

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
SEPTEMBER 11, 2012**

The meeting was called to order by Mayor Miller at approximately 8:20 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 – Eden Institute, Inc.

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

**ORDINANCES:**

**1<sup>st</sup> READING:** None

**ORDINANCES:**

**2<sup>nd</sup> READING:** None

**OLD BUSINESS:**

- A. Speed Reduction Request to NJDOT for State Route 94

A motion was made by Ross to submit a letter from the Township Council to the NJDOT requesting that the NJDOT consider reducing the speed limit to 35MPH along Route 94 between milepost 36 and 37, seconded by Kula. All in favor. Motion carried.

**NEW BUSINESS:**

- A. Tax Collector Resolutions

1. Resolution #49-12 – Cancel taxes for tax year 2012 - Block 41, Lot 11, QCELL2 – Nextel of New York

**RESOLUTION # 49-12**

**WHEREAS**, Hardyston Township needs to forgive taxes on Block 41 Lot 11 Qualification CELL2 also known as Nextel of New York, Inc for the tax year 2012 as per lease agreement.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to cancel taxes in the amount of \$ 5,488.80 for 2012 taxes.

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

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SEPTEMBER 11, 2012**

- B. Resolution #50-12 - Resolution canceling outstanding check balances

**Resolution  
#50-12**

Whereas, Certain Accounts within the Township of Hardyston, with outstanding check balances from checks not returned or unclaimed; and

Whereas, It is necessary to formally cancel said balances so that the unexpended balances may be returned to each respective account balance or credited to surplus;

Now, Therefore, be it resolved, by the Mayor and Council of the Township of Hardyston, that the following outstanding check balances within the following checking accounts be canceled:

Check #	Fund Name	Amount
17975	Clearing Account	\$ 14.60
18485	Clearing Account	\$ 22.92
18514	Clearing Account	\$ 22.92
18547	Clearing Account	\$ 22.92
28278	Payroll Account	\$ 36.01
28665	Payroll Account	\$ 36.84
20097	Payroll Account	\$ 36.84
20263	Payroll Account	\$ 101.32
20652	Payroll Account	\$ 32.25
28753	Payroll Account	\$ 36.83
28953	Payroll Account	\$ 36.83

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

- C. Resolution #51-12 – Resolution authorizing the sale of a 2003 Ford Crown Victoria to the Borough of Bloomingdale

**RESOLUTION #51-12**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF  
HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY  
AUTHORIZING THE SALE OF A 2003 FORD CROWN VICTORIA, VIN #  
2FAHP71W63X173477 TO THE BOROUGH OF BLOOMINGDALE**

**WHEREAS**, the Township of Hardyston is in possession and no longer is in need of a certain 2003 Ford Crown Victoria, VIN # 2FAHP71W63X173477; and

**WHEREAS**, pursuant to N.J.S.A. 40A: 11-36(2), the Township of Hardyston may sell personal property not needed for public use, without the need for the advertisement of bids, to the United States, the State of New Jersey, another contracting unit, any body politic to which it contributes tax raised funds, any foreign nation which has diplomatic relations with the United States, or any governmental unit in the United States; and

**WHEREAS**, the Borough of Bloomingdale has made an offer to the Township of Hardyston to purchase the aforementioned 2003 Crown Victoria for an amount of \$1,500; and

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
SEPTEMBER 11, 2012**

**WHEREAS**, the Township Manager has reviewed the offer and has determined the offer to be reasonable.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Hardyston, County of Sussex and State of New Jersey that it be and hereby is authorized to sell the 2003 Ford Crown Victoria, VIN # 2FAHP71W63X173477, to the Borough of Bloomingdale for a price of \$1,500.

**BE IT FURTHER RESOLVED** that the sale is authorized without any warranties, representations or guarantees as the vehicle is being sold "as is".

This Resolution shall take effect immediately.

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

- D. Resolution #52-12 – Resolution authorizing the execution of Statement of Consent – NJDEP Form WQM-003 for Septic System Replacement – Lake Gerard properties

**RESOLUTION #52-12**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston that the execution of the following is hereby authorized:

Statement of Consent – NJDEP Form WQM-003 for Septic System Replacement for:

1. 135 South Shore Drive — Lake Gerard

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

- E. Movie Filming by NYU

A motion was made by Ross to authorize the Hardyston Township Police Department to take part in the NYU filming in the Township of Hardyston provided it is at no additional cost to the Township and that there be adequate proof of insurance submitted by NYU, seconded by Hamilton. All in favor. Motion carried.

**BILLS TO BE PAID:** A motion was made by Hamilton 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. 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 Hamilton to adjourn at approximately 8:30 p.m., seconded by Ross. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk