

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON AUGUST 10, 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 Fred Semrau of Dorsey & Semrau.

SALUTE THE FLAG

SWEARING IN CEREMONY: Promotion to Sergeant – Alan Carbery – Mayor Hamilton administered the Oath of Office.

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 – July 2016
2. Construction Certificate Activity Report – July 2016
3. Construction Permit Activity Report – Hardyston – July 2016
4. Construction Permit Activity Report – Hamburg – July 2016
5. Construction Permit Activity Report – Franklin – July 2016
6. Construction Permit Activity Report – Newton – July 2016
7. Construction Permit Activity Report – Sussex – July 2016
8. Construction Permit Activity Report – Wantage – July 2016
9. SCHED Report – June 2016
10. Littell Community Center Report – Mid-Year Report 2016
11. Littell Community Center Report – July 2016
12. Land Use Report – July 2016
13. Police Department Report – July 2016
14. Municipal Court Report – July 2016

Agreements/Applications/Licenses:

1. Raffle License – Nicholas Wihlborg Foundation, Inc.
2. Raffle License – St. Monica's R.C. Church
3. Fire Department New Member Application – Leah Struble and Matthew Crum
4. Amusement License – Anthony Pignataro Corp. (Tony's)

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

ORDINANCES

1st READING: 2016-10

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 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:

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<u>POSITION</u>	<u>MINIMUM HOURLY</u>	<u>MAXIMUM HOURLY</u>
Utility Billing Specialist	\$10.00	\$27.00

A motion was made by Miller to approve Ordinance 2016-10 on first reading, seconded by Verrilli. All in favor with Cicerale and Kula abstaining. Motion carried.

ORDINANCES

2nd READING: **None**

NEW BUSINESS:

- A. Proclamation recognizing Nicholas DaSilva for surviving his battle with cancer and declaring the month of September as Childhood Cancer Awareness Month in Hardyston Township

**PROCLAMATION RECOGNIZING NICHOLAS DASILVA FOR SURVIVING HIS BATTLE WITH
CANCER AND DECLARING THE MONTH OF SEPTEMBER AS CHILDHOOD CANCER AWARENESS
MONTH IN HARDYSTON TOWNSHIP**

WHEREAS, Nicholas DaSilva, of the Township of Hardyston, New Jersey bravely fought and is in remission from Burkett's Lymphoma – Non Hodgkin's Lymphoma, a form of pediatric cancer; and

WHEREAS, in gratitude to all those who helped him and his family on his journey to recovery the DaSilva family and the Township of Hardyston would like to help raise awareness for childhood cancer; and

WHEREAS, each year, pediatric cancer interrupts the childhood and limits the potential of thousands of young Americans, and it remains the leading cause of disease-related death for children; and

WHEREAS, September as been declared as National Childhood Cancer Awareness Month and in effort to raise awareness everyone is encouraged to go GOLD to show support and promote recognition of those young lives affected by cancer; and

WHEREAS, during Childhood Cancer Awareness Month, we come together to remember all those whose lives were cut short by pediatric cancer, to recognize the loved ones who know too well the pain it causes, and to support every child and every family battling cancer each day. We join with their loved ones and the researchers, health care providers, and advocates who support them as we work toward a tomorrow where all children are able to pursue their full measure of happiness without the burden of cancer.;

NOW THEREFORE, BE IT PROCLAIMED, by the Mayor and Council of the Township of Hardyston that it hereby recognizes

***NICHOLAS DASILVA & THE DASILVA FAMILY
FOR SURVIVING CHILDHOOD CANCER
BE IT FURTHER PROCLAIMED THAT
SEPTEMBER 2016
SHALL BE KNOWN AS
CHILDHOOD CANCER AWARENESS MONTH
IN THE TOWNSHIP OF HARDYSTON***

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

- B. Resolution #49-16 – Resolution accepting the proposal submitted by Zitone Construction & Supply Co., Inc. as the lowest responsible bidder for performance of the Firehouse Expansion 2016 Project, including all alternates

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RESOLUTION #49-16

**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 ZITONE CONSTRUCTION & SUPPLY CO., INC. AS THE LOWEST
RESPONSIBLE BIDDER FOR PERFORMANCE OF THE FIREHOUSE EXPANSION 2016
PROJECT, INCLUDING ALL ALTERNATES**

WHEREAS, pursuant to authorization by the Mayor and Township Council of the Township of Hardyston, the Township received sealed competitive bids for the performance of the firehouse expansion project, including all alternates; and

WHEREAS, in response to the "Notice to Bidders" the Township received four (4) bids; and

WHEREAS, said bids have been duly reviewed and analyzed by the Director of Public Works, architect Charles Schaffer and the Township Attorney; and

WHEREAS, the bid received from the lowest responsible bidder, Zitone Construction & Supply Co., Inc., 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

WHEREAS, the Chief Financial Officer has certified as to the availability of funds and encumbrances for this purchase shall come from account Ordinance #2014-14.

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 Zitone Construction & Supply Co., Inc. in an amount not to exceed \$700,000.00.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a contract for a total amount not to exceed of \$700,000 to Zitone Construction & Supply Co., Inc., in accordance with its bid for the performance of the firehouse expansion project, including all alternates.
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.

This Resolution shall take effect immediately.

Township Manager and Mayor Hamilton recused themselves from the discussion regarding this item. Deputy Mayor Kula asked for a motion regarding the above resolution. A motion was made by Miller to approve the resolution as presented, seconded by Verrilli. All in favor with Hamilton abstaining. Motion carried.

- C. Resolution #50-16 – NJDEP Treatment Works Application – Consent By Governing Body – Sussex Borough Sewer Main Replacement Along Carriage Lane, Block 63, Lot 1.05

RESOLUTION #50-16

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

- NJDEP Treatment Works Application – Consent By Governing Body – Sussex Borough Sewer Main Replacement Along Carriage Lane, Block 63, Lot 1.05

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

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- D. Resolution #51-16 – Resolution authorizing the transfer of a soil removal license from Shotmeyer Brothers, Inc. to Beaver Run Farms, Inc.

RESOLUTION #51-16

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING
THE TRANSFER OF A SOIL REMOVAL LICENSE FROM SHOTMEYER
BROTHERS, INC. TO BEAVER RUN FARMS, INC.**

WHEREAS, the Mayor and Council authorized a Soil Removal License to Shotmeyer Brothers, Inc. with respect to Block 69, Lot 2.01 on January 13, 2016; and

WHEREAS, the Township has been advised that Shotmeyer Brothers, Inc. has requested that the Soil Removal License be transferred to Beaver Run Farms, Inc. which is owned and operated by the same principals as Shotmeyer Brothers, Inc., the present license holder; and

WHEREAS, the Administration recommends that this transfer be permitted provided that all the obligations of said Soil Removal License, as well as the necessary bonds that have been posted with the Township, shall be the obligation of Beaver Run Farms, LLC.

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. The Soil Removal License issued to Shotmeyer Brothers, Inc. regarding Block 69, Lot 2.01 is hereby approved to be transferred to Beaver Run Farms, Inc. subject to the same conditions, requirements and obligations, including but not limited to the Hardyston Township Code.
2. This transfer is subject to Beaver Run Farms, Inc. posting all required Restoration Bonds in accordance with the Township Code prior to the transfer of the subject Soil Removal License.

The resolution shall take effect immediately.

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

E. Correspondence

1. Sandyston Township
2. Hamburg Borough
3. West Milford Township
4. Lafayette Township
5. Fredon Township
6. Bloomingdale Borough
7. Franklin Borough
8. County of Sussex
9. State of NJ
10. State of NJ
11. Jersey Central Power & Light

A motion was made by Miller to approve the correspondence as presented, seconded by Kula. 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 Marty Schweighardt inquired as to the status of

the street light at the entrance to the municipal building. Township Manager stated that the project has been approved by JCP&L and we are awaiting installation. Fire Chief, John Giannone thanked the Council for all of their support of the Hardyston Township Volunteer Fire Department. 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 7:40 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk