

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 19, 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 Ross, Councilman Cicerale, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Jane Coviello of Dorsey & Semrau.

SALUTE THE FLAG

PLAQUE PRESENTATION – Mayor Miller presented retiree Kenneth Brenzel with a plaque in appreciation of all of his years of service to the Hardyston Township Police Department.

PROMOTION – Mayor Miller administered the Oath of Office to Robert Zicarelli for his promotion to Lieutenant with the Hardyston Township Police Department.

OATH OF OFFICE – Mayor Miller administered the Oath of Office to Patrick Abello, Erik Ferschman, Anthony Locke and Michael Castiglione, who have recently joined the Hardyston Township Police Department.

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 – May 2012
2. Tax Collector Report – May 2012
3. Construction Certificate Activity Report – May 2012
4. Construction Permit Activity Report – Hardyston – May 2012
5. Construction Permit Activity Report – Hamburg – May 2012
6. Construction Permit Activity Report – Franklin – May 2012
7. Construction Permit Activity Report – Newton – May 2012
8. Construction Permit Activity Report – Sussex – May 2012
9. Zoning Board – Minutes of 5/3/12
10. Municipal Court Report – May 2012
11. Police Department Report – May 2012

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

ORDINANCES:

1st READING: None

ORDINANCES:

2nd READING: None

NEW BUSINESS:

- A. Resolution #34-12 – Resolution of the Township of Hardyston authorizing the award of a consulting contract without competitive bidding to Robert Verry, to act as Hearing Officer

WHEREAS, under Hardyston Code §41-7 the control and discipline of the Police Department of the Township of Hardyston and its members is vested in the Chief of Police; and

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WHEREAS, pursuant to said Code section, should the Chief deem any violation of rules and regulations to be sufficiently flagrant, he is required to report the same in writing to the Township Manager with a recommendation as to the filing of charges; and

WHEREAS, under Hardyston Code §41-3 the Police Department shall be under the ultimate control of the Township Council and the administrative direction of the Township Manager; and

WHEREAS, acting as the "appropriate authority" in accordance with N.J.S.A. 40A:14-118, the Township Manager seeks to appoint a hearing officer to hear and determine charges brought by the Chief of Police against a member of the Police Department in accordance with the aforesaid procedures; and

WHEREAS, the Township Manager has reviewed the background and experience of retired Police Chief Robert Verry for these purposes and determined that appointing Chief Verry is in the best interests of the Township; and

WHEREAS, the Township Council therefore wishes to appoint and retain Robert Verry to hear and decide disciplinary charges brought by the Chief against members of the Hardyston Township Police Department; and

WHEREAS, funds are available for this purpose; and

WHEREAS, Chief Verry shall be paid at the rate of \$99.00 per hour for the conduct of hearings and the provision of services in connection therewith; and

WHEREAS, the total cost of Chief Verry's services shall not exceed \$3,000.00 and the contract may therefore be awarded without competitive bid.

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

1. The Mayor and Township Clerk are hereby authorized to execute an agreement with Robert Verry, whose address is P.O. Box 47, South Bound Brook, New Jersey 08880, to hear and decide disciplinary charges brought against members of the Hardyston Township Police Department.
2. This contract is awarded without competitive bidding in accordance with the provisions of the Local Public Contracts Law because the costs of said services shall be no greater than \$3,000.00 and therefore shall not exceed the bidding threshold established by law and regulation.
3. A copy of this resolution shall be provided to the Chief Financial Officer and to Robert Verry, whose address is P.O. Box 47, South Bound Brook, New Jersey 08880, for their information and guidance.

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

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

B. Correspondence

1. Hardyston Township
2. Monroe Township
3. Vernon Township
4. Stillwater Township
5. Stillwater Township
6. Andover Township
7. Andover Township
8. Andover Township
9. Hampton Township
10. Hampton Township
11. Hampton Township

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12. Hampton Township
13. State of NJ
14. State of NJ
15. State of NJ
16. State of NJ
17. State of NJ
18. State of NJ

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

BILLS TO BE PAID: A motion was made by Ross to approve the bill list as presented, seconded by Hamilton. 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 7:20 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk