

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
MARCH 11, 2015**

The meeting was called to order by Mayor Miller at approximately 8:00 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 Cicerale, Councilwoman Hamilton, Councilman Kula, Councilman Verrilli, 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. Trailer License – Elizabeth McDole
2. Kennel License – The Pet Spa & Resort

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

ORDINANCES

1st READING:

2015-07

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY PROVIDING FOR THE ESTABLISHMENT OF “NO STOPPING OR STANDING” AND/OR “NO PARKING” ZONES ON A PORTION OF COLSON TERRACE [TO BE INCORPORATED INTO CHAPTER 172 OF THE HARDYSTON TOWNSHIP CODE].

WHEREAS, there is loading and unloading of vehicles by auto carriers on Colson Terrace; and

WHEREAS, this loading and unloading of vehicles by auto carriers on Colson Terrace threatens to impede in the future the ability of fire trucks and ambulances to leave their facilities on Colson Terrace and respond to emergency and fire calls;

and

WHEREAS, the Township of Hardyston Zoning Officer recommends a "No Stopping or Standing" and/or "No Parking" zone on both sides of Colson Terrace from 220 feet from the intersection of New Jersey State Highway Route 23 and Colson Terrace to the end of Colson Terrace in the best interest of the public safety (except for emergency personnel, which shall include firemen, first aid squad members and police officers, while responding to a call); and

WHEREAS, the sections of the roadways in question are wholly contained in the Township of Hardyston; and

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WHEREAS, N.J.S.A. 3 9:4-197 authorizes the Township to pass, without the approval of the New Jersey Commissioner of Transportation, an ordinance regulating the parking of vehicles on streets and portions thereof that are under the jurisdiction of the Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey, as follows:

SECTION 1. Commencing (20) days upon final passage, approval and publication as required by law, Section 172-10 of Article II of Chapter 172 of the Hardyston Township Code entitled, "Parking prohibited at all times on certain streets" is hereby amended to incorporate the following:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Colson Terrace	Both	From 220 feet from the intersection of New Jersey State Highway Route 23 and Colson Terrace to the end of Colson Terrace (except for emergency personnel, which shall include firemen, first aid squad members and police officers, while responding to a call)

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, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 4. This ordinance may be renumbered for purposes of codification.

A motion was made by Kula to approve Ordinance 2015-07 on first reading, seconded by Verrilli. All in favor with Hamilton abstaining. Motion carried.

2015-08

AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION AND ACCEPTANCE OF AN EASEMENT FOR PURPOSES OF ENFORCING THE TOWNSHIP'S ORDINANCE PROVIDING FOR "NO PARKING" AND/OR "NO STOPPING OR STANDING" ON A PORTION OF COLSON TERRACE AS WELL AS ON THE EASEMENT PREMISES.

WHEREAS, All for DOE, LLC ("Grantor") is the owner of certain property located in the Township of Hardyston, Sussex County, New Jersey, at Block 36, Lot 44.01, known as 4 Colson Terrace as shown on the Official Tax Map of the Township of Hardyston; and

WHEREAS, there is loading and unloading of vehicles by auto carriers on Colson Terrace; and

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WHEREAS, this loading and unloading of vehicles by auto carriers on Colson Terrace threatens to impede in the future, the ability of fire trucks and ambulances to leave their facilities on Colson Terrace and respond to emergency and fire calls; and

WHEREAS, the Township of Hardyston has adopted, or will take measures to adopt, an Ordinance providing for "No Parking" and/or "No Stopping or Standing" zone on both sides of Colson Terrace from 220 feet from the intersection of New Jersey State Highway Route 23 and Colson Terrace to the end of Colson Terrace; and

WHEREAS, part of the Grantor's premises on Colson Terrace are paved and merge into Colson Terrace as to make Colson Terrace and that portion of the Grantor's premises that is paved indistinguishable; and

WHEREAS, Raymond Ganz, the owner of All for DOE, LLC, has agreed to cooperate with the Township in its efforts to curtail the unloading of auto carriers on Colson Terrace by providing an easement to the Township to allow the Township to enforce its Ordinance providing for "No Parking" and/or "No Stopping or Standing" on both sides of Colson Terrace from 220 feet from the intersection of New Jersey State Highway Route 23 and Colson Terrace to the end of Colson Terrace not only on this portion of Colson Terrace but also on that part of Grantor's premises on Colson Terrace that are paved and merge into Colson Terrace ("easement premises") and as set forth on the easement and annexed legal description attached hereto as Exhibit A; and

WHEREAS, the Township of Hardyston wishes to execute and accept the easement.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey, as follows:

SECTION 1. The easement and annexed legal description attached hereto as Exhibit A, which has been approved by the Township Attorney and Township Engineer for form and legal description is hereby accepted by the Township of Hardyston.

SECTION 2. The Mayor of the Township of Hardyston is hereby authorized to execute the aforementioned attached Easement on behalf of the Township of Hardyston.

SECTION 3. 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.

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- B. Resolution #18-15 – Resolution authorizing an Affordable Housing Down Payment Assistance Loan Repayment Agreement with the owner of an Affordable Housing Unit located in Hardyston Township – 22 Sundance Terrace

**TOWNSHIP OF HARDYSTON
RESOLUTION #18-15**

A RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING DOWN PAYMENT ASSISTANCE LOAN REPAYMENT AGREEMENT WITH THE OWNER OF AN AFFORDABLE HOUSING UNIT LOCATED IN HARDYSTON TOWNSHIP

WHEREAS, Amy Franek is purchasing property located at 22 Sundance Terrace, Block No. 67.07, Lot No. 1.11, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and

WHEREAS, the property owner has requested a Down Payment Assistance Program loan from the Affordable Housing Trust Fund; and

WHEREAS, the Township of Hardyston is willing to extend a loan to the property owner toward the down payment on the price of the home in the amount of \$2,625.55 in order to allow the buyer to procure a First Purchase Money Mortgage; and

WHEREAS, it is appropriate for the Township of Hardyston to enter into an Agreement with the property owner setting forth the terms of the agreement at this time;

NOW THEREFORE BE IT RESOLVED on this 11th day of March, 2015, by the Township Council of Hardyston, County of Sussex, State of New Jersey, that:

3. The Mayor, Manager, Clerk and attorney are hereby authorized to execute a Down Payment Assistance Program Agreement with the owner of an Affordable Housing unit located at 22 Sundance Terrace, Block No. 67.07, Lot No. 1.11.
4. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent.

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

- C. Resolution #19-15 – Resolution authorizing submission of a Strategic Plan for the Governor's Council on Alcoholism and Drug Abuse Grant for fiscal grant cycle July 2014 – June 2019

**HARDYSTON TOWNSHIP
RESOLUTION #19-15**

A RESOLUTION AUTHORIZING SUBMISSION OF A STRATEGIC PLAN FOR THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE GRANT FOR FISCAL GRANT CYCLE JULY 2014-JUNE 2019

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Township Council of the Township of Hardyston, County of Sussex, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

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WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Sussex;

NOW, THEREFORE, BE IT RESOLVED by the Township of Hardyston, County of Sussex, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the Hardyston/Franklin Municipal Alliance grant for fiscal year 2016 in the amount of:

DEDR	\$12,474.00
Cash Match	\$3,118.00
In-Kind	\$9,355.00
2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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

D. Recommendations of the Special Assessment Commission – Summit Lake Dam

A motion was made by Cicerale to accept the recommendations of the Special Assessment Commission and to authorize the Township Attorney to prepare a special assessment ordinance, seconded by Verrilli. 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. 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 8:10 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk