

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 3, 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 Ross, Councilman Cicerale, Councilman Kula, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau. .

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.

Agreements/Applications/Licenses:

1. Raffle – Easter Seals New Jersey, Inc.
2. Raffle – CBH Care Foundation, Inc.
3. Amusement License – Anthony Pignataro Corp. (Tony’s Pizza)

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

ORDINANCES:

1st READING: None

ORDINANCES:

2nd READING: 2012-07

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO AUTHORIZE THE ACQUISITION OF REAL PROPERTIES FOR THE PURPOSE OF ACQUIRING UNITS AS PART OF THE TOWNSHIP’S MARKET TO AFFORDABLE HOUSING PROGRAM

WHEREAS, the Township desires to acquire single-family properties to be resold as affordable housing units pursuant to the Township’s Housing Element and Fair Share Plan and the New Jersey Council on affordable Housing’s Substantive Rules (N.J.A.C. 5:97); and

WHEREAS, the owners of the real properties designated on the attached Exhibit A are willing to convey the said properties to the Township of Hardyston; and

WHEREAS, the Township Council has determined that it should acquire the said properties under the Township’s Market to Affordable Housing Program for the purpose of addressing the Township’s Affordable Housing obligation; and

WHEREAS, the Chief Financial Officer has certified that funds are available for these acquisitions.

NOW, THEREFORE, BE IT ORDAINED, by the Hardyston Township Council as follows:

SECTION 1. The Township shall acquire the real properties designated on Exhibit A by purchasing same from the record owners for the considerations indicated, and the Clerk, Administrator, Mayor, Housing Liaison and Township Attorney are authorized and directed to take all steps necessary to execute all documents required for these purchases.

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, 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 4. This Ordinance may be renumbered for purposes of codification.

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 3, 2012

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

The Township Manager and Township Attorney commented how the Township is protecting and utilizing the Affordable Housing Trust Funds, and it will not be subject to the State confiscating such funding. 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. A motion was made by Ross to approve Ordinance 2012-07 on second reading, seconded by Hamilton. All in favor. Motion carried.

NEW BUSINESS:

- A. Resolution #35-12 – Resolution authorizing expenditure from the Hardyston Township Affordable Housing Trust Fund for the administration of the Township’s Market To Affordable Program and Annual COAH Monitoring Reports

RESOLUTION #35-12

RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, AUTHORIZING EXPENDITURE FROM THE HARDYSTON TOWNSHIP AFFORDABLE HOUSING TRUST FUND FOR THE ADMINISTRATION OF THE TOWNSHIP’S MARKET TO AFFORDABLE PROGRAM AND ANNUAL COAH MONITORING REPORTS

WHEREAS, the Township of Hardyston has obtained Third Round Substantive Certification with the Council on Affordable Housing; and

WHEREAS, part of the Township’s plan for Affordable Housing includes the purchase of market rate housing units to be re-sold as deed-restricted affordable housing units as part of the Market to Affordable Program in accordance with the Council on Affordable Housing’s Rules and Regulations; and;

WHEREAS, the Affordable Housing Trust Fund is created for the purpose of receiving development fees from residential and non-residential developers and all monies deposited in said Trust Fund may be used for any activity approved by the Council on Affordable Housing in order to address the low- and moderate-income housing needs and obligations of the Township of Hardyston; and

WHEREAS, the Council on Affordable Housing Substantive Rules N.J.A.C 5:97 permits municipalities to expend up to twenty (20) percent of the development fee revenue on administrative expenses including, salaries and wages for municipal employees in the preparation and implementation of the Housing Element and Fair Share Plan, implementation of the affirmative marketing plan, income qualification of households, monitoring the turnover of sale and rental units, and compliance with the Council’s monitoring requirements; and

WHEREAS, the Township of Hardyston intends to utilize existing personnel to implement and administer the Township’s Market to Affordable Program; and

WHEREAS, the Township has expended nearly one (1) million dollars in the purchase of existing market rate units which will be re-sold as affordable units under the Market to Affordable Program; and

WHEREAS, expenditure from the Affordable Housing Trust Fund for administrative expenses is consistent with the Township’s Third Round Substantive Certification and Spending Plan that has been approved by the Council on Affordable Housing.

NOW, THEREFORE, BE IT RESOLVED, that the Township Council of the Township of Hardyston, hereby authorizes the transfer of \$160,000.00 from the Affordable Housing Trust Account to the Township’s administrative salaries and wages account to offset the expense associated with the administration of the Township’s Housing Element and Fair Share Plan.

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

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 3, 2012

B. Resolution #36-12 – 2012 – 2013 Annual Liquor License Renewal

1. Hamburg Golf Course Beverage, Inc. – Pocket License

**RESOLUTION #36-12
HARDYSTON TOWNSHIP
LIQUOR LICENSE RENEWAL**

WHEREAS, the following Liquor License is to be renewed effective July 1, 2012, for a one year period; and

WHEREAS, all necessary fees and documentation have been properly filed with the Hardyston Township Municipal Clerk; and

NOW THEREFORE BE IT RESOLVED that the Liquor License shall be renewed for a period of one year effective July 1, 2012 for the following license holders.

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-010

A motion was made by Ross to approve the resolution as presented, seconded by Kula. All in favor with Hamilton voting “No”. Motion carried.

At this time, Police Chief Bret Alemy expressed his thanks to the Council for their support as far as funding for the Police Department.

BILLS TO BE PAID: A motion was made by Ross 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.

ADJOURNMENT: A motion was made by Ross to adjourn at approximately 7:15 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk