

**MINUTES OF THE HARDYSTON TOWNSHIP COUNCIL MEETING HELD ON
JANUARY 10, 2018**

The meeting was called to order by Mayor Miller 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: Deputy Mayor Verrilli, Councilwoman Hamilton, Councilman Kula, Councilman Kaminski, Manager Marianne Smith, Clerk Jane Bakalarczyk and Township Attorney Fred Semrau of Dorsey & Semrau.

SALUTE THE FLAG

SWEARING IN CEREMONY: Paris Eliades – Municipal Judge

Superior Court Judge, Michael Gaus, administered the oath of office to Paris Eliades.

SERVICE AWARD PRESENTATION:

- 1. Carrine Kaufer – Planner/Deputy Manager – 10 Years**
- 2. Barbara Daniel – Construction Dept. – 10 Years**
- 3. Michael Petershock – Police Dept. – 10 Years**
- 4. Andrew Norman – Police Dept. – 10 Years**
- 5. Brad Worman – Police Dept. – 10 Years**
- 6. William Hickerson – Planning Board – 10 Years**
- 7. Stuart Cohen – Fire Dept. – 10 Years**
- 8. Robert Cook – Fire Dept. – 10 Years**
- 9. Robert Covert – Fire Dept. – 10 Years**
- 10. Christian Bonfiglio – Police Dept. – 20 Years**
- 11. Scott Holzhauer – Tax Assessor – 20 Years**
- 12. Gerald Laughlin – Zoning Board – 20 Years**

Mayor Miller and Deputy Mayor Verrilli presented the service awards to the recipients.

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. Gramco – Liberty Digital Interview Recording System – Police Dept.
7. Porter Lee Corp. – Crime Fighter BEAST Evidence Software – Police Dept.
8. Trailer Court License Renewal – Eileen & Russell Post

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

ORDINANCES

1st READING: 2018-01

**AN ORDINANCE OF THE COUNCIL OF THE TOWNSHIP OF
HARDYSTON AUTHORIZING THE SALE OF REAL
PROPERTY KNOWN AS BLOCK 16.15, LOT 1, Qualifier C0502
AS PART OF THE TOWNSHIP'S MARKET TO AFFORDABLE
HOUSING PROGRAM**

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Purpose Statement:

The purpose of this Ordinance shall be to authorize the sale of real property known as 26 Clubhouse Road, Block 16.15, Lot 1 C0502 in the Township of Hardyston to Buyer, Gail Babcock, as part of the Township's market to affordable housing program.

WHEREAS, the Township owns Block 67.15 Lot 1 C0502, 26 Clubhouse Road ("the property") in the Township of Hardyston ("Township" or "Hardyston"); and

WHEREAS, the property is a low-income housing unit that the Township desires to convey to Gail Babcock, 3 Seminole Road, Lafayette, NJ 07848 ("the Buyer") as part of the Township's Market to Affordable Housing Program; and

WHEREAS, the Township Council has determined that it should convey the property to the Buyer as part of the Township's Market to Affordable Housing Program for the purpose of addressing the Township's affordable housing obligations pursuant to the Township's Housing Element and Fair Share Plan and the New Jersey Council on Affordable Housing ("COAH") Substantive Rules (N.J.A.C. 5:97-1 et seq).

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Hardyston that the Township shall convey 26 Clubhouse, Block 16.15, Lot 1 C0502 in the Township to Buyer Gail Babcock, for consideration in the amount of \$95,000.00, and in accordance with the terms of a Contract for Sale to be executed by the Buyer and the Township.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that the Mayor and Council of the Township of Hardyston, the Township Manager and Clerk, the Township Housing Liason, and Vogel, Chait, Collins and Schneider, P.C., as Special Counsel to the Township of Hardyston are hereby authorized to prepare and execute any and all documentation to effectuate the sale of the property described herein.

Severability.

If any section, paragraph, subdivision clause or provision of this Ordinance shall be judged invalid, such adjudication shall apply only to that section, paragraph, sub-division, clause or provision and the remainder of the Ordinance shall be deemed valid and effective.

Effective Date.

This ordinance shall take effect after publication and passage in accordance with law.

A motion was made by Hamilton to approve Ordinance 2018-01 on first reading, seconded by Verrilli. All in favor. Motion carried.

ORDINANCES
2nd READING:

None

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NEW BUSINESS:

A. 2018 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 Kula to approve Items #1 - #4 without conditions, and to approve Item #5, the Junkyard License only, for a 6 month period with the provision to automatically extend the junkyard license to the end of the year if deemed appropriate by the Township Engineer, and to table the Auto Auction license until further review by the Council, seconded by Kaminski. All in favor with Verrilli abstaining. Motion carried.

B. Resolution #07-18 – Resolution authorizing the Township staff to process an involuntary disability retirement application

RESOLUTION #07-18

**AUTHORIZATION FOR THE TOWNSHIP STAFF TO PROCESS AN INVOLUNTARY
DISABILITY RETIREMENT APPLICATION**

WHEREAS, the Township of Hardyston has employed Michael Masters within its Police Department; and

WHEREAS, Michael Masters is an active member of the PFRS; and

WHEREAS, Michael Masters has 10 years and 10 months of PFRS Service Credit, meeting the minimum service credit requirement of at least 4 years for PFRS and SPRS members; and

WHEREAS, the Township staff is of the opinion that Michael Masters is totally and permanently disabled and no longer can perform his or her assigned duties based on the documentation supplied by professionals and historical information provided by the employee, treating physicians and treatment care providers; and

WHEREAS, the Township of Hardyston is unable to provide an alternative to the PFRS covered position with duties capable of being performed by Michael Masters; and

WHEREAS, the Hardyston Township Chief of Police has consented to the processing of the Involuntary Disability Retirement application;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of this location that the Township Manager of Hardyston Township process an Involuntary Disability Retirement application for Michael Masters within the Hardyston Township Police Department.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to all parties involved in the administration of this action.

A motion was made by Hamilton to approve the resolution as presented, seconded by Verrilli. 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.

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EXECUTIVE SESSION:

BE IT RESOLVED by the Township Council of the Township of Hardyston on the 10th day of January, 2018, 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. (Eastern Concrete Materials, Inc. Tax Appeal)
 - (X) b. (8) Personnel matters. (Employee health benefits; Involuntary disability retirement application)
 - () 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: Verrilli
Seconded by: Hamilton

MOTION	YES	NO	ABSTAIN	ABSENT
Hamilton	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Kula	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Miller	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Verrilli	<u> x </u>	<u> </u>	<u> </u>	<u> </u>
Kaminski	<u> x </u>	<u> </u>	<u> </u>	<u> </u>

Motion carried.

A motion was made by Kula to come out of Executive Session, seconded by Kaminski. All in favor. Motion carried.

At this time, a motion was made by Hamilton to authorize the settlement of a tax appeal filed by Eastern Concrete Materials, Inc., as recommended by the Township Attorney, Township Tax Assessor and the Township Manager, seconded by Verrilli. All in favor. Motion carried.

ADJOURNMENT: A motion was made by Kula to adjourn at approximately 9:00 p.m., seconded by Hamilton. All in favor. Motion carried.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk