

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON SEPTEMBER 10, 2013

The meeting was called to order by Mayor Hamilton 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 Kula, Councilman Miller, Councilman Cicerale, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau. Councilman Ross was absent from this meeting.

SALUTE THE FLAG

Mayor Hamilton stated that in light of the recent events involving Councilman Wayne Ross, the Governing Body has asked the Municipal Attorney to issue the following statement regarding this matter to the public:

As the public is aware, on August 30, 2013 Councilman Wayne Ross was charged with Second Degree Official Misconduct and Third Degree Theft as a result of his membership with the Hardyston Township Volunteer First Aid Squad.

I have advised the governing body that this matter is presently pending with the Hardyston Township Police Department and the Sussex County Prosecutor's Office involving Mr. Ross and accordingly, this matter that is being pursued by the Hardyston Township Police Department, the governing body has been advised not to express any comments whatsoever regarding this matter so long as it is pending.

A member of the governing body may not be removed unless he or she is convicted of a crime involving moral turpitude. Accordingly, no action by the governing body may be taken or even considered with respect to the individual's seat on the governing body unless there is a conviction on these charges.

Finally, it is important to note that the Hardyston First Aid Squad is a separate and autonomous agency to that of the governing body and Mayor and Council. Therefore their finances are similarly completely separate from those of the Township of Hardyston. Rest assured that the Township itself and its financial transactions are highly regulated and audited on an annual basis. The financial transaction that are the subject of the matter are not within the purview of the Township.

The governing body is appreciative of the First Aid Squad's steadfast dedication to providing emergency medical services to Hardyston residents. It is anticipated that this year will mirror last year, where over 800 calls for service will need to be answered by the First Aid Squad's volunteers, who continue their commitment to meeting the needs of the community.

Therefore, at this time there are no further comments or discussion that the governing body may engage in regarding this matter and the Council will continue to serve the interests of all of the Township's residents.

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 Autism Foundation, Inc.
2. Raffle – The Land Conservancy of NJ
3. Raffle - St. Monica's R.C. Church

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

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provided for in this bond ordinance by \$2,500.00, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said law.

(d) An aggregate amount exceeding \$ None for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under Section 40A:2-20 of said Law may be included as part of the cost of said property or improvement and is included in the foregoing estimate thereof.

Section 5. The full faith and credit of the Township is hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of said obligations and interest thereon without limitations of rate or amount.

Section 6. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Township Clerk and are available for public inspection.

Section 7. Any grant monies or other contributions received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

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 Kula to approve Ordinance 2013-08 on second reading, seconded by Cicerale. All in favor. Motion carried.

BILLS TO BE PAID: A motion was made by Kula to approve the bill list as presented, seconded by Miller. All in favor. Motion carried.

A motion was made by Kula to amend various Council meeting dates through the end of the year, seconded by Miller. The changes will be noticed in the newspaper and also posted on the website and in the municipal building. 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. Resident Marty Schweighardt gave an update on his presentation to the Sussex County Transportation Committee regarding advertising on the County buses in order to earn revenue. Mr. Schweighardt stated that he was informed they have a vendor and will be looking into the rules and regulations and will have their attorney work out the legal ramifications.

Resident and member of the Hardyston Township Volunteer Fire Department, Frank Lacatena, stated that this past weekend was Hardyston Day. He stated that even before the day was over he was getting feedback from people that had attended about how much they enjoyed the event and how beautiful the fireworks display was. Mr. Lacatena congratulated the Council on a job well done.

Bohdan Senyszyn, co-owner of a parcel of land in Hardyston Township inquired about having signs removed from his property. Township Attorney stated that he will follow up on his request with the Zoning Officer. Mr. Senyszyn also inquired as to the status of his request for an installment agreement for the delinquent taxes he owes. Township Attorney stated that the installment agreement was approved by the Township Council with conditions. Township Attorney stated that he would contact Mr. Senyszyn before the end of the week to go over those conditions. Mr. Senyszyn stated that he informed the Building Inspector and the Zoning Officer

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that the corporation/developer that owns Brecia Farms has had his business license revoked. He also stated that the Developer's Agreement has expired effective as of two weeks ago and he did not notice any provision in the agreement for any further extensions and asked what the next step would be. Township Attorney stated that the next step would be a meeting with the developer to discuss what the new timetable for completion will be or there are also various bonds that would come into play with respect to public improvements. Township Attorney stated that the Township is at that point now where discussions will have to take place.

A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 7:25 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk