

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON MAY 25, 2016

The meeting was called to order by Mayor Hamilton at approximately 7:30 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.

Monthly Reports:

1. Municipal Clerk Report – April 2016
2. Tax Collector Report – April 2016
3. Construction Certificate Activity Report – April 2016
4. Construction Permit Activity Report – Hardyston – April 2016
5. Construction Permit Activity Report – Hamburg – April 2016
6. Construction Permit Activity Report – Franklin – April 2016
7. Construction Permit Activity Report – Newton – April 2016
8. Construction Permit Activity Report – Sussex – April 2016
9. Construction Permit Activity Report – Wantage – April 2016
10. Police Department Report – April 2016
11. Municipal Court Report – April 2016
12. Animal Control – Shelter/Pound 2015 Annual Report
13. Littell Community Center Report – April 2016
14. Land Use Report – April 2016
15. Sussex County Health Department Report – April 2016

Agreements/Applications/Licenses:

1. Raffle License – The Calais Foundation
2. Raffle License – The Craig School

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

ORDINANCES

1st READING: 2016-05

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 AT THE DISCRETION OF THE TOWNSHIP COUNCI

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>
Secretary/Clerical	\$8.38	\$22.00
Seasonal/Temporary/Clerical	\$8.38	\$14.00
Senior Clerk/Radio Dispatcher	\$8.38	\$30.00
Assistant to Recreation Director	\$8.38	\$17.00

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A motion was made by Miller to approve Ordinance 2016-05 on first reading, seconded by Kula. All in favor. Motion carried.

2016-06

AN ORDINANCE APPROPRIATING THE TOTAL SUM OF \$425,000.00 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 twenty-five thousand dollars (\$425,000.00) 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 their inconsistency:

Section 4: This ordinance becomes effective immediately upon final passage, approval, and publication as provided by law.

A motion was made by Miller to approve Ordinance 2016-06 on first reading, seconded by Cicerale. All in favor. Motion carried.

ORDINANCES
2nd READING:

None

NEW BUSINESS:

- A. Resolution #33-16 – Resolution to support Sussex County C.L.E.A.R. (Community Law Enforcement Addiction Recovery) program

RESOLUTION #33-16

**RESOLUTION TO SUPPORT SUSSEX COUNTY C.L.E.A.R PROGRAM -
COMMUNITY LAW ENFORCEMENT ADDICTION RECOVERY**

WHEREAS, it is well-established that drug use and addiction is a major problem that impacts all of us on multiple levels; individuals, families and communities bear the many ill- effects that it has on our safety, health and the economy; and

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WHEREAS, the alarming reality of the heroin/opiate epidemic, in particular, has created an urgent need to work together to reverse these trends; and

WHEREAS, one in three people are affected by substance use disorders, no matter their occupation, income level, race or community status; and

WHEREAS, in 2015 there were 25 overdose deaths in Sussex County due to heroin, prescription medications and illicit substances, as well as 44 overdoses where Narcan was used to revive a person; and

WHEREAS, we recognize that for any anti-drug program to be effective, strong enforcement must be supported by an effort to reduce the demand for illegal substances and this is best accomplished through continued prevention education along with improved access to treatment and recovery support;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of Hardyston, that we do hereby resolve our community's support of the Sussex County C.L.E.A.R. — Community Law Enforcement Addiction Recovery program, whose mission it is to form a collaborative network of professionals in our community who will facilitate medical intervention, improved access to treatment and recovery support for those struggling with drug addiction who seek assistance, without fear of arrest or prosecution, in order to make a positive difference in the quality of life for individuals, families and our entire community; and

BE IT FURTHER RESOLVED, that the Hardyston Township Council urges other Sussex County Municipalities to similarly adopt resolutions in support of the Sussex County C.L.E.A.R Program and for individuals to visit www.clearno2ram.org to learn more and join in support of this important community program.

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

B. Resolution #34-16 – Resolution supporting a Veterans Treatment Court

RESOLUTION #34-16

WHEREAS, in 2010 the NJ Legislature enacted an Act (A-161) establishing a statewide task force to study the treatment of veterans diagnosed with post-traumatic stress disorder (“PTSD”) in judicial proceedings with a final report and recommendations due to be submitted to the Governor in May 2016; and

WHEREAS, the New Jersey Veterans PTSD Task Force will identify and review the issues and concerns facing New Jersey veterans who served in the United States Armed Forces and/or New Jersey National Guard who have been diagnosed with PTSD and how that diagnosis has impacted their treatment in judicial proceedings; and

WHEREAS, Veterans Treatment Courts, which have been established in 37 other U.S. States, aim to provide veterans with substance abuse or mental health treatment as an alternative to incarceration whenever possible and appropriate; and

WHEREAS, Veterans Treatment Courts start with the premise of providing veterans involved in the criminal justice system with a program and services to overcome the challenges they face in civilian life, often with the assistance of other armed forces veteran mentors; and

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WHEREAS, New Jersey is home to 712,000 veterans, the 16th highest state veteran population in the nation, yet New Jersey remains one of only 13 states without a Veterans Treatment Court according to the not-for-profit Justice for Veterans Organization.

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

1. Hardyston Township publicly supports the efforts of the New Jersey State Legislature and the New Jersey Veterans PTSD Task Force for examining such an important issue with the ultimate goal of potentially providing additional protections and/or alternative treatment options to veterans of the United States Armed Forces who provided tremendous service to our Country.

2. A copy of this resolution shall be sent to the Freeholders of Sussex County and our New Jersey Legislative Representatives.

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.

C. Resolution #35-16 – Estimated Tax Bills

RESOLUTION # 35-16

WHEREAS, due to the late adoption of the 2016 Sussex County Budget, the Sussex County Board of Taxation is unable to certify tax rates for the year 2016, and

WHEREAS, without a 2016 certified tax rate the Tax Collector of the Township of Hardyston will be unable to issue 2016 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 2016 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 2016. 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 2016 is hereby set \$ 28,481,012.62. The estimated tax rate for 2016 is hereby set at \$ 2.652.

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

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- D. Resolution #36-16 – Resolution authorizing the temporary suspension of prohibiting off-street parking on Clubhouse Road

RESOLUTION #36-16

A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE TEMPORARY SUSPENSION OF PROHIBITING OFF-STREET PARKING ON CLUBHOUSE ROAD

WHEREAS, on-street parking is prohibited on Clubhouse Road which is a public roadway located within the Township of Hardyston where Title 39 is enforced; and

WHEREAS, Crystal Springs Property Owners Association intends to perform driveway resurfacing on June 14, 2016 and accordingly it would be best for the Township to assist in the facilitating this project on a manner that will not interfere with the health, safety or welfare of the residents located on Clubhouse Road.

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

1. Prohibition of on-street parking on Clubhouse Road for the date of June 14, 2016 is hereby suspended for that day, or any other day that the Crystal Springs Property Owners Association deems reasonably necessary to complete driveway resurfacing due to rain or other good cause.
2. The area of Clubhouse Road where temporary on-street parking will be permitted is provided for in a diagram of the roadway which is on file in the Township Clerk's office however it relates to the areas of Clubhouse Road where Units 1 through 76 are located.

BE IT FURTHER RESOLVED, that permitting on-street parking and the temporary suspension of the Township's Ordinance prohibiting parking on Clubhouse Road shall in no way permit the parking of cars in front of driveways, fire hydrants or interfering with emergency vehicle access.

This Resolution shall take effect immediately.

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

- E. Resolution #37-16 – Resolution authorizing the display of fireworks by Crystal Springs Resort on May 29, 2016

RESOLUTION #37-16

RESOLUTION AUTHORIZING THE DISPLAY OF FIREWORKS BY CRYSTAL SPRINGS RESORT ON MAY 29, 2016

WHEREAS, Crystal Springs Resorts has submitted an application to the Hardyston Township Council for permission for the display of fireworks on May 29, 2016 in conjunction with the Memorial Day weekend holiday celebration to be held at Crystal Springs Resort, Grand Cascades Lodge; and

WHEREAS, Garden State Firework Inc. will be the display company providing the fireworks; and

WHEREAS, Garden State Firework Inc. has also submitted proof of proper insurance coverage.

NOW, THEREFORE, BE IT RESOLVED by the Hardyston Township Council, in accordance with Chapter 94 of the Hardyston Township Code regarding "Fire Prevention" and

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the Uniform Fire Code, that permission is hereby granted to Crystal Springs Resort for the display of fireworks on May 29, 2016; and

BE IT FURTHER RESOLVED that Crystal Springs Resort must obtain a permit from the Hardyston Township Fire Official and comply with all requirements imposed by the Hardyston Township Fire Official. Failure to obtain a permit or adhere to all of the said requirements will render this permission null and void and subject Crystal Springs Resort to enforcement proceedings, fines and penalties as permitted by law. A certified copy of this Resolution shall be provided to the Hardyston Township Fire Official.

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

- F. Resolution #38-16 – Resolution amending the Hardyston Township Personnel Policy and Procedures Manual to amend Article V, Section 1, Health Benefits

RESOLUTION #38-16

RESOLUTION AMENDING THE HARDYSTON TOWNSHIP PERSONNEL POLICY AND PROCEDURES MANUAL TO AMEND ARTICLE V, SECTION 1, HEALTH BENEFITS

WHEREAS, on July 7, 2009 the Hardyston Township Council adopted an updated Personnel Policies and Procedures Manual; and

WHEREAS, there exists a need to amend Article V, Section 1, Health Benefits.

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that Article V, Section 1, Health Benefits, is hereby amended to increase the annual eyeglass/gym membership reimbursement for all regular full time employees from \$500.00/family to \$1,000.000/family effective January 1, 2016.

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

G. Correspondence

1. Hamburg Borough
2. Byram Township
3. Vernon Township
4. Franklin Borough
5. Franklin Borough
6. State of NJ
7. State of NJ
8. State of NJ
9. Harold E. Pellow & Associates, Inc.

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

BILLS TO BE PAID: A motion was made by Verrilli to approve the bill list as presented, seconded by Kula. All in favor. Motion carried.

At this time, Deputy Mayor Kula asked for a motion to be made to recognize the fact that Shauger Terrace is named in memory of PFC Harrison Benjamin Shauger, who died in the service of his country on September 30, 1968 in Quang Duc Province, Vietnam. PFC Harrison was 21 years old. Deputy Mayor Kula also asked for a motion to approve the purchase of a brick

to be placed at the Hardyston Township Veteran's Memorial at the Municipal Building in his memory. A motion on both was made by Hamilton, 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 speak into their microphones during the meetings because he has a hard time hearing what is being said. Mr. Schweighardt also asked who is responsible for Crystal Spring Road. He stated that he has noticed cars going over the speed limit and creating a dangerous situation. Township Manager stated that Crystal Springs Road is the property of the Homeowner's Association but the Hardyston Township Police Department has the authority to issue tickets for traffic violations.

A resident of Shauger Terrace asked the Council about the progress of the demolition of the house on Shauger Terrace that was involved in a house fire back in January. He stated that it is an unsafe situation. Council and Township Attorney stated that they have been taking the appropriate steps in resolving this issue. 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 8:05 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk