

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
JANUARY 11, 2017**

The meeting was called to order by Mayor Kula at approximately 7:35 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 Miller, Councilman Cicerale, Councilman Verrilli, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Dawn Sullivan of Dorsey & Semrau. Councilwoman Hamilton was absent from this meeting.

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. R & R Radar, Inc. – Traffic Radar Maintenance Agreement - Police Department
2. Security Design Group, LLC/Meridien – Service Agreement - Access Control & Security Alarm System – Police Department
3. Morpho Trak, Inc. – Maintenance and Support Agreement – Police Dept.
4. KML Technology – 911 Emergency Phone System Service Agreement - Police Department
5. WTH Technology, Inc. – Think GIS Client Support Agreement – Police Dept.
6. Trailer Court License Renewal – Eileen & Russell Post
7. Trailer License Renewal – Elizabeth McDole

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

NEW BUSINESS:

- A. Resolution #10-17 – Resolution authorizing the execution of the following shared service agreements:
1. Chief Financial Officer – Sparta Township
 2. Land Use Administrator – Andover Township
 3. Animal Control – Wantage Township

RESOLUTION #10-17

**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. Chief Financial Officer – Sparta Township
- b. Land Use Administrator – Andover Township
- c. Animal Control – Wantage Township

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

- B. Resolution #11-17 – Crystal Springs – Various Bond Estimate Updates

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RESOLUTION #11-17

WHEREAS, as part of the Planning Board approval Crystal Springs Builders was required to post performance bonds associated with various site plan approvals for the Crystal Springs Development; and

WHEREAS, Crystal Springs Builders has posted performance bonds in compliance with the various planning board approvals and upon the recommendation of the Township Engineer; and

WHEREAS, Crystal Springs Builders is proposing to refinance the current bonds in place; and

WHEREAS, the Township Engineer has visited each of the sites and reviewed the estimates used to establish the existing performance bonds; and

WHEREAS, the Township Engineer has updated the estimates and recommends that Crystal Springs Builders replace the current performance bonds in accordance with the following performance bond estimate updates:

Performance Bond Description	Current Bond Amount	Surety	Cash	New Bond Amount	Surety	Cash
Angel Fire	\$58,295.16	\$52,465.00	\$5,829.52	\$115,791.30	\$104,212.64	\$11,579.13
Balmoral Estates - Phase 1	\$131,730.00	\$118,557.00	\$13,173.00	\$259,078.20	\$233,170.38	\$25,907.82
Balmoral Estates - Phase 2	\$51,420.00	\$46,278.00	\$5,142.00	\$76,881.00	\$69,192.90	\$7,688.10
Bracken	\$54,108.00	\$48,697.20	\$5,410.80	\$78,881.50	\$70,984.25	\$7,887.50
Cedars	\$44,388.00	\$39,949.20	\$4,438.80	\$50,789.25	\$45,710.33	\$5,078.93
Craige	\$42,300.00	\$38,070.00	\$4,230.00	\$84,958.56	\$76,462.70	\$8,495.86
Craige - Phase 2	\$61,690.50	\$55,521.45	\$6,190.05	\$34,521.57	\$31,069.41	\$3,452.16
Grande Cascades Subdivision	\$150,000.00	\$135,000.00	\$15,000.00	\$18,000.00	\$162,000.00	\$18,000.00
Heavenly Glen	\$35,310.69	\$31,779.62	\$3,531.07	\$100,436.33	\$90,392.69	\$10,436.33
Inverness	\$333,866.40	\$300,479.76	\$33,386.64	\$77,867.33	\$70,080.59	\$7,786.73
Miscellaneous Improvements	\$161,810.04	\$145,629.04	\$16,181.00	\$131,100.00	\$117,990.00	\$13,110.00
Tarryall	\$37,917.00	\$34,125.30	\$3,791.70	\$180,069.39	\$162,062.45	\$18,006.94
Tarn	\$20,352.00	\$18,316.80	\$2,035.20	\$31,924.08	\$28,731.67	\$3,192.41
Wentworth/Oaks	\$78,048.00	\$70,243.20	\$7,804.80	\$76,295.43	\$68,665.89	\$7,629.54
Wild Turkey Way Realignment	\$257,064.00	\$231,357.60	\$25,706.40	\$306,148.80	\$275,533.60	\$30,614.88

NOW THEREFORE BE IT RESOLVED by the Hardyston Township Council that the performance bonds and cash bonds be updated in accordance with the recommendation of the Township Engineer.

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

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C. 2017 Soil Removal/Quarry License/Junkyard/Auto Auction Renewals:

1. Beaver Run Farms (Stavola) – Soil Removal & Quarry – Block 68, Lot 3
2. Beaver Run Farms (Stavola) – Soil Removal – Block 69, Lot 2.01
3. Eastern Concrete Materials, Inc. – Quarry
4. North Church Gravel, Inc. – Soil Removal
5. Central Auto Liquidators - Junkyard/Auto Auction

A motion was made by Miller to approve all of the above license renewals with the provision that significant restoration work be done during 2017 to bring the North Church Gravel, Inc. site into compliance with the provisions of their permit based on the recommendation of the Township Engineer, 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 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 11th day of January, 2017, 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.
 - (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: Miller

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MOTION	YES	NO	ABSTAIN	ABSENT
Miller	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Hamilton	<u> </u>	<u> </u>	<u> </u>	<u> x </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 Cicerale to come out of Executive Session, seconded by Verrilli. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Verrilli to adjourn at approximately 8:05 p.m., seconded by Miller. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk