

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
FEBRUARY 8, 2017**

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

SALUTE THE FLAG

NEW BUSINESS:

- A. Resolution #15-17 – Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Davis Road Resurfacing Project

A motion was made by Hamilton to approve the resolution as presented, seconded by Cicerale with Verrilli abstaining. All in favor. Motion carried. A copy of the resolution is on file in the Clerk's office.

- B. Resolution #16-17 – NJDEP Treatment Works Application – Consent By Governing Body – Lake Gerard Co., LLC – 226 West Shore Drive – Single Family Septic System

RESOLUTION #16-17

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 – Lake Gerard Co., LLC – 226 West Shore Drive — Single-Family Septic System

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

- C. Resolution #17-17 – Remington & Vernick – Proposal for tax map maintenance services for tax year 2017

RESOLUTION #17-17

**RESOLUTION ACCEPTING PROPOSAL FROM REMINGTON & VERNICK ENGINEERS FOR TAX
MAP MAINTENANCE SERVICES**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the following proposal is hereby accepted:

- Remington & Vernick Engineers – Proposal for Tax Map Maintenance/Revisions services for the Township of Hardyston for Tax Year 2017

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

- D. Resolution #18-17 – Resolution authorizing execution of an agreement with the Morris County Cooperative Pricing Council to renew membership therein for the period of October 1, 2016 through September 30, 2021

A motion was made by Verrilli to approve the resolution as presented, seconded by Cicerale. All in favor. Motion carried. A copy of the resolution is on file in the Clerk's office.

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
FEBRUARY 8, 2017**

- E. Resolution #19-17 – Resolution authorizing an amendment to the Developer’s Agreement for Emerald Estates dated July 1, 2008 to extend the time to complete the site improvements until June 30, 2020

RESOLUTION #19-17

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF
HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY,
AUTHORIZING AN AMENDMENT TO THE DEVELOPER’S AGREEMENT FOR
EMERALD ESTATES DATED JULY 1, 2008 TO EXTEND THE TIME TO
COMPLETE THE SITE IMPROVEMENTS UNTIL JUNE 30, 2020**

WHEREAS, Emerald Estates subdivision, located at Block 64, Lot 27, originally received approval to complete the project by June 30, 2011; and

WHEREAS, on July 9, 2014, the Mayor and Township Council approved a second extension of time to complete the site improvements for this project, which would expire on July 1, 2017; and

WHEREAS, the developer has now requested an additional extension of time to complete the improvements; and

WHEREAS, the Township Engineer has inspected the project and is of the opinion that the request for an extension to complete the improvements will not create any safety concerns to the general public; and

WHEREAS, the Township Engineer has reviewed the current performance bond associated with the site work and has updated the estimates and has advised the council that he believes that the current performance bond should be updated to reflect the new amount as indicated in the updated performance bond estimate, dated January 18, 2017 and attached hereto. He also recommends an extension to complete this project for an additional three years, to June 30, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey, that the Township Manager is hereby authorized to extend the developer’s agreement from July 1, 2017 to June 30, 2020

BE IT FURTHER RESOLVED, that the extension is subject to all other conditions of the current developer’s agreement on file with the municipality.

This Resolution shall take effect immediately.

A motion was made by Hamilton to approve the resolution 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 Hamilton. 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. Hardyston resident and student of Wallkill Valley Regional High School, Garrett Koch, stated that he will be running for the 2017-2018 New Jersey FBLA (Future Business Leaders of America) State Community Service Vice President in March at the New Jersey FBLA State Conference. After sharing some background information about himself and the organization with the Council, he stated that he was hoping that the Township of Hardyston could sponsor his campaign to defray campaign costs. He stated that the maximum amount any candidate may spend on their campaign is \$500.00. Councilman Kula recused himself from the discussion. A motion was made by Verrilli to have the Township sponsor Garrett Koch’s campaign with a scholarship award in the amount of \$250.00, seconded by Cicerale. All in favor with Kula recusing himself from the discussion and the vote. Motion carried. A motion was made and seconded to close the meeting to the public. All in favor. Motion carried.

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FEBRUARY 8, 2017**

EXECUTIVE SESSION:

BE IT RESOLVED by the Township Council of the Township of Hardyston on the 8th day of February, 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: Verrilli

MOTION	YES	NO	ABSTAIN	ABSENT
Miller	_____	_____	_____	___X___
Hamilton	___X___	_____	_____	_____
Kula	___X___	_____	_____	_____
Cicerale	___X___	_____	_____	_____
Verrilli	___X___	_____	_____	_____

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 Hamilton to adjourn at approximately 7:40 p.m., seconded by Cicerale. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk