

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
NOVEMBER 9, 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 Susan Sharpe 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. Raffle License – PTA Hamburg
2. Fire Department New Member Application – Allyson Handabaka; Ryan M. Card

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

ORDINANCES

1st READING: None

ORDINANCES

2nd READING: None

NEW BUSINESS:

A. Tax Collector Resolution

1. Resolution #67-16 – Discharge Tax Sale Certificate #75-12 in the amount of \$450.96 for 141 Old Prospect School Road, Block 75, Lots 72.01, 72.02 and 72.02 QFarm

RESOLUTION #67-16

WHEREAS, a request for a lien redemption on a Township Held Lien # 75-12 in the amount of \$ 450.96 dated December 4, 1975 for property located at 141 Old Prospect School Road, Hardyston Township Block 75 Lots 72.01, 72.02 and 72.02 QFarm, and

WHEREAS, these parcels have been sold and the certificate needs to be cancelled from record. The Tax Collector has researched the archives and is unable to locate any paper work or the original tax sale certificate to determine the discharge, and

WHEREAS, the Tax Collector needs to prepare a Discharge of Certificate of Sale For Unpaid Municipal Liens to be filed with the Sussex County Clerk's Office to discharge Tax Title Lien # 75-12.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston That the Tax Collector be authorized to prepare and file the proper discharge for Tax Sale Certificate # 75-12 in the amount of \$ 450.96.

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

- B. Resolution #68-16 – Resolution accepting a maintenance bond in the amount of \$74,400.00 from Crystal Springs Builders, LLC, and authorizing release of performance bond #929487953 in the amount of \$126,849.24 and cash bond in the amount of \$14,094.36 for the Bourne at Crystal Springs

RESOLUTION #68-16

RESOLUTION ACCEPTING A MAINTENANCE BOND IN THE AMOUNT OF \$74,400.00 FROM CRYSTAL SPRINGS BUILDERS, LLC AND AUTHORIZING RELEASE OF PERFORMANCE BOND #929487953 IN THE AMOUNT OF \$126,849.24 AND CASH BOND IN THE AMOUNT OF \$14,094.36 FOR THE BOURNE AT CRYSTAL SPRINGS

WHEREAS, as part of the Planning Board approval, Crystal Springs Builders, LLC was required to post performance bonds for site improvements associated with the residential section of Crystal Springs known as The Bourne; and

WHEREAS, Crystal Springs Builders, LLC has posted performance bond #929487953 and a cash bond in compliance with the Planning Board approval and upon the recommendation of the Township Engineer; and

WHEREAS, Crystal Springs Builders, LLC has requested a release of these bonds due to completion of improvements; and posting of a maintenance bond in the amount of \$74,400.00 for a period of two years as recommended by the Township Engineer; and

WHEREAS, the Township Engineer has reviewed the request of Crystal Springs Builders, LLC and has found the improvements in the Bourne at Crystal Springs to be complete and in good condition; and

WHEREAS, the Township Engineer has recommended release of this performance bond.

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that the maintenance bond be accepted and the performance and cash bond be released in accordance with the recommendation of the Township Engineer.

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

- C. Resolution #69-16 – Resolution amending Police Standard Operating Procedures

RESOLUTION #69-16

RESOLUTION AMENDING POLICE STANDARD OPERATING PROCEDURES ENTITLED ADMINISTRATION, SELECTION PROCESS, VOLUME 1, CHAPTER 3 IN ITS ENTIRETY

BE IT RESOLVED by the Township Council of the Township of Hardyston that the Police Standard Operating Procedures entitled Administration, Selection Process, Volume 1, Chapter 3 be amended in its entirety.

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

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D. Resolution #70-16 – 2016 Budget Transfers

Township of Hardyston
Resolution #70-16

Now, Therefore be it resolved by the Township Council of the Township of Hardyston, State of New Jersey, That the following 2016 Budget Appropriation Payable transfers be authorized:

From:	Amount	To	Amount
Construction S&W	\$8,000.00	Administration S&W	\$8,000.00
EMS OE	\$28,000.00	Computer Tech OE	\$28,000.00
Gypsy Moth Suppression	\$3,258.85	Buildings & Grounds OE	\$3,258.00
EMS OE	\$8,900.00	Buildings & Grounds OE	\$8,900.00
Waiver Health Insurance	\$10,000.00	Buildings & Grounds OE	\$10,000.00
Insurance Other Premiums	\$3,506.00	Buildings & Grounds OE	\$3,506.00
Disability Insurance	\$2,100.00	Buildings & Grounds OE	\$2,100.00
Senior Citizen Bus Service	\$6,500.00	Buildings & Grounds OE	\$6,500.00
Senior Citizen Bus Service	\$3,000.00	Streets & Roads OE	\$3,000.00
Gasoline	\$30,000.00	Streets & Roads OE	\$30,000.00
Totals	\$103,264.85		\$103,264.00

A motion was made by Kula to approve the resolution 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 Miller. 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 9th day of November, 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.
 - () 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.

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- (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: Cicerale
 Seconded by: Kula

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

Motion carried.

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

ADJOURNMENT: A motion was made by Miller to adjourn at approximately 7:45 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
 Municipal Clerk