

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON  
JANUARY 27, 2016**

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, Councilman Verrilli, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Dawn Sullivan 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.**

**Monthly Reports:**

1. Municipal Clerk Report – December 2015
2. Tax Collector Report – December 2015
3. Construction Certificate Activity Report – December 2015
4. Construction Permit Activity Report – Hardyston –December 2015
5. Construction Permit Activity Report – Hamburg – December 2015
6. Construction Permit Activity Report – Franklin – December 2015
7. Construction Permit Activity Report – Newton – December 2015
8. Construction Permit Activity Report – Sussex – December 2015
9. Construction Permit Activity Report – Wantage – December 2015
10. Police Department Report – November 2015
11. Police Department Report – December 2015
12. Municipal Court Report – December 2015
13. SCHED Report –November 2015
14. SCHED Report – December 2015
15. Littell Community Center Report – December 2015
16. Littell Community Center Annual Report –2015
17. Land Use Report – December 2015 – January 2016

**Minutes:**

1. Regular Minutes of 10/28/15
2. Regular Minutes of 11/25/15

**Agreements/Applications/Licenses:**

1. Trailer License Renewal – Elizabeth McDole
2. Trailer Court License Renewal – Post, Russell & Eileen
3. Trailer Court License Renewal – Tabaka, Stanley

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

**ORDINANCES**

**1st READING:**

**2016-01**

**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**

BE IT ORDAINED by the Township Council of the Township of Hardyston that Section 2 be amended as follows:

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Section 2. The minimum and maximum rates of compensation for each employee or class of employees who are employed on an hourly basis shall be and are hereby fixed as follows:

<u>POSITION</u>	<u>MINIMUM HOURLY</u>	<u>MAXIMUM HOURLY</u>
First Aid Squad Administrator	\$30.00	\$35.00

A motion was made by Kula to approve Ordinance 2016-01 on first reading, seconded by Cicerale. All in favor. Motion carried.

**2016-02**

**AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF  
HARDYSTON AUTHORIZING THE SALE OF REAL  
PROPERTY KNOWN AS BLOCK 67.19, LOT 22 AS PART OF  
THE TOWNSHIP'S MARKET TO AFFORDABLE HOUSING  
PROGRAM**

**Purpose Statement:**The purpose of this Ordinance shall be to authorize the sale of real property known as 7 Highview Knoll Block 67.19, Lot 22 in the Township of Hardyston to Buyer Abby E. Brunke (nee Fine), as part of the Township's market to affordable housing program.

**WHEREAS**, the Township of Hardyston ("Township" or "Hardyston") owns Block 67.19 Lot 22, 7 Highview Knoll ("the property") in the Township; and

**WHEREAS**, the property is an affordable housing unit that the Township desires to convey to Abby E. Brunke (nee Fine) 46 Summit Road, Hamburg, NJ 07419 ("the Buyer") as part of the Township's Market to Affordable Housing Program; and

**WHEREAS**, the Township Council has determined that it should convey the property to the Buyer as part of the Township's Market to Affordable Housing Program for the purpose of addressing the Township's affordable housing obligations pursuant to the Township's Housing Element and Fair Share Plan and the New Jersey Council on Affordable Housing ("COAH") Substantive Rules (N.J.A.C. 5:97-1 et seq).

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Hardyston that the Township shall convey 7 Highview Knoll, Block 67.19, Lot 22 in the Township to Buyer Abby E. Brunke (nee Fine), for consideration in the amount of \$129,724.00, and in accordance with the terms of a Contract for Sale to be executed by the Buyer and the Township; and

**NOW, THEREFORE, BE IT FURTHER ORDAINED**, that the Mayor and Council of the Township of Hardyston, the Township Manager and Clerk, the Township Housing Liason, and Vogel, Chait, Collins and Schneider, P.C., as Special Counsel to the Township of Hardyston

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are hereby authorized to prepare and execute any and all documentation to effectuate the sale of the property described herein.

**Severability.**

If any section, paragraph, subdivision clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sub-division, clause or provision and the remainder of the Ordinance shall be deemed valid and effective.

**Repealer.**

All Ordinances or parts of Ordinances which are inconsistent with any other provisions of this Ordinance are hereby repealed as to the extent of such inconsistencies.

**Effective Date.**

This ordinance shall take effect after publication and passage in accordance with law.

A motion was made by Kula to approve Ordinance 2016-02 on first reading, seconded by Cicerale. All in favor. Motion carried.

**ORDINANCES**

**2nd READING:** **None**

**NEW BUSINESS:**

- A. Resolution #10-16 – 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

**RESOLUTION # 10-16**

**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,

**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 2017 in the amount of:

DEDR	\$13,974.00
Cash Match	\$3,493.00
In-Kind	\$10,481.00

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

**B. Tax Collector Resolutions**

1. Resolution #11-16 – Authorization to cancel tax sale certificate #2012-001 and all subsequent taxes for Block 3, Lot 1, 19 Old Route 23 West

**RESOLUTION #11-16**

**WHEREAS**, Block 3 Lot 1 also known as 19 Old Route 23 West and owned by the Estate of Paul Bicsak et al, and

**WHEREAS**, Fred Semrau, Attorney was preparing an In Rem Foreclosure on this parcel when the search indicated that the Estate of Paul Bicsak et al had conveyed the property on September 9, 1997 to the United States of America by deed recorded in Book 2245 Page 191, and

**WHEREAS**, Mr. Semrau has requested that the Tax Collector cancel Tax Sale Certificate #2012-001 and all subsequent taxes in order for this property to be exempt from taxes.

**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 # 2012-001 and all subsequent taxes in the amount of \$ 823.45.

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

2. Resolution #12-16 – Authorization for refund for incorrect assessment on Block 17, Lot 6.02, 4427 Rudetown Road owned by Melissa Avilies

**RESOLUTION #12-16**

**WHEREAS**, Block 17 Lot 6.02 also known as 4427 Rudetown Road, Hardyston and owned by Melissa Avilies, and

**WHEREAS**, the owner had received an Added Assessment for 2015 for an addition on her house, and

**WHEREAS**, after further review by Scott Holzhauer and approved by the County Board of Taxation that it was not correct and reassessed,

**NOW THEREFORE BE IT RESOLVED** that the Tax Collector be authorized to refund the homeowner the amount of \$ 809.72 for credit due on the incorrect assessment.

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

**C. Correspondence**

1. Borough of Franklin
2. County of Sussex
3. Sussex County Municipal Utilities Authority
4. State of NJ
5. State of NJ
6. State of NJ
7. Gary Bunje

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

**BILLS TO BE PAID:** A motion was made by Kula 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 Mary Schweighardt asked the Council if they would be interested in having a veteran's celebration for Memorial Day as was done for Veteran's Day. Mayor Hamilton asked Mr. Schweighardt to submit his request in writing for the Council's consideration. 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 7:10 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
Municipal Clerk