

MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON DECEMBER 14, 2016

The meeting was called to order by Mayor Hamilton at approximately 7:50 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 – October 2016
2. Municipal Clerk Report – November 2016
3. Tax Collector Report – October 2016
4. Tax Collector Report – November 2016
5. Construction Certificate Activity Report – October 2016
6. Construction Certificate Activity Report – November 2016
7. Construction Permit Activity Report – Hardyston – October 2016
8. Construction Permit Activity Report – Hamburg – October 2016
9. Construction Permit Activity Report – Franklin – October 2016
10. Construction Permit Activity Report – Newton – October 2016
11. Construction Permit Activity Report – Sussex – October 2016
12. Construction Permit Activity Report – Wantage – October 2016
13. Construction Permit Activity Report – Hardyston – November 2016
14. Construction Permit Activity Report – Hamburg – November 2016
15. Construction Permit Activity Report – Franklin – November 2016
16. Construction Permit Activity Report – Newton – November 2016
17. Construction Permit Activity Report – Sussex – November 2016
18. Construction Permit Activity Report – Wantage – November 2016
19. SCHED Report – October 2016
20. Littell Community Center Report – October 2016
21. Littell Community Center Report – November 2016
22. Land Use Report – October 2016
23. Land Use Report – November 2016
24. Police Department Report – October 2016
25. Municipal Court Report – October 2016
26. Police Department Report – November 2016
27. Smoke/CO Inspections & Non-Life Hazards – Hardyston – Annual Report
28. Smoke/CO Inspections & Non-Life Hazards – Hamburg – Annual Report
29. Non-Life Hazards – Sussex – Annual Report
30. Non-Life Hazards – Wantage – Annual Report
31. Municipal Court Report – November 2016

Minutes:

1. Regular Minutes of 9/28/16
2. Regular Minutes of 10/26/16
3. Regular Minutes of 11/9/16
4. Executive Minutes of 11/9/16

Agreements/Applications/Licenses:

1. Trailer Court License Renewal – Stanley Tabaka

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

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ORDINANCES

1st READING: None

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2nd READING: None

NEW BUSINESS:

A. Tax Collector Resolutions

1. Resolution #71-16 – Cancel Taxes – Township of Hardyston – 118 Wheatsworth Road

RESOLUTION # 71-16

WHEREAS, the Township of Hardyston has purchased property at 118 Wheatsworth Road, Hardyston, and

WHEREAS, the 2016 taxes for this parcel need to be canceled as this is an exempt property effective 1/1/16.

WHEREAS, the Tax Collector is requesting that she be able to cancel the amount of \$ 1,119.99 for taxes and interest.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to cancel the 2016 taxes and interest on property that was purchased by the Township.

2. Resolution #72-16 – Various Deduction Refunds

RESOLUTION # 72-16

WHEREAS, the following parcels have paid their 2016 taxes in full, and

WHEREAS, the homeowners have been approved for Vet Deductions, Widow of Veteran and a Senior Citizen Deduction and are entitled to a refund of \$ 250.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to refund the following homeowners for deductions that they are entitled to.

BLOCK	LOT	QUAL	NAME	ADDRESS	AMOUNT
20	49		Philip Chaing	6 Campbell Dr	\$ 250.00
17.06	3	CW101	Ronald Testa	12 Tillbrook Ct	250.00
67.06	1.19		Alissa Albert	26 Bitter Root Tr	250.00
67.28	1.17		Marie Thompson	86 Indian Field Dr	250.00
17.01	36		Steven Oakes	72 Tannery Hill Dr	250.00

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

B. Resolution #73-16 – Hazard Mitigation Plan

RESOLUTION #73-16

WHEREAS the **Township of Hardyston**, New Jersey, has experienced natural hazards that result in public safety hazards and damage to private and public property;

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WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* (HMP) has been developed by the Mitigation Steering and Planning Committees;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the Sussex County website so as to introduce the planning concept and to solicit questions and comments; and to present the HMP and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the **Mayor and Council** of the **Township of Hardyston**:

1. The *Sussex County Multi-Jurisdictional Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on **May 31, 2016*** by the Sussex County Sheriff's Office, Division of Emergency Management, is hereby adopted as an official plan of the **Township of Hardyston**; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The **Township of Hardyston** departments identified in the HMP are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the HMP shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Township of Hardyston**, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Sussex County Deputy OEM Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Sussex County Sheriff's Office, Division of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

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

- C. Resolution #74-16 – Farmland Preservation – Thomas Mulvaney – Block 74, Lots 7.05, 7.06, 7.07 (approx. 55 acres)

RESOLUTION #74-16

BE IT RESOLVED that the Mayor and Council of the Township of Hardyston, in the County of Sussex, State of New Jersey, does hereby express its support for the Farmland Preservation program and gives final approval of the following application(s).

BE IT ALSO RESOLVED that approval is given for this application to be submitted to the State Agriculture Development Committee by the Sussex County Agriculture Development Board for county reimbursement consideration when state funding for farmland preservation is available.

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Thomas Mulvaney

Block 74, Lots 7.05, 7.06 & 7.07
± 55 acres

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

D. Tax Collector Resolution

1. Resolution #75-16 – Cancel Liens – 120 Scenic Lake Road

RESOLUTION # 75-16

WHEREAS, a request for a lien redemption on 2 Township Held Liens TSC # 940004 in the amount of \$ 134.47 dated June 6, 1994 for property located at 120 Scenic Lake Road Qfarm, and TSC #930004 in the amount of 575.38 dated April 27, 1993 for property at 120 Scenic Lake Road Rear, and

WHEREAS, these parcels have been sold and the certificates need to be cancelled from record. The Tax Collector has researched the archives and is unable to locate any paper work to determine the discharge, and

WHEREAS, the Tax Collector needs to have the original Tax Sale Certificates to be filed with the Sussex County Clerk's Office to have these cancelled.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that the Tax Collector be authorized to have TSC # 930004 and TSC # 940004 filed with the Sussex County Clerk's Office to have them cancelled.

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

E. Resolution #76-16 – Disposal of Surplus Property

**Resolution #76-16
Authorizing Disposal of Surplus Property**

WHEREAS, the Hardyston Township is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Hardyston Township Council is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

NOW THEREFORE, be it **RESOLVED** by the Hardyston Township Council, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from Hardyston Township.

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(2) The sale will be conducted online and the address of the auction site is govdeals.com.

(3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(4) A list of the surplus property to be sold is as follows:

2000 Ford Ambulance vin-1FDWE35F0YHA87899

1998 Ford Ambulance vin-1FDWE30FXWHB46848

2006 Ford Ambulance vin- 1FDXE45P06DAZ0632

2003 Ford Ambulance Vin- 1FDXE45F73HB83628

1994 Pierce Fire Truck Vin- 4P1cT02U9RA000601

1996 International Chassis- 1HTGBAAR7VH462482

4- Stryker Power Pro XT Stretchers

2- Stryker Stair Chairs

(5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(6) Hardyston Township reserves the right to accept or reject any bid submitted.

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

F. Resolution #77-16 – Budget Transfer Resolution

**Township of Hardyston
Resolution #77-16**

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
Police OE	\$19,000.00	Purchase of Police Cars OE	\$ 19,000.00
Police Uniforms E	\$ 7,000.00	Purchase of Police Cars OE	\$ 7,000.00
Police S&W	\$12,000.00	Purchase of Police Cars OE	\$ 12,000.00
Land Use S&W	\$ 2,200.00	Administration S&W	\$ 2,200.00
Zoning Board OE	\$ 2,000.00	Administration S&W	\$ 2,000.00
Construction S&W	\$ 2,800.00	Administration S&W	\$ 2,800.00
Construction S&W	\$ 200.00	Finance S&W	\$ 200.00
Construction S&W	\$ 950.00	Municipal Courts S&W	\$ 950.00
Construction S&W	\$ 1,450.00	Waiver Health Insurance	\$ 1,450.00
Construction S&W	\$ 20.00	Zoning Officer S&W	\$ 20.00

Recycling OE	\$ 7,200.00	Streets and Roads S&W	\$ 7,200.00
Tax Assessment S&W	\$ 468.00	Streets and Roads S&W	\$ 468.00
Social Security	\$ 3,000.00	Streets and Roads S&W	\$ 3,000.00
Recreation S&W	\$ 2,640.00	Streets and Roads S&W	\$ 2,640.00
Utility and Bulk Expense Diesel	\$29,000.00	Computer Tech & Maint OE	\$ 29,000.00
Tax Assessment OE	\$ 4,000.00	Pending Tax Appeals	\$ 4,000.00
Utility and Bulk Expense Diesel	\$21,000.00	Streets & Roads OE	\$ 21,000.00
Utility and Bulk Expense Gasoline	\$10,000.00	Streets & Roads OE	\$ 10,000.00
Utility and Bulk Expense Fuel Oil	\$ 5,000.00	Streets & Roads OE	\$ 5,000.00
Utility and Bulk Expense Nat. Gas	\$13,000.00	Streets & Roads OE	\$ 13,000.00
Utility and Bulk Expense Telephone	\$ 5,000.00	Streets & Roads OE	\$ 5,000.00
Communications OE	\$ 2,500.00	Streets & Roads OE	\$ 2,500.00
Recreation OE	\$ 9,000.00	Streets & Roads OE	\$ 9,000.00
Interlocal Littell Center S&W Hamburg	\$ 1,500.00	Streets & Roads OE	\$ 1,500.00
Utility and Bulk Expense Electric	\$ 3,000.00	Streets & Roads OE	\$ 3,000.00
Utility and Bulk Expense Electric	\$ 9,000.00	Utility and Bulk Expense St. Lighting	\$ 9,000.00
Utility and Bulk Expense Fuel Oil	\$12,000.00	Administration General OE	\$ 12,000.00
Totals	\$184,928.00		\$ 184,928.00

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

G. Resolution #78-16 – Hardyston Firehouse Expansion Project Change Orders

RESOLUTION #78-16

**RESOLUTION AUTHORIZING CHANGE ORDER FOR
FIREHOUSE EXPANSION PROJECT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that Change Order #1, #1A, 2 and 3 for the Hardyston Firehouse Expansion Project is hereby approved.

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

A motion was also made by Kula to cancel the December 28, 2016 Council meeting, seconded by Miller. All in favor. Motion carried.

H. Correspondence

1. Sparta Township
2. Hampton Township
3. Andover Township
4. Chester Borough
5. Hampton Township
6. Sparta Township
7. Sparta Township
8. Lafayette Township
9. Lafayette Township

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10. Sussex County Municipal Utilities Authority
11. State of NJ
12. State of NJ
13. State of NJ
14. State of NJ
15. 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. 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 8:00 p.m., seconded by Kula. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk