

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JUNE 14, 2017**

The meeting was called to order by Mayor Kula at approximately 7:55 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, Councilwoman Hamilton, 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 – May 2017
2. Tax Collector Report – May 2017
3. Construction Certificate Activity Report – May 2017
4. Construction Permit Activity Report – Hardyston – May 2017
5. Construction Permit Activity Report – Hamburg – May 2017
6. Construction Permit Activity Report – Franklin – May 2017
7. Construction Permit Activity Report – Newton – May 2017
8. Construction Permit Activity Report – Sussex – May 2017
9. Construction Permit Activity Report – Wantage – May 2017
10. Littell Community Center Report – May 2017
11. Sussex County Health Department Report – April 2017
12. Land Use Report – May 2017
13. Police Department Report – May 2017
14. Municipal Court Report – May 2017

**Agreements/Applications/Licenses:**

1. Raffle License – The Calais Foundation
2. Raffle License - St. Francis de Sales R.C. Church
3. Raffle License – The Craig School

A motion was made by Verrilli 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. Resolution #38-17 – 2017 – 2018 Annual Liquor License Renewals**

1. Anthony Pignataro Corp. – #1911-33-004-006
2. RBAA, LLC - #1911-44-003-010
3. Crystal Springs Beverages, Inc.- #1911-33-006-009
4. HGF, Inc.- #1911-33-005-009
5. Grand Cascades Lodge Liquor, LLC - #1911-36-007-001

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**RESOLUTION #38-17  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2017, for a one year period; and

**WHEREAS**, all necessary fees and documentation have been properly filed with the Hardyston Township Municipal Clerk; and

**NOW THEREFORE BE IT RESOLVED** that the Liquor License shall be renewed for a period of one year effective July 1, 2017 for the following license holders.

1. Anthony Pignataro Corp. – #1911-33-004-006
2. RBAA, LLC - #1911-44-003-010
3. Crystal Springs Beverages, Inc.- #1911-33-006-009
4. HGF, Inc.- #1911-33-005-009
5. Grand Cascades Lodge Liquor, LLC - #1911-36-007-001

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

**B. Resolution #39-17 – 2017 – 2018 Annual Liquor License Renewal**

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-010 (Pocket License)

**RESOLUTION #39-17  
HARDYSTON TOWNSHIP  
LIQUOR LICENSE RENEWAL**

**WHEREAS**, the following Liquor License is to be renewed effective July 1, 2017, for a one year period; and

**WHEREAS**, all necessary fees and documentation have been properly filed with the Hardyston Township Municipal Clerk; and

**NOW THEREFORE BE IT RESOLVED** that the Liquor License shall be renewed for a period of one year effective July 1, 2017 for the following license holder pursuant to N.J.S.A. 33:1-12.39.

1. Hamburg Golf Course Beverage, Inc. - #1911-33-002-010

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

**C. Resolution #40-17 – Resolution authorizing the Recycling Coordinator to file the 2016 Recycling Tonnage Grant Application for the Township of Hardyston**

**RESOLUTION #40-17**

**RESOLUTION AUTHORIZING THE RECYCLING COORDINATOR TO  
FILE THE 2016 RECYCLING TONNAGE GRANT APPLICATION FOR  
THE TOWNSHIP OF HARDYSTON**

**WHEREAS**, the Mandatory Source Separation and Recycling Act, P.L. 1987, c. 102, has established a recycling fund from which tonnage grants may be made available to municipalities in order to encourage local source separation and recycling programs; and

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WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs; and

WHEREAS, the New Jersey Department of Environmental Protection and Energy is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a Resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and indicate the assent of the Mayor and Council of the Township of Hardyston to the efforts undertaken by the municipality and requirements contained in the Recycling Act and Recycling Regulations; and

WHEREAS, such a Resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Township of Hardyston that Hardyston Township hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Robert F. Schultz, Recycling Coordinator for the Township of Hardyston, 149 Wheatsworth Road, Hardyston, NJ 07419 to assure that the said Application is properly filed.

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

D. Resolution #41-17 – Resolution awarding bid for Wits End Road Improvements

**RESOLUTION #41-17**

**A RESOLUTION OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX AND STATE OF NEW JERSEY, AUTHORIZING THE MAYOR AND TOWNSHIP COUNCIL TO ACCEPT A PROPOSAL SUBMITTED BY MIKE FITZPATRICK & SON, INC. AS THE LOWEST RESPONSIBLE BIDDER FOR THE WITS END ROAD RESURFACING PROJECT NO. 1213**

**WHEREAS**, the Township of Hardyston publicly advertised for bids in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., for the following project: Wits End Road Resurfacing Project No. 1213; and

**WHEREAS**, on the publicly advertised bid opening date, the Township received proposals from the following five (5) vendors:

(1) Top Line Construction Corp.	\$	165,189.94
(2) Smith-Sondy Asphalt Construction Co., Inc.		163,057.07
(3) Mark Paving Co., Inc.		149,333.42
(4) Mike Fitzpatrick & Son, Inc.		139,785.04
(5) C & V Paving Contractors, Inc.		154,840.00

and;

**WHEREAS**, said bids have been duly reviewed and analyzed by the Hardyston Township Attorney, Township Administration, and Township Engineer; and

**WHEREAS**, it has been determined that the lowest responsive bid received was from Mike Fitzpatrick & Son, Inc., which makes Mike Fitzpatrick & Son, Inc. the lowest responsible bidder; and

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**WHEREAS**, the Township Council is satisfied with the proposal submitted by Mike Fitzpatrick & Son, Inc. as satisfying the best interests of the Township and being in conformance with the requirements promulgated pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

**WHEREAS**, the Township wishes to proceed with this necessary project and for that purpose accepts the proposal submitted by Mike Fitzpatrick & Son, Inc.; and

**WHEREAS**, the Chief Financial Officer has certified that sufficient funds are available for this project.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Hardyston, in the County of Sussex and State of New Jersey, as follows:

1. The Township Committee does hereby authorize the issuance of a contract to Mike Fitzpatrick & Son, Inc. for performance of the Wits End Road Resurfacing Project No. 1213, at a total cost not to exceed \$139,785.04 as set forth in the proposal, subject to approval by the New Jersey Department of Transportation pursuant to the requirements of its municipal funding grant in the amount of \$160,000.00 for construction and other eligible costs for this project.
2. The Mayor and Township Clerk are specifically authorized to execute the aforementioned contract.
3. This Resolution and contract shall be available for public inspection in the office of the Township Clerk.

This Resolution shall take effect immediately upon adoption.

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

E. Proclamation – Rev. William B. Collins

**PROCLAMATION  
HONORING FATHER WILLIAM COLLINS ON HIS RETIREMENT  
AS PASTOR OF ST. JUDE THE APOSTLE AND  
NAMING SUNDAY, JUNE 25, 2017  
“FATHER WILLIAM COLLINS DAY”  
IN HARDYSTON TOWNSHIP**

**WHEREAS**, On Sunday, June 25, 2017, the parish of St. Jude the Apostle in Hardyston Township, New Jersey will honor their Pastor, The Reverend William Bernard Anthony Collins, on his retirement and return to his native County Galway, Ireland.

**WHEREAS**, The Reverend William Collins, known by his parishioners as “Father Bill” was appointed Pastor of St. Jude the Apostle Parish in Hardyston Township, New Jersey on November 1, 1988, where he has served ever since.

**WHEREAS**, During his tenure, Father Collins has overseen many construction projects, including: the parking lot extension in 1994, the parish kitchen in 1997 and the church exterior renovation in 2004.

**WHEREAS**, Under the pastorship of Father Collins, St. Jude the Apostle Church provided Spiritual Life Ministries to their community, including: Spiritual Life Committee, Prayer Shawl Ministry, Rosary Makers, Bible Study, Family Life, Focus, R.C.I.A., Renewal of Marriage Vows, Prayer Chain, Fostering Vocations Committee, and Rosary Society.

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**WHEREAS**, Under the pastorship of Father Collins, St. Jude the Apostle Church provided Social Ministries and Community Affairs engagement to their community, including: Youth Group, Seniors Group, Parish Dinners Volunteers, Picnic Volunteers, Basketball, Boy Scouts, Coffee and...

**WHEREAS**, Under the pastorship of Father Collins, St. Jude the Apostle Church provided Social Justice support to their community, including: Angel Tree, Food Pantry, Right to Life Committee, and Thanksgiving food drive.

**WHEREAS**, St. Jude the Apostle Church parishioners reside in Hardyston Township, the Borough of Hamburg, the Scenic Lakes area of Vernon, and Wantage. Presently there are 700 families registered at St. Jude the Apostle Church.

**THEREFORE**, the Hardyston Township Mayor and Council, honor Father Collins on his retirement and proudly declare Sunday, June 25, 2017, "Father William Collins Day." We congratulate him and thank him for his service to our community.

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

F. Correspondence

1. Mount Olive Township
2. State of NJ
3. State of NJ
4. State of NJ
5. State of NJ
6. State of NJ
7. State of NJ
8. Harbor Consultants, Inc.

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

**BILLS TO BE PAID:** A motion was made by Hamilton 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 14th day of June, 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.

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- ( ) 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. (Shared Services Agreement with Hamburg)
  - ( ) 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

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

**ADJOURNMENT:** A motion was made by Miller to adjourn at approximately 8:45 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
 Municipal Clerk