00	\$ 39.50
Electric Subcode Official	\$ 15.00	\$ 46.50
Building Inspector	\$ 15.00	\$ 33.50
Secretary/Administrative	\$ 10.00	\$ 23.00
Secretary/Clerical	\$ 8.00	\$ 19.00
Seasonal/Temporary/Clerical	\$ 7.15	\$ 14.00
Assistant to Recreation Director	\$ 8.00	\$ 17.00
Recreation Program Presenter	\$ 12.00	\$ 28.00
Recreation On-Call Staff	\$ 9.00	\$ 11.00
Summer Recreation Sr. Counselors	\$ 7.15	\$ 11.00
Summer Recreation Jr. Counselors	\$ 7.15	\$ 10.00

Section 3. Any officer or employee of the Township of Hardyston who is at any time receiving less than the maximum compensation or salary as hereinabove provided may, as hereinafter provided, be given an additional annual increment of salary until the maximum salary has been reached.

Section 4. No officer or employee shall be entitled to receive an additional increment of salary until the same has been approved by resolution of the Township Council, and no officer or employee shall receive more than one (1) additional increment of salary in any one calendar year.

Section 5. Nothing herein contained shall be so construed as to make mandatory the payment of annual salary increments to any officer or employee of the Township of Hardyston. Salary or wage increases shall be contingent upon the availability of funds and shall be granted on a merit basis.

Section 6. The Township Council reserves the right to pay a salary to any new employee during his or her probationary period of ninety (90) days which may be less than the minimum rate of salary or compensation as hereinabove provided. However, upon the satisfactory completion of such probationary period said employee shall be paid not less than the minimum salary provided for the particular office or employment.

Section 7. The Township Council further reserves the right to pay a salary to any new employee at any figure between the minimum and maximum salary provided for such office or position and not necessarily the minimum salary.



Tax Assessor	\$	50,662.00
Assistant Planner	\$	65,000.00
Land Use and Grants Administrator	\$	52,642.00
Construction Official	\$	109,500.00
Building Subcode Official	\$	83,739.00
Recreation Program Director	\$	43,000.00
Fire Official	\$	18,019.00
Fire Prevention Inspector	\$	8,577.00
Fire Prevention Inspector (hired after 1/1/10)	\$	7,210.00
Housing Rehabilitation Program Inspector		\$300.00/unit
Municipal Court Administrator	\$	47,412.00
Municipal Court Administrator - Night Court	\$	90.00
Municipal Court Magistrate	\$	34,955.00
Temporary Municipal Court Magistrate (per session)		\$925.00/session
Deputy Court Clerk		
For first three hours of court session	\$	90.00
For each hour of court session exceeding three hours		\$16.39/hour
Planning/Zoning Board Secretary/Land Use Admin./Twp. Clerk		
Meeting stipend for board meetings/EDC meetings/Twp. Council mtgs.		\$90.00/meeting
Emergency Management Coordinator	\$	8,362.00
Dispatchers:		
Year One	\$	37,975.78
Year Two	\$	40,909.74
Year Three	\$	43,563.85
Year Four	\$	46,450.85
Year Five	\$	50,389.00

Part-Time Dispatchers:		<b>Hourly Salary</b>
Year One	\$	17.90
Year Two	\$	19.29
Year Three	\$	20.54
Year Four	\$	21.91
Year Five	\$	23.75

		<b>Hourly Salary</b>
Senior Clerk/Radio Dispatcher	\$	25.18
Road Supervisor	\$	30.95
Assistant Road Supervisor	\$	29.94
Laborer Without CDL hired before 1/1/08	\$	17.74
Laborer With CDL hired before 1/1/08	\$	19.85
Water and Sewer Operator	\$	34.09
Summer Seasonal Laborer/Driver Hired before 1/1/12	\$	12.36
Summer Seasonal Laborer/Driver Hired after 1/1/12	\$	12.00
Summer Seasonal Laborer	\$	10.00
Winter Seasonal Laborer/Driver Without CDL	\$	13.00
Winter Seasonal Laborer/Driver With CDL	\$	15.00

		<b>Hourly Salary</b>
Custodian		
Hired prior to 1/1/07	\$	17.61
Hired after 1/1/07	\$	13.17
Secretary/Clerical (hired after 10/1/12)	\$	15.97
Secretary/Clerical Temporary	\$	8.00
Administrative Assistant/Temporary	\$	11.00
Secretary/Administration (Construction Technical Assistant & Police Secretary		
Hired before 6/28/05)	\$	20.81
Secretary/Administration hired after 12/31/04 & Water & Sewer Billing Clerk	\$	19.64
Secretary/Administration	\$	17.81
Assistant to Recreation Program Director		
Hired between 1/01/05 and 12/31/05	\$	14.79
Hired after 12/31/05	\$	9.97
Recreation On-Call Staff	\$	9.97
Recreation Program Presenter Without Certification	\$	15.00
Recreation Program Presenter With Certification	\$	23.00
Electrical Subcode Official	\$	44.81
Plumbing Subcode Official	\$	37.39
Building Inspector		
Part-Time	\$	31.00

<u>Step</u>	<u>Hourly Salary</u>
Driver/Laborer:	
Year One	\$ 21.36
Year Two	\$ 22.69
Year Three	\$ 24.02
Year Four	\$ 25.36
Year Five	\$ 27.36
Year Six	\$ 29.37

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

C. Resolution #14-12 – Budget Transfer Resolution

**Resolution #14-12**

Now, Therefore be it resolved by the Township Council of the Township of Hardyston, State of New Jersey, that the following 2011 Budget Appropriation Reserves transfers be authorized:

	Transfer From:		Transfer To:
Administration S&W	4,434.00	Administration OE	4,434.00
Admin Supplies	233.33	Administration OE	233.33
Planning OE	267.32	Admin Supplies OE	267.32
Zoning Board OE	24.14	Admin Supplies OE	24.14
Zoning Board OE	1,794.22	Administration OE	1,794.22
Election OE	16.99	Administration OE	16.99
Zoning Official S&W	451.50	Administration OE	451.50
Court S&W	749.43	Administration OE	749.43
Court OE	1,651.00	Administration OE	1,651.00
Tax Assessment OE	1,054.50	Finance OE	1,054.50
Construction S&W	5,059.28	Construction OE	5,059.28
Other Insurance	6,000.00	Construction OE	6,000.00
Other Insurance	2,478.00	Computer Maint OE	2,478.00
Workers Comp Ins	1,691.60	Computer Maint OE	1,691.60
Group Insurance	5,850.00	Computer Maint OE	5,850.00
Legal OE	6,822.00	Engineering OE	6,822.00
Group Insurance	3,178.00	Engineering OE	3,178.00
Communication S&W	12,000.00	Communication OE	12,000.00
Communication S&W	1,465.00	Police Uniforms OE	1,465.00
Police S&W	6,903.00	Police Uniforms OE	6,903.00
Court OE	1,465.00	Police Uniforms OE	1,465.00
Group Insurance	6,832.00	Police Uniforms OE	6,832.00
Group Insurance	9,700.00	Police OE	9,700.00
Group Insurance	6,074.00	Build & Grds OE	6,074.00
Waiver Health	8,205.55	Build & Grds OE	8,205.55
Social Security	1,412.00	Build & Grds OE	1,412.00
Gasoline	11,331.00	Build & Grds OE	11,331.00
Diesel	9,785.00	Build & Grds OE	9,785.00
Natural Gas	3,174.00	Build & Grds OE	3,174.00
Telephone	3,980.00	Build & Grds OE	3,980.00
Solid Waste OE	1,161.00	Build & Grds OE	1,161.00
Streets & Roads OE	2,877.45	Build & Grds OE	2,877.45
Streets & Roads OE	26,000.00	Purch Police Vehic.	26,000.00
Streets & Roads OE	5,000.00	Fire Dept OE	5,000.00
Streets & Roads OE	180.00	Interlocal Sussex Rd	180.00
Electricity	710.00	Street Lights	710.00
Social Security	687.00	Disability Ins.	687.00
Emergency Mgt S&W	338.20	Fire Dept OE	338.20
Court S&W	202.12	Fuel Oil OE	202.12
Pub Health OE	500.00	Uniform Fire OE	500.00
Littell Center S&W	2,550.90	Littell Ctr Rec OE	2,550.90

Court S&W	951.50	Uniform Fire OE	951.50
Social Security	125.00	Uniform Fire OE	125.00
Totals	165,365.03	Totals	165,365.03

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

D. 2012 Budget Introduction

Township Manager gave a written and verbal presentation of the 2012 Municipal Budget. A motion was made by Kievit to approve the 2012 Municipal Budget as introduced, seconded by Ross. All in favor. Motion carried. Public hearing and adoption of the budget is scheduled for April 3, 2012.

**BILLS TO BE PAID:** A motion was made by Kievit to approve the bill list as presented, seconded by Ross. 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. A member of the public inquired about the Recreation shared service agreement with Franklin Borough. Township Manager and Council gave an overview of the agreement. 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 7:50 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk