

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON JULY 12, 2017**

The meeting was called to order by Mayor Kula at approximately 9:42 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/Deputy Clerk Marianne Smith, 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 – Hardyston Township Volunteer Fire Department
2. New Member Application – Hardyston Township Volunteer Fire Department – Marc Indri

**Minutes:**

1. Regular Minutes of 2/22/17
2. Executive Minutes of 2/22/17
3. Workshop Minutes of 3/8/17
4. Regular Minutes of 3/8/17
5. Executive Minutes of 3/8/17
6. Regular Minutes of 3/22/17
7. Workshop Minutes of 4/12/17
8. Regular Minutes of 4/12/17
9. Executive Minutes of 4/12/17
10. Regular Minutes of 4/26/17
11. Executive Minutes of 4/26/17
12. Workshop Minutes of 5/10/17
13. Regular Minutes of 5/10/17

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

**ORDINANCES**

**1st READING:**

**2017-05**

**AN ORDINANCE OF THE TOWNSHIP OF HARDYSTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY AMENDING CHAPTER 94, FIRE PREVENTION, ARTICLE I, ENFORCEMENT OF UNIFORM FIRE SAFETY ACT, TO SPECIFY A LATE FEE FOR NON-PAYMENT OF ANNUAL REGISTRATION FEE FOR NON-LIFE-HAZARD USES**

**BE IT ORDAINED** by the Municipal Council of the Township of Hardyston, County of Sussex, State of New Jersey, as follows:

**SECTION 1.** Chapter 94, Fire Prevention, Section 94-10B, Inspections, permits and fees, of the aforesaid Revised General Ordinances is hereby amended and supplemented to read as follows:

**§94.10. Inspections, permits and fees.**

- B. Each nonresidential use that is not classified as a life-hazard use under N.J.A.C. 5:70-2.4 shall be registered with the Hardyston Township Fire Prevention Bureau. The owner of the premises and/or operator of the non-life hazard use shall submit a completed registration form and pay the fee set forth in the

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Hardyston Township Code, Chapter 88, Fees, prior to commencing operation of the non-life-hazard use. A penalty shall accrue, in addition to the registration fee, if a non-life hazard use is not so registered prior to commencing operation. The non-life-hazard use shall thereafter be registered annually during the month of January. A late registration penalty shall accrue on February 1, and a late fee of \$250 shall be assessed for non-payment of the annual registration fee.

**SECTION 2.** All ordinances of the Township of Hardyston which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** If any section, subsection, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid by any court or competent jurisdiction, such decision shall not affect the remaining portion of this ordinance.

**SECTION 4.** This Ordinance may be renumbered for purposes of codification.

**SECTION 5.** This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

A motion was made by Miller to approve Ordinance 2017-05 on first reading, seconded by Verrilli. All in favor. Motion carried.

**ORDINANCES**

**2nd READING:** None

**NEW BUSINESS:**

- A. Resolution #42-17 – Use of Building Agreement – Department of Military & Veterans Affairs, State of New Jersey, for Littell Community Center

**RESOLUTION #42-17**

**RESOLUTION AUTHORIZING THE EXECUTION OF THE FOLLOWING CONTRACT/AGREEMENT**

BE IT RESOLVED by the Township Council of the Township of Hardyston that the execution of the following contract/agreement is hereby authorized:

- 1. Use of Building Agreement with Department of Military & Veterans Affairs, State of New Jersey, for Littell Community Center

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

- B. Resolution #43-17 – Salary Resolution Amendment

**RESOLUTION #43-17**

**2017 SALARY & WAGES FOR TOWNSHIP OFFICIALS AND EMPLOYEES**

BE IT RESOLVED by the Hardyston Township Council that the annual salaries and wages effective June 1, 2017 shall be paid as follows:

<b><u>Position</u></b>	<b><u>Hourly Salary</u></b>
Secretary/Clerical (Hired After 6/1/17)	\$13.53

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

C. Resolution #44-17 – Shared Service Agreement Renewals - HTMUA

**RESOLUTION #44-17**

**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:

1. Administrative Services - HTMUA
2. Secretarial/Billing Services – HTMUA
3. Maintenance and Service – HTMUA

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

D. Board Appointment – HTMUA

A motion was made by Hamilton and seconded by Verrilli to appoint Michele Van Allen as an Alternate to the Hardyston Township Municipal Utilities Authority. All in favor. Motion carried.

E. Correspondence

1. Lafayette Township
2. Lafayette Township
3. Andover Township
4. Hampton Township
5. State of NJ

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

**BILLS TO BE PAID:** A motion was made by Hamilton 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.

**EXECUTIVE SESSION:**

**BE IT RESOLVED** by the Township Council of the Township of Hardyston on the 12th day of July, 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.
  - ( ) 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 10:13 p.m., seconded by Verrilli. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC  
 Municipal Clerk