

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
JANUARY 13, 2016**

The meeting was called to order by Mayor Hamilton at approximately 7:55 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, 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. R & R Radar, Inc. – Traffic Radar Maintenance Agreement - Police Department
2. Security Design Group, LLC/Meridien – Service Agreement - Access Control & Security Alarm System – Police Department
3. Morpho Trak, Inc. – Maintenance and Support Agreement – Police Dept.
4. KML Technology – 911 Emergency Phone System Service Agreement - Police Department
5. WTH Technology, Inc. – Think GIS Client Support Agreement – Police Dept.

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

ORDINANCES

1st READING: None

ORDINANCES

2nd READING: None

NEW BUSINESS:

- A. Resolution #07-16 – Resolution authorizing Change Order No. 1 for the Bunn Road Improvements Contract with Mark Paving Company, Inc.

RESOLUTION #07-16

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1
FOR THE BUNN ROAD IMPROVEMENTS CONTRACT WITH MARK
PAVING COMPANY, INC.**

BE IT RESOLVED, by the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey that the nature of the changes as described in the attached Change Order No. 1 for the contract entitled, “Bunn Road Improvements”, be and the same are hereby approved, and the Township Manager is hereby authorized and directed to execute said Change Order on behalf of the Township.

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BE IT FURTHER RESOLVED, that said contract shall be amended to reflect a decrease in the amount of \$29,787.33 for fuel and asphalt price adjustments and adjustments for as-built quantities as set forth on the attached Change Order.

This Resolution shall take effect immediately.

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

B. Resolution #08-16 – Resolution authorizing the execution of the following shared service agreements:

1. Recreation – Littell Community Center – Franklin Borough
2. Recreation – Littell Community Center - Hamburg Borough
3. Zoning and Property Maintenance – Hamburg Borough

RESOLUTION #08-16

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING SHARED SERVICE
AGREEMENTS**

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

- a. Recreation – Littell Community Center – Franklin Borough
- b. Recreation – Littell Community Center - Hamburg Borough
- c. Zoning and Property Maintenance – Hamburg Borough

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

C. Resolution #09-16 – Resolution awarding bid to Campbell Freightliner, LLC for 2017 Model 114SD Diesel Truck

RESOLUTION #09-16

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON,
COUNTY OF SUSSEX AND STATE OF NEW JERSEY TO ACCEPT THE PROPOSAL
SUBMITTED BY CAMPBELL FREIGHTLINER, LLC AS THE LOWEST RESPONSIBLE
BIDDER FOR THE PROVISION OF ONE (1) NEW 2017 MODEL 114SD DIESEL TRUCK
WITH CENTRAL HYDRAULICS AND ASSOCIATE EQUIPMENT, OR EQUIVALENT**

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of Hardyston, the Township received sealed competitive bids for the provision of one (1) new 2017 model 114SD diesel truck with central hydraulics and associate equipment, or equivalent; and

WHEREAS, in response to the “Notice to Bidders” the Township received one (1) bid; and

WHEREAS, said bid has been duly reviewed and analyzed by the Director of Public Works and the Township Attorney; and

WHEREAS, the bid received from the sole bidder, Campbell Freightliner, LLC, has been found to be substantially in proper form and in compliance with the provisions of N.J.S.A. §40A:11-23.5 and the specifications as written; and

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WHEREAS, the Chief Financial Officer has certified as to the availability of funds and encumbrances for this purchase shall come from account 04-215-55-972-001, Improvement Authorization #15-14, Various Capital Improvements to Roads.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston, County of Sussex, State of New Jersey, the following:

1. The Township Council hereby awards a contract to Campbell Freightliner, LLC in an amount not to exceed \$142,638.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract for a total amount not to exceed of \$142,638 to Campbell Freightliner, LLC, in accordance with its bid for the provision of one (1) new 2017 model 114SD diesel truck with central hydraulics and associate equipment, or equivalent.
3. The Township's Chief Financial Officer has certified the availability of funds for same.
4. This resolution and contract shall be available for public inspection in the office of the Township Clerk.

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

D. 2016 Soil Removal/Quarry License Renewals:

1. Beaver Run Farms – Soil Removal & Quarry
2. Shotmeyer Brothers, Inc. – Soil Removal
3. Eastern Concrete Materials, Inc. – Quarry
4. North Church Gravel, Inc. – Soil Removal

A motion was made by Miller to approve Items #1 through #3 as recommended by the Township Engineer, seconded by Verrilli. All in favor. Motion carried. A motion was also made by Miller to approve Item #4 through June 30, 2016 based on the current soil removal plan as recommended by the Township Engineer in his letter dated January 7, 2016, seconded by Verrilli. All in favor. Motion carried.

BILLS TO BE PAID: A motion was made by Verrilli to approve the bill list as presented, seconded by Cicerale. 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.

EXECUTIVE SESSION:

BE IT RESOLVED by the Township Council of the Township of Hardyston on the 13th day of January, 2016, that:

1. Prior to the conclusion of this **Regular Meeting**, the Township Council shall meet in Executive Session, from which the public shall be excluded, to discuss matters as permitted pursuant to N.J.S.A. 10:4-12, sub-section (s):
2.
 - () b. (1) Confidential or excluded matters, by express provision of Federal law or State statute or rule of court.
 - () b. (2) A matter in which the release of information would impair a right to receive funds from the Government of the United States.
 - () b. (3) Material the disclosure of which constitutes an unwarranted invasion of individual privacy.
 - () b. (4) A collective bargaining agreement including negotiations.

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- () b. (5) Purchase, lease or acquisition of real property, setting of banking rates or investment of public funds, where it could adversely affect the public interest if disclosed.
 - () b. (6) Tactics and techniques utilized in protecting the safety and property of the public, if disclosure could impair such protection. Investigation of violations of the law.
 - (X) b. (7) Pending or anticipated litigation or contract negotiations other than in subsection b. (4) herein or matters falling within the attorney-client privilege.
 - () b. (8) Personnel matters.
 - () b. (9) Deliberations after a public hearing that may result in penalties.
3. The time when the matter(s) discussed pursuant to Paragraph 1 hereof can be disclosed to the public is as soon as practicable after final resolution of the aforesaid matter(s).

Motion to adopt: Miller
Seconded by: Kula

MOTION	YES	NO	ABSTAIN	ABSENT
Miller	<u> x </u>	_____	_____	_____
Hamilton	<u> x </u>	_____	_____	_____
Kula	<u> x </u>	_____	_____	_____
Cicerale	<u> x </u>	_____	_____	_____
Verrilli	<u> x </u>	_____	_____	_____

Motion carried.

A motion was made by Miller to come out of Executive Session, seconded by Verrilli. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 8:20 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk