

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL REORGANIZATION MEETING
HELD ON JANUARY 3, 2013**

The meeting was called to order by Mayor Carl Miller at 6:30 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, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau. Councilman Cicerale was absent from this meeting.

SALUTE THE FLAG:

STATEMENT OF DETERMINATION: Municipal Clerk Jane Bakalarczyk read the statement of determination for Councilman Carl B. Miller and Councilman Frank Cicerale.

OATH OF OFFICE: Township Attorney Fred Semrau issued the Oath of Office to Councilman Miller.

2013 APPOINTMENTS - ALL ONE YEAR TERMS UNLESS SPECIFIED OTHERWISE:

MAYOR - A motion was made by Kula to appoint Leslie Hamilton, seconded by Ross. All in favor. Motion carried.

DEPUTY MAYOR - A motion was made by Ross to appoint Stan Kula, seconded by Miller. All in favor. Motion carried.

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

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

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

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

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

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

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

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

CONSTRUCTION OFFICIAL – A motion was made by Kula to appoint Keith Utter to a **four-year term**, seconded by Ross. All in favor. Motion carried.

ELECTRICAL SUBCODE OFFICIAL – A motion was made by Kula to appoint Robert Schultz to a **four-year term**, seconded by Ross. All in favor. Motion carried.

PLUMBING SUBCODE OFFICIAL – A motion was made by Kula to appoint John Wyckoff to a **four-year term**, seconded by Ross. All in favor. Motion carried.

BUILDING SUBCODE OFFICIAL – A motion was made by Miller to appoint Joe Butto to a **four-year term**, seconded by Kula. All in favor. Motion carried.

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

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

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

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

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

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

208 REPRESENTATIVE (PAC) - A motion was made by Miller to appoint Carrine Kaufer, seconded by Kula. All in favor. Motion carried.

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

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

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

FIRE DEPARTMENT OATH OF OFFICE – Fire Department 2013 Officers were sworn in by Mayor Hamilton.

SERVICE AWARD PRESENTATION:

Mayor Hamilton presented the following service awards:

- 1. Scott Way – Department of Public Works – 10 Years**
- 2. Stan Kula – Municipal Utilities Authority – 10 Years**
- 3. Stan Kula – Economic Development Commission – 10 Years**
- 4. Carl Miller – Planning Board – 10 Years**
- 5. Robert Favre – Fire Department – 10 Years**
- 6. Kevin Fryer – Fire Department – 10 Years**
- 7. Leslie Hamilton – Council – 20 Years**
- 8. Jackie Gilsinger – Police Department – 20 Years**
- 9. Susan Gunderman – Police Department – 20 Years**

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Resolution #01-13 - 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

#01-13

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 2013 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 2013 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 2013 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 2013 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 2013 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 2013 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 2013 at the rate specified in the 2013 Fund Year Statewide Insurance Fund Risk Management Consultant's Agreement;

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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

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 Ross to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

Resolution #02-13 - Tax Assessor and Municipal Attorney resolution for Sussex County Board of Taxation and Tax Court of the State of New Jersey

RESOLUTION #02-13

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 Ross to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

Resolution #03-13 - 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 2012

**RESOLUTION
#03-13**

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 2012, in accordance with the provisions of N.J.S.A. 54:4-99.

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

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Resolution #04-13 - Resolution setting interest rate for non-payment of taxes

**RESOLUTION
#04-13**

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

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 Ross to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

Resolution #05-13 designating official depositories:

RESOLUTION #05-13

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 Ross to approve the resolution as presented, seconded by Miller. All in favor. Motion carried.

OFFICIAL NEWSPAPERS - A motion was made by Ross 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 Miller. All in favor. Motion carried.

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OFFICIAL HOLIDAYS - A motion was made by Ross 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 Miller. All in favor. Motion carried.

2013 HARDYSTON TOWNSHIP COUNCIL MEETING DATES:

REGULAR MEETINGS

January 22, 2013
February 5, 2013 (Workshop to follow)
February 19, 2013
March 5, 2013 (Workshop to follow)
March 19, 2013
April 2, 2013 (Workshop to follow)
April 16, 2013
May 7, 2013 (Workshop to follow)
May 21, 2013
June 11, 2013 (Workshop to follow)
June 18, 2013
July 2, 2013 (Workshop to follow)
July 16, 2013
August 6, 2013 (Workshop to follow)
August 20, 2013
September 3, 2013 (Workshop to follow)
September 17, 2013
October 1, 2013 (Workshop to follow)
October 15, 2013
November 19, 2013
December 3, 2013 (Workshop to follow)
December 17, 2013

WORKSHOP MEETINGS

February 5, 2013
February 26, 2013
March 5, 2013
March 26, 2013
April 2, 2013
April 30, 2013
May 7, 2013
May 28, 2013
June 11, 2013

July 2, 2013
July 23, 2013
August 6, 2013
August 27, 2013
September 3, 2013
September 24, 2013
October 1, 2013
October 22, 2013

December 3, 2013

REORGANIZATION MEETING – THURSDAY - JANUARY 2, 2014 - 6:00 PM

A motion was made by Ross to approve the 2013 Hardyston Township Council meeting dates as presented, seconded by Kula. All in favor. Motion carried.

PLANNING BOARD - The following appointments were made:

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

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

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

CLASS IV – A motion was made by Ross to appoint Robert Neubig to a **four-year term**, seconded by Kievit. All in favor. Motion carried.

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ZONING BOARD - The following appointments were made:

FULL MEMBER - A motion was made by Ross to appoint James Homa to a **four-year term**, seconded by Miller. All in favor. Motion carried.

ALTERNATE 1 - A motion was made by Ross to appoint Jane L. Caiazzo to a **two-year term**, seconded by Miller. All in favor. Motion carried.

MUNICIPAL UTILITIES AUTHORITY – The following appointments were made:

FULL MEMBER – A motion was made by Kula to appoint Santo Verrilli to a **five-year term**, seconded by Miller. All in favor. Motion carried.

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

Robert Califano
Wayne Ross
MaryAnn Murphy
Jodi Mix
Kathleen Judd

seconded by Miller. All in favor with Ross voting “No” on his appointment. Motion carried.

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

Stanley Kula
Carl Miller
Terry Johnson
Bill Repasy

seconded by Miller. All in favor. Motion carried.

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

Robert Zicarelli
Elaine Tizzano
Jill Helmstetter
Becky Westra
Kristen Tamke
Ann Grabkowski

seconded by Miller. All in favor. Motion carried.

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

Council	Carl Miller
Council	Leslie Hamilton
Council	Wayne Ross
Council	Frank Cicerale
Council	Stan Kula
Manager	Marianne Smith
Police Chief	Bret Alemy

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Police Liaison	Scott Lobban
Construction Official	Keith Utter
DPW	Bob F. Schultz
DPW	Jeff VanAcker
Fire Chief	Don Emory
Asst. Fire Chief	Karl Miller
First Aid Captain	Vin DiPietro
Deputy Coordinator	Ray Marion
Fire Dept. Liaison	Frank Lacatena
Chaplain/Mental Health	Robert Meeker
School Nurse	Elizabeth Burdzy

seconded by Miller. All in favor. Motion carried.

Resolution #06-13 - 2013 TEMPORARY MUNICIPAL BUDGET

RESOLUTION #06-13

TOWNSHIP OF HARDYSTON 2013 TEMPORARY BUDGET

BE IT RESOLVED that the following appropriations shall constitute the temporary budget of the Township of Hardyston for the year 2013:

<u>APPROPRIATION</u>	<u>SALARIES & WAGES</u>	<u>OTHER EXPENSES</u>
Administrative & Executive	69,955.00	19,100.00
Elections		1,575.00
Financial Administration	8,805.00	20,550.00
Computer Network	11,930.00	5,226.00
Collection of Taxes	14,280.00	8,000.00
Assessor	20,672.00	3,728.00
Legal		14,437.00
Municipal Court	24,938.00	1,450.00
Engineering		10,300.00
Economic Development Commission		1,575.00
Planning Board	27,924.00	8,400.00
Zoning Board of Adjustment		2,150.00
Insurance:		
Group Insurance		209,751.00
Insurance wavier		10,828.00
Worker's Compensation		15,875.00
Other Insurance Premiums		35,830.00
Unemployment Compensation		2,363.00
Disability Insurance		9,855.00
Police	495,993.00	13,460.00
Purchase of Police Car		75,000.00
Police Communications	88,060.00	10,800.00
Emergency Management	2,194.00	1,600.00
Aid to Volunteer Fire Company		17,000.00
Aid to First Aid Squads		14,500.00
Fire Prevention	7,500.00	950.00
Prosecutor		4,650.00
Roads Repairs	225,000.00	103,000.00
Recycling		500.00
Public Building & Grds		11,000.00
Dog Regulation		3,000.00

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2013 TEMPORARY BUDGET - CONTINUED

Contrib. to Seniors Center		750.00
Seniors Center Busing		4,450.00
Recreation	6,300.00	10,000.00
Construction Official	104,734.00	3,386.00
Zoning Officer	9,450.00	550.00
Electricity		14,400.00
Street Lighting		6,550.00
Telephone		13,000.00
Fuel Oil		6,000.00
Gasoline		20,750.00
Computer Network		17,000.00
Diesel Fuel		15,650.00
Natural Gas		7,000.00
Social Security		75,500.00
Police & Firemen's Retirement		81,826.00
Public Employees Retirement		56,778.00
Hepatitis B Shots		125.00

TOTAL - TOWNSHIP OF HARDYSTON	1,117,735.00	940,168.00
TOWNSHIP CAPITAL BUDGET		100,000.00
DEBT SERVICE		300,000.00

A motion was made by Ross to approve the 2013 Temporary Municipal Budget, seconded by Miller. 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 Miller at approximately 7:05 p.m. to adjourn, seconded by Ross. All in favor. Motion carried.

Attest _____
Jane Bakalarczyk, Municipal Clerk