

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MAY 28, 2014

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

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.

Monthly Reports:

1. Municipal Clerk Report – April 2014
2. Tax Collector Report – April 2014
3. Construction Certificate Activity Report – April 2014
4. Construction Permit Activity Report – Hardyston – April 2014
5. Construction Permit Activity Report – Hamburg – April 2014
6. Construction Permit Activity Report – Franklin – April 2014
7. Construction Permit Activity Report – Newton – April 2014
8. Construction Permit Activity Report – Sussex – April 2014
9. Municipal Court Report – April 2014
10. Police Department Report – April 2014
11. Littell Community Center Report – April 2014
12. Sussex County Health Department Report – April 2014
13. Animal Control Annual Report
14. Land Use Report – April 2014

Minutes:

1. Regular Minutes of 3/26/14
2. Workshop Minutes of 4/9/14
3. Regular Minutes of 4/9/14
4. Regular Minutes of 4/23/14

Agreements/Applications/Licenses:

1. Raffle – The Craig School
2. Raffle – Ramapo-Bergen Animal Refuge, Inc.
3. Raffle – The Myocarditis Foundation, Inc.

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

ORDINANCES

1st READING:

2014-07

AN ORDINANCE TO AMEND THE ESTABLISHED MINIMUM AND MAXIMUM SALARIES FOR OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HARDYSTON TO PROVIDE THE METHOD FOR THE PAYMENT OF ANNUAL SALARY INCREMENTS IN THE DISCRETION OF THE TOWNSHIP COUNCIL

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BE IT ORDAINED by the Township Council of the Township of Hardyston that Section 1 be amended as follows:

Section 1. The minimum and maximum salary range for officers or employees of the Township of Hardyston who are employed on an annual salary basis shall be and is hereby fixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Fire Official	\$8,500	\$28,000

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

ORDINANCES
2nd READING:

2014-06

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$454,228.00 FROM GENERAL CAPITAL IMPROVEMENT FUND FOR FUNDING VARIOUS CAPITAL IMPROVEMENTS OR PURPOSES BY THE TOWNSHIP OF HARDYSTON, IN THE COUNTY OF SUSSEX, NEW JERSEY.

BE IT ORDAINED AND ENACTED by the Mayor and Council of the Township of Hardyston, County of Sussex, New Jersey, as follows:

Section 1: The sum of Four hundred fifty-four thousand two hundred twenty-eight dollars (\$454,228.00) to be utilized out of the General Capital Improvement Fund, is hereby appropriated for the following purpose:

For Various Capital Improvements or Purposes for the Township of Hardyston.

Section 2: In connection with the amount authorized in Section 1 hereof, the Township makes the following determination:

(a) The purpose described in Section 1 hereof is not a Current Expense and is an improvement, which the Township of Hardyston may lawfully make as general improvement.

(b) The period of usefulness of the purpose described in section 1 hereof is not in the limitations of the said Local Bond Law and according to the aggregate reasonable life thereof is five (5) years.

Section 3: All ordinances or parts of ordinances, which are inconsistent with the terms of this ordinance, be and the same is hereby-repealed on to the extent of there inconsistency:

Section 4: This ordinance becomes effective immediately upon final passage, approval, and publication as provided by 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 Hamilton to approve Ordinance 2014-06 on second reading, seconded by Cicerale. All in favor. Motion carried.

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NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #45-14 – Overpayment refund – Highlands State Bank

RESOLUTION # 45-14

WHEREAS, on May 7, 2014 Highlands State Bank paid the 2nd quarterly taxes for Block 16 Lot 1.09 Q C1150 and owned by Dominick & Donna Randazzo, and

WHEREAS, Highlands State Bank has advised the Tax Collector that they have inadvertently paid the 2nd quarter in error. The mortgage on this parcel was paid off on April 2, 2014.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund Highlands State Bank the amount of \$ 762.05 paid in error.

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

2. Resolution #46-14 – Cancel Tax Sale Certificate

RESOLUTION # 46-14

WHEREAS, Block 20 Lot 24 also known as 264 Hamburg Turnpike, Hardyston and formerly owned by Marion Weir, and

WHEREAS, this parcel was on the In Rem Foreclosure list but after research from Fred Semrau's office it has been determined that Block 20 Lot 24 is within Block 61 Lot 39.01. These parcels under the last will and testament of Marion Weir deceased, conveyed Block 61 Lots 39.01, 40, 41 and Block 20 Lot 24 to the State of New Jersey, and

WHEREAS, the deed was made on December 13, 1999, and recorded in the Sussex County Clerk's office on December 22, 1999. This was also reviewed by Scott Holzhauser Tax Assessor, and the property is now in the name of the State of NJ DEP, and

WHEREAS, a copy of the deed and map will be attached to this resolution, **NOW THEREFORE BE IT RESOLVED** by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to cancel Tax Sale Certificate # 06-13 in the amount of \$ 520.20 that was sold on September 17, 2007.

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

- B. Resolution #47-14 – Estimated Tax Bills

RESOLUTION # 47-14

WHEREAS, due to the late adoption of the Township of Hardyston 2014 Municipal Budget and 2014 Sussex County Budget, the Sussex County Board of Taxation is unable to certify tax rates for the year 2014, and

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WHEREAS, without a 2014 certified tax rate the Tax Collector of the Township of Hardyston will be unable to issue 2014 tax bills on a timely basis, and

WHEREAS, in accordance with Chapter 72, P.L. 1994, the Township Mayor and Council requests the Director of the Division of Local Government Services to approve the 2014 estimated tax levy not exceeding 105% of the previous year's tax levy. Approval will enable the Township of Hardyston to meet its financial obligations, maintain the tax collection rate, provide uniformity for tax payments and save the unnecessary cost of interest expense on borrowing.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, as follows:

1. The Tax Collector of the Township of Hardyston is hereby authorized and directed to prepare and issue estimated tax bills for the Township of Hardyston for the third installment of 2014. The Tax Collector shall proceed upon approval from the Director and take such actions as are permitted and required by Chapter 72, Public Laws of 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.
2. The entire estimated tax levy for 2014 is hereby set \$ 27,763,744.07. The estimated tax rate for 2014 is hereby set at \$ 2.579.

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

C. Correspondence

1. Township of Vernon
2. Township of Montague
3. Township of Vernon
4. County of Sussex
5. State of NJ
6. Aqua New Jersey, Inc.

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

BILLS TO BE PAID: A motion was made by Hamilton to approve the bill list as presented, seconded by Verrilli. 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 asked the Council if they could reach out to Hamburg Borough regarding their intentions of striping Wheatsworth Road/Gingerbread Castle Road and Oak Street. Township Manager stated that she will reach out to them. Jackie Espinoza, Area Manager for JCP&L stated that residents should be aware of a utility scam that is going on and suggested posting the information on the Township's website. Ms. Espinoza also wanted to offer JCP&L's services to the Economic Development Commission with regard to getting information on the JCP&L database. 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 7:20 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk