

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
FEBRUARY 10, 2016**

The meeting was called to order by Mayor Hamilton at approximately 8:05 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.

Minutes:

1. Workshop Minutes of 12/9/15
2. Regular Minutes of 12/9/15
3. Reorganization Minutes of 1/4/16
4. Workshop Minutes of 1/13/16
5. Regular Minutes of 1/13/16
6. Executive Minutes of 1/13/16
7. Regular Minutes of 1/27/16

Agreements/Applications/Licenses:

1. Raffle License – Samaritan Inn, Inc.
2. Fire Department – New Member Application – Christopher Frangipane

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

ORDINANCES

1st READING: 2016-03

AN ORDINANCE AMENDING CHAPTER 185, "ZONING," OF THE TOWNSHIP OF HARDYSTON TOWNSHIP CODE ADDING THE R-5 ATTACHED SINGLE FAMILY/MULTI-FAMILY RESIDENTIAL ZONE DISTRICT AND USE AND BULK REGULATIONS.

Purpose Statement- the purpose of this Ordinance is to amend the Township of Hardyston Zoning Ordinance to add the R-5 Attached Single-Family/Multi-Family Residential Zone District and the applicable use and bulk regulations

BE IT ORDAINED by the Township Council of the Township of Hardyston as follows:

1. Section 185-4, Definitions, is hereby amended to include the following definition:

QUADRAPLEX DWELLING — Four (4) attached dwellings in one building in which each unit has two open space exposures and shares one or two walls with the adjoining unit or units.

2. Section 185-6, Designation of Zoning Districts, is hereby amended to add the following:

R-5 Attached Single Family/Multi-Family Residential District

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3. Section 185-7 Zoning Map is hereby amended as follows:

The location and boundaries of the above districts are hereby established on the Zone Map of the Township of Hardyston in Sussex County, dated January 2016 (prepared by Carrine Piccolo-Kaufer, AICP, P.P.), which is attached hereto and made a part of this section. Copies of the map are on file in the office of Township Clerk and are available for inspection. [1]

[1]: Editor's Note: Said map is also included at the end of this chapter.

4. Article XXII, Sections 185-194 through 185–196 are to be amended as follows:

**ARTICLE XXII: R-5 Attached Single Family/Multi-Family Residential District
185 -194. Use Regulations**

- A. Principal uses. The following principal uses shall be permitted in the R-5 District:
- (1) Attached single-family dwellings.
 - (2) Quadraplex dwellings
- B. Accessory Uses. The following accessory uses shall be permitted in the R-5 District:
- (1) Required off-street parking spaces.
 - (2) Private garages and private patios and decks, as defined in this chapter.
 - (3) Signs as permitted by Article XIX.
 - (4) Community swimming pools, tennis courts and clubhouses and gyms not to exceed twenty-five (25) feet in height.
 - (5) Stormwater management structures
 - (6) Rental/Management Office
 - (7) Maintenance/storage buildings
 - (8) Any other use which the applicable Board determines is customarily incidental to the principal permitted use on the premises.
- C. Conditionally Permitted Uses. The following uses are permitted only after review and approval by the Planning Board pursuant to the standards and criteria set forth in Article XVI.
- (1) Institutional and public uses.
 - (2) Public utility uses and essential services.

185-195. Bulk requirements and other conditions

- A. Maximum number of residential units permitted in the district shall be 303.
- B. Maximum building coverage in the district shall be 20 percent
- C. Minimum perimeter setback to the zone boundary is 25 feet
- D. Minimum distance from a townhouse unit and a quadraplex unit is 80 feet
- E. Attached single-family dwellings and quadraplex dwellings: See 185-196 (schedule of bulk requirements below)

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- F. Accessory structures: all accessory structures shall meet the bulk and other requirements of the R-3 Districts except as may otherwise be specifically provided in Section 185-196
- G. All required off-street parking shall conform to the Residential Site Improvement Standards (RSIS)
- H. Recreation amenities shall be constructed throughout the entire tract consistent with the amenities which have already been constructed and shall include both passive and active amenities including but not limited to walking paths, tot lots, open space, athletic fields and park/picnic areas
- I. Affordable Housing: A minimum of twenty-four (24) affordable housing unit shall be required to be built in connection with the construction of market rate residential units. Construction of the affordable units shall be phased to achieve a balanced mix of both affordable and market rate units. The mix of bedroom types and income distribution shall be subject to the requirements of the Uniform Housing Affordability Controls (UHAC), N.J.A.C 5:80-26.1 et seq.

185-196. Attached Single-Family House and Quadraplex Dwellings in the R-5 Attached Single Family/Multi-Family Residential District

Schedule of Bulk Requirements		
Development Standard	Attached Single-Family	Quadraplex Dwellings
Maximum number of units per structure	6	4
Maximum length of structure	200 feet	100 feet
Maximum number of single units served by a single common entrance	1	1
Minimum number of entrance/exits per unit	2	1
Maximum height [1]	35 feet	35 feet
Minimum distance between groups of structures:		
End to End	35 feet	15 feet
Rear to rear	60 feet	25 feet
Front to rear	75 feet	75 feet
Front to front	75 feet	75 feet
Front to side (except that buildings may join at corners)	50 feet	50 feet
Minimum distance to public road	65 feet	65 feet
Minimum distance to private road	25 feet	25 feet
Minimum lot width at street	12 feet	N/A
Minimum lot width at building front line	18 feet	N/A
Minimum distance to side property line	25 feet	N/A
Minimum distance to rear property line	25 feet	N/A
Minimum front yard	25 feet	N/A
Minimum rear yard	25 feet	N/A
Required off-set	Minimum of 4 feet every 50 feet	Minimum of 4 feet every 50 feet [2]
Required off-street parking spaces	Per Residential Site Improvement Standards	Per Residential Site Improvement Standards
Patios and decks	Permitted in rear yard but not within 15 feet of a rear property line	Permitted within the rear yard but not within 25 feet of another building[3]

[1] Accessory structures shall not exceed twenty five (25) feet in height.

[2] Applies only to the front (street-facing) façade of the building.

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[3] Patios and/or decks attached to the rear of one building shall be setback the following minimum distance from a patio and/or deck attached to the rear of another building: when facing rear-to-rear, 25 feet; when facing side-to-side, 15 feet.

5. Severability. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

6. Repealer. All existing ordinances or parts of existing ordinances which are inconsistent with the terms of this ordinance are to the extent of such inconsistency repealed.

7. Effect. This Ordinance shall take effect twenty (20) days after final adoption and publication as required by law.

A motion was made by Miller to approve Ordinance 2016-03 on first reading, seconded by Kula. All in favor. Motion carried.

ORDINANCES

2nd 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:

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 to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made to close the meeting to the public. All in favor. Motion carried. A motion was made by Miller to approve Ordinance 2016-01 on second reading, seconded by Kula. 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

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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 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 to open the meeting to the public. All in favor. Motion carried. No public comment. A motion was made to close the meeting to the public. All in favor. Motion carried. A motion was made by Kula to approve Ordinance 2016-02 on second reading, seconded by Miller. All in favor. Motion carried.

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NEW BUSINESS:

- A. CJS Investments - Request for Waiver from Septic Permit Renewal Fees for Emerald Estates

CJS Investments, the developer of the Emerald Estates project on Wheatsworth Road, has contacted the Township to request a waiver of the \$40 per septic system renewal fee required by the County Health Department citing the economy and the status of the project as the need for the waiver of the fees.

A motion was made by Miller to approve the waiver of the fees, seconded by Cicerale. All in favor. Motion carried.

- B. Resolution #13-16 – Remington & Vernick – Proposal for tax map maintenance services for tax year 2016

RESOLUTION #13-16

**RESOLUTION ACCEPTING PROPOSAL FROM REMINGTON & VERNICK
ENGINEERS
FOR TAX MAP MAINTENANCE SERVICES**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the following proposal is hereby accepted:

- Remington & Vernick Engineers – Proposal for Tax Map Maintenance/Revisions services for the Township of Hardyston for Tax Year 2016

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

- C. Resolution #14-16 – Transportation Services Agreement – County of Sussex

RESOLUTION #14-16

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING
AGREEMENT**

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

1. Transportation Services – County of Sussex

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

- D. Resolution #15-16 - 2015 Budget Transfer Resolution

Township of Hardyston			
Resolution # 15-16			
Now, therefore be it resolved by the Township Council of the Township of Hardyston, State of New Jersey, that the following 2015 Budget Appropriation Reserves transfers be authorized:			
From:	Amount	To	Amount
Administration Supplies	\$ 4,960.80	Administration OE	\$ 4,960.80
Administration S&W	\$ 1,335.74	Administration OE	\$ 1,335.74
Election OE	\$ 664.12	Administration OE	\$ 664.12
Tax Assessment S&W	\$ 138.40	Administration OE	\$ 138.40
Zoning Brd OE	\$ 690.91	Administration OE	\$ 690.91
Construction S&W	\$ 925.03	Administration OE	\$ 925.03
Land Use S&W	\$ 74.73	Administration OE	\$ 74.73
Social Security	\$ 291.94	Administration OE	\$ 291.94
Interlocal Littell Ct S&W	\$ 3,274.00	Administration OE	\$ 3,274.00
Court OE	\$ 320.22	Administration OE	\$ 320.22
Gasoline	\$ 26,893.93	Legal OE	\$ 26,893.93
Telephone OE	\$ 3,500.00	Finance OE	\$ 3,500.00
Telephone OE	\$ 2,792.00	Tax Assessment OE	\$ 2,792.00
Diesel	\$ 28,326.55	Tax Assessment OE	\$ 28,326.55
Zoning Brd OE	\$ 600.00	Planning OE	\$ 600.00
Health Ins Wavier	\$ 69.00	Unemployment Ins	\$ 69.00
Accumulated Sick Leave	\$ 18,569.00	Group Insurance	\$ 18,569.00
Police S&W	\$ 6,129.23	Police OE	\$ 6,129.23
Disability Insurance	\$ 1,253.90	Police OE	\$ 1,253.90
Zoning Official OE	\$ 809.31	Police OE	\$ 809.31
Engineering OE	\$ 1,301.25	Police OE	\$ 1,301.25
Hepatitis C Shots	\$ 500.00	Police OE	\$ 500.00
Senior Citizens Bus	\$ 2,500.00	Police OE	\$ 2,500.00
Communication S&W	\$ 5,637.00	Police Uniforms	\$ 5,637.00
Communication OE	\$ 1,086.98	Police Uniforms	\$ 1,086.98
Senior Citizens Bus	\$ 500.00	Police Uniforms	\$ 500.00
Recycling OE	\$ 7,200.00	Streets & Roads OE	\$ 7,200.00
Senior Citizens Bus	\$ 4,452.00	Streets & Roads OE	\$ 4,452.00
Recreation S&W	\$ 2,640.07	Aid to Ambulance	\$ 2,640.07
Fuel Oil	\$ 11,368.15	Aid to Ambulance	\$ 11,368.15
Natural Gas	\$ 6,692.52	Aid to Ambulance	\$ 6,692.52
Electric	\$ 9,957.07	Street Lighting	\$ 9,957.07
Totals	\$ 155,453.85		\$ 155,453.85

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

E. Resolution #16-16 – 2016 Salary Resolution

BE IT RESOLVED by the Hardyston Township Council that the annual salaries and wages effective January 1, 2016 shall be paid as follows:

Title	2016 Salary
	Annual Salary
Township Council	\$ 4,000.00
Mayor/Deputy Mayor:	
Marriage/Civil Union Ceremony Stipend (per ceremony for residents)	\$ 50.00
(per ceremony for non-residents)	\$ 200.00
Township Manager	\$ 167,818.12

Deputy Manager	\$ 9,000.00
Municipal Clerk/Registrar/Search Officer	\$ 76,831.46
Chief of Police	\$ 149,657.00
Public Works Director	\$ 113,946.55
Fleet Manager	\$ 2,000.00
Zoning Officer	\$ 34,283.39
Computer Technician	\$ 51,243.86
Tax Assessor	\$ 54,838.18
Tax Collector	\$ 70,661.17
Municipal Planner	\$ 82,228.00
Land Use and Grants Administrator	\$ 61,974.55
Construction Official	\$ 103,519.72
Building Subcode Official	\$ 81,151.20
Fire Official	\$ 25,746.66
Fire Prevention Inspector	\$ 9,284.02
Fire Prevention Inspector (hired after 1/1/10)	\$ 7,804.34
Housing Rehabilitation Program Inspector	\$300.00/unit
Municipal Court Administrator	\$ 59,635.73
Municipal Court Magistrate	\$ 37,836.42
Temporary Municipal Court Magistrate (per session)	\$925.00/session
Deputy Court Clerk	
For first three hours of court session	\$ 90.00
For each hour of court session exceeding three hours	\$16.39/hour
Emergency Management Coordinator	\$ 9,051.30
Dispatchers:	
Year One	\$ 41,106.21
Year Two	\$ 44,282.02
Year Three	\$ 47,154.91
Year Four	\$ 50,279.89
Year Five	\$ 54,542.67

Part-Time Dispatchers:	Hourly Salary
Dispatcher In-Training	\$ 12.00
Year One	\$ 18.62
Year Two	\$ 20.07
Year Three	\$ 21.37
Year Four	\$ 22.80
Year Five	\$ 25.71

	Hourly Salary
Senior Clerk/Radio Dispatcher	\$ 27.25
Municipal Court Officer	\$ 23.35
Road Supervisor	\$ 33.50
Assistant Road Supervisor	\$ 32.42
Laborer Without CDL hired before 1/1/08	\$ 19.20
Laborer With CDL hired before 1/1/08	\$ 21.49
Laborer With CDL hired after 3/1/13	\$ 21.06
Water and Sewer Operator	\$ 36.90
Summer Seasonal Laborer/Driver Hired after 1/1/12	\$ 12.00
Summer Seasonal Laborer	\$ 10.00
Winter Seasonal Laborer/Driver Without CDL	\$ 13.00
Winter Seasonal Laborer/Driver With CDL	\$ 15.00
Custodian	
Municipal Complex	\$ 13.26
Littell Center	\$ 10.20
Secretary/Clerical (hired after 10/1/12)	\$ 16.62
Secretary/Clerical Temporary	\$ 8.00
Administrative Assistant/Temporary	\$ 11.00
Assistant to the Chief Financial Officer/Assistant to Construction Office	\$ 20.70
Secretary/Administration (Construction Technical Assistant & Police Secretary	
Hired before 6/28/05)	\$ 22.54
Secretary/Administration hired after 12/31/04	\$ 21.26
Utility Billing Specialist	\$ 21.26

Secretary/Administration	\$	19.28
Recreation Director	\$	21.22
Recreation On-Call Staff	\$	9.97
Recreation Program Presenter Without Certification	\$	15.30
Recreation Program Presenter With Certification	\$	25.50
Electrical Subcode Official	\$	49.35
Plumbing Subcode Official	\$	40.42
Building Inspector		
Part-Time	\$	31.00
First Aid Squad Administrator - Part Time	\$	30.00

Step	Hourly Salary	
Driver/Laborer:		
Year One	\$	23.12
Year Two	\$	24.56
Year Three	\$	26.00
Year Four	\$	27.45
Year Five	\$	29.62
Year Six	\$	31.79

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

F. Resolution #17-16 – Shared Service Agreements

RESOLUTION #17-16

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. Administrative Services - HTMUA
- b. Secretarial/Billing Services – HTMUA
- c. Maintenance and Service – HTMUA

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

G. Resolution #18-16 – Resolution to cancel the Emergency Authorization for Tax Appraisals

The above resolution was pulled from the meeting agenda and will not be considered by the Council at this time.

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. 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 Miller to adjourn at approximately 8:15 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk